



Policy and Procedure

Number: 2100

Subject: Inventoried Property and Evidence Disposal		
Date Issued: 10-01-04	Effective Date: 12-01-11	Revision Number: 2

Evidence collection, processing and retention are critical components of the criminal justice process. However, most recovered property is not used for criminal prosecution. Disposal of unneeded property in a timely fashion is a high priority.

PROCEDURE:
MEMBER :

1. Review the Property Disposal Record form (NSP58) or BEAST Property Disposition Tracer form and attached documentation.
 - a. All evidence and property for homicides, sexual assaults and drug offenses shall be retained indefinitely unless release or disposal is authorized by a court order or other legitimate authority (Racine County District Attorney's Office).
 - b. Physical evidence that includes any biological material that resulted in a criminal conviction or delinquency adjudication shall be preserved until every person in custody as a result of the conviction, adjudication, or commitment reaches his or her discharge date.
 - c. All ballistic evidence (firearms, shell casings and bullet fragments) shall be retained for 6 years.
 - d. Property and evidence shall be disposed of for felony offenses that have not been charged and no arrest warrant has been issued 6 years old or older.
 - e. Property and evidence shall be disposed of for misdemeanor offenses that have not been charged and no arrest warrant has been issued 3 years old or older (except for firearms and ballistic evidence).
 - f. The Department may retain property for use in training or operations.
 - g. Personal property shall be returned to the owner or disposed of at their request.
2. Upon completion of the review the member shall check one of the following options, sign the form and then forward it to his/her supervisor for approval.
 - a. Item may be disposed of.
 - b. Items must remain in evidence until the provided date.

NOTE:

An Evidence Custodian may determine if the items authorized for destruction will be sold at auction.

SUPERVISOR:

Upon receipt of a completed Property Disposal Record form or BEAST Property Disposition Tracer from a member the supervisor shall;

1. Review the documents for completeness and the type of recommendation for disposition.
2. If appropriate, discuss the recommended disposition with the member.
3. Approve the disposition or return to the member for further analysis.

EVIDENCE
CUSTODIAN:

1. Complete Disposition Tracer form (from BEAST)
 - a. Attach copies of the corresponding Beast Inventory Record(s).
 - b. Include any information available on the prosecution status and statute of limitations.
 - c. Include any C-Caps information.
2. Forward to the appropriate member for review and recommendation.
3. Upon receipt of a completed Disposition Tracer form follow the recommendation and determine the evidence disposition.

**RELATED
PROCEDURES:**

[1201 – Property Inventory – Excluding Motor Vehicles
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