# Real Time Networks

## PRACTICAL GUIDE

# BETTER EVIDENCE MANAGEMENT

How to Implement a Transparent, Accountable, and Reliable Process.

# Executive Summary

The criminal justice system is one of the pillars of our society. It provides citizens of any social standing with a platform to face an accuser and present the facts. However, for justice to be served, those facts must be supported by evidence.

The practice of evidence management helps ensure every stakeholder handles evidence reliably, accountably, and transparently. The best way to achieve that is to use a standards-based evidence management process.

Structuring your agency's evidence management according to an established standard will help you more reliably see criminal cases to trial, increase conviction rates, and help exonerate innocent individuals.

This guide draws from the work of the Evidence Management Institute (EMI) to reveal some of the most important standards law enforcement agencies of any size should follow to improve their evidence-handling practices.

Some of those standards include documenting roles and responsibilities for evidence custodians, sworn officers, and all other stakeholders in the evidence management process. It also includes keeping detailed but transparent policies for evidence management to help ensure your chain of custody remains unbroken. This guide also discusses the role smart technology can play in supporting your evidence management policies and standards.

# The Purpose of Standards-based Evidence Management

Organizational standards exist across the public and private sectors. Law enforcement agencies (LEA) are familiar with regulatory standards, but perhaps not regarding evidence management. The goal of applying standards in that area is to make how your agency handles evidence reliable, accountable, and transparent.

Evidence management standards shouldn't just apply to your LEA's senior-most evidence custodian. They should be organization-wide. Anyone who interacts with evidence at any stage in the chain of custody could inadvertently hurt the chance of evidence making it to trial, convicting someone, or exonerating someone.

Even after the trial, there is still the matter of disposition. Many crimes are traumatic for victims and their families. Much evidence held by LEAs could carry significant emotional weight for them, and they will want it returned. Applying evidence management standards within your organization doesn't just secure the physical or digital material in your possession. It improves all possible outcomes of criminal investigations, including returning important materials to victims' families.

## Key benefits of standards-based evidence management

Developing standard practices for evidence management across agencies and between jurisdictions offers some specific benefits.

## Reliability:

Evidence management standards are designed to reduce variance. They detail reliable, repeatable processes that your personnel will carry out regardless of shift or investigative unit. You'll know that evidence for every case receives the same attention. This fosters trust within your staff and community that cases are treated seriously and with respect.

## Improved performance :

Standards generated by experts, like those at the EMI, guide LEAs toward the best practices they should follow for evidence management. They're proven to improve case outcomes and benefit all stakeholders within the justice system, particularly in your agency's evidence management workflow.

## Sustainability:

There is never enough storage space. One challenge every LEA, large and small, face is sustainably managing large volumes of physical and digital evidence. Standards-based evidence management improves your disposition processes as much as your retention ones.

You'll never hold onto evidence longer than needed, as you'll have well-documented processes for how and when your evidence custodian can request to dispose of different items.

## Risk reduction:

By reducing variance in how your personnel handles evidence, standards also reduce your LEA's risk levels. In addition, standards establish a baseline performance level for all personnel to be held accountable.

No organization is ever perfect. However, good standards assume that and will also give you a framework for responding to problems when they arise.

# Common Sense Practices for Better Evidence Management

A standard outlines the desired outcome you want to achieve with a given activity. For our discussion here, that activity is evidence management. How LEAs achieve those outcomes will vary from agency to agency.

So while each should have its own customized practices and policies to achieve those standards, there are some established best practices that each organization will want to consider. Five core best practices for evidence management include:

- Durable, all-welded construction
- Maximum security electronic locking system
- Optional RFID sensors for contents surveillance
- Controlled with RTNHub management software
- Integrated with most major access control systems
- Choice of ventilation styles
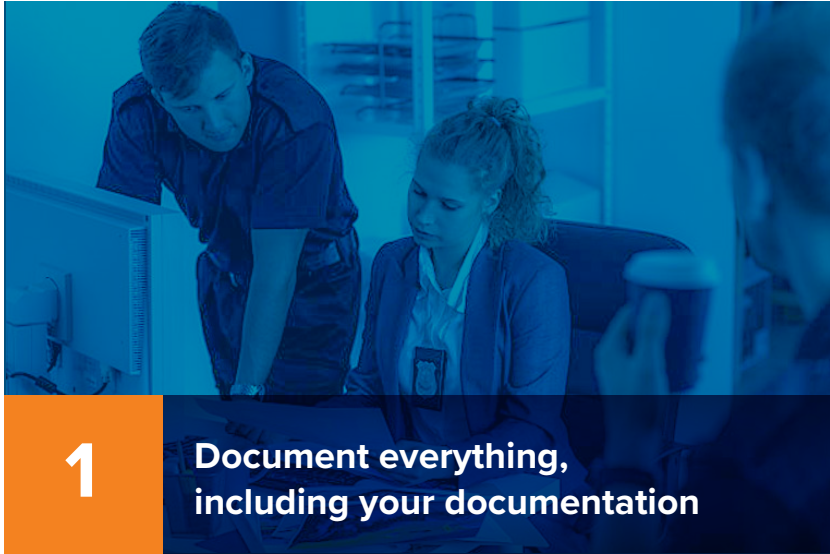
## 1 Document everything, including your documentation

Documentation lies at the core of standards-based evidence management. Transparency, accountability, and consistency—none of these principles work without common reference documents that stakeholders can point to, to understand your LEA's evidence management processes.

If an activity needs to happen to ensure high-quality evidence management, it must be written down. If it needs to happen to ensure a proper chain of custody, it needs to be documented. Document every essential process that needs to happen so there is no uncertainty about how stakeholders must handle evidence.

## 2 Defining clear roles and responsibilities

No one should have unrestricted access to criminal evidence. Instead, create clearly defined roles and responsibilities for every stakeholder interacting with evidence from collection through disposition.

First and foremost, that means defining the role of evidence custodian—the individual within your LEA who will carry final responsibility for the care and handling of all evidence. Responsibilities will vary across organizations, but at a high level, this individual is responsible for protecting the integrity of evidence in your custody, facilitating access to evidence for investigations, discovery, and trials, and arranging for its disposition.

While evidence custodians take responsibility for the end-to-end process, it would be impossible for them to manage the day-to-day transactions of every single piece of evidence in your agency's custody. Typically, those day-to-day management responsibilities will fall to sworn officers. Document your officers' roles and responsibilities when interacting with evidence. A large portion of those responsibilities will come at evidence intake.

# 3 Establishing a rigorous and consistent evidence intake process

Your agency's first interactions with evidence are some of its most important. Establish clear processes for how your personnel should document, package, and submit the evidence they collect. At most agencies, this duty is most effectively performed by officers. Ensure that your role and responsibilities for them include these critical collection steps.

Often analysts will need to process evidence upon collection or shortly after once your agency has obtained a warrant. Therefore, you must maintain a chain of custody throughout that interaction. Ensure your policies include the necessary steps for getting evidence through processing and into long-term storage, so it remains viable ahead of discovery and trial.

## Maintaining biological evidence

You must handle all evidence to preserve its integrity within an unbroken chain of custody. For traditional physical evidence, that typically means in a secure facility below 60 percent humidity with the air temperature between 60-75°F. Other evidence needs special considerations, commonly biological evidence. Ensure you have facilities that can store refrigerated or frozen biological samples when necessary. The US National Institute for Standards and Technology (NIST) published The Biological Evidence Preservation Handbook in 2013, an excellent source for detailed guidance.

# 4 Maintaining necessary storage

Every LEA struggles with evidence storage. Space is obviously the greatest limiting factor in how much evidence you can store. Evaluate your existing intake and storage systems to see if there are inefficiencies you can remove. For example, are shelves spaced too tall or too short for your containers, creating dead space where you can't stack anything?

But space is not the only limiting factor. Your storage facility is at the center of your evidence management workflows. Your policies and processes also significantly impact how often and how long you retain evidence. So also evaluate your existing retention and disposition policies. For example, how regularly do you solicit updates from officers and prosecution teams to determine whether you can dispose of evidence? Could you do it more frequently?

## Maintaining digital evidence

Digital evidence storage requires a completely different set of infrastructure. Maintain a large, scalable storage network capable of holding all uncompressed digital evidence necessary. Apply the same review and disposition policies to digital evidence that you do for physical evidence.

## 5 Establishing a rigorous and consistent evidence disposition process

Finally, ensure you have a reliable, consistent process in place for evidence disposition. You want to retain evidence as long as necessary and not a moment longer. The key, therefore, is knowing with 100 percent certainty when evidence has reached the end of its life cycle within your organization.

As suggested by the EMI, your agency's evidence disposition process should be based on four factors: "required retention, case adjudication, the time of appeals – or the sentence of the offender if they are incarcerated – and certain limitation statutes."

Additionally, your disposition process should include some variation of five core steps:

- Identification
- Research
- Notification
- Authorization
- Disposal

### Identification

First and most importantly, you must identify what evidence is potentially eligible for disposition. You can achieve this using manual audits of your evidence room and pen-and-paper data collection. But logging evidence in a digital records system is almost always more efficient. The system can send triggered alerts when key dates or other milestones are reached.

### Research

You only know that evidence might be eligible for disposal at this stage. Now you must research all requirements for that particular piece of evidence to verify whether that is true. Those requirements could include adjudication of a case, a statute of limitations, or the expiration of a legal requirement to maintain it.

### Notification

Once researched, you next need to notify all stakeholders of that evidence that it is up for disposition. Next, you need to verify that no special considerations or new information might impact its disposition. Those stakeholders could include the officer or the investigators assigned to the case, the court, or the property owner.

### Authorization

It is important to remember that evidence custodians have authority over the evidence management process but not material evidence itself. Therefore, identify the proper authority from among stakeholders, get their authorization yes or no to dispose of the evidence in question, and then document that authorization, so it becomes part of that piece of evidence's chain of custody.

### Physical Disposal

Finally, once that process is complete, you can dispose of the evidence. That might mean securely destroying it, returning it to its owner, or turning it over to specialists to destroy materials that require special handling.

# The Importance of Technology in Standardizing Evidence Management Practices

The best practices we've highlighted here help you conduct high-quality evidence management more consistently and reliably. In addition, hardware and software technology can support your standards-based practices even more effectively.

## Automate to improve reliability and consistency 24/7

Evidence management technology also helps automate time-consuming workflows and performs them without human error. Airtight transaction logging helps you maintain a complete chain of custody, which keeps evidence defensible in court. Centralizing this activity also automates some of the more tedious and error-prone tasks in evidence management.

For example, smart evidence lockers help standardize evidence deposits by logging transactions, recording the depositing officer, and securing the evidence bag. Your evidence custodian doesn't need to be present for this to happen, so officers on second and third shifts can easily deposit evidence as soon as they return to their precinct.
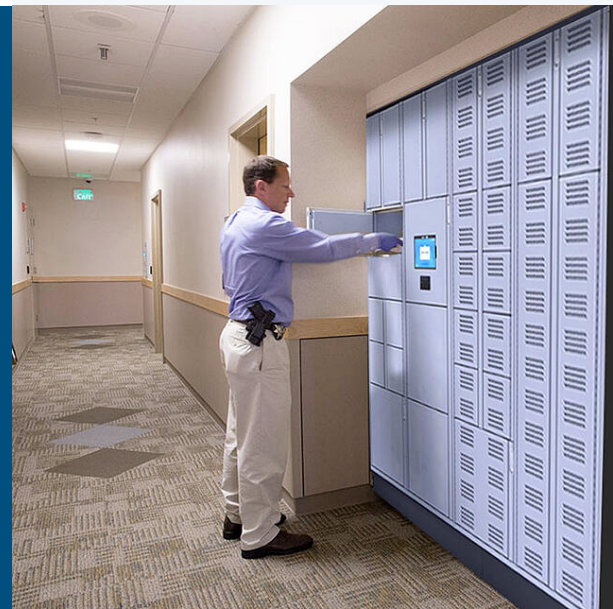
## Manage evidence workflows with more efficiency

Staffing levels are already cut as close as they can be. Shifting some of the burdens of evidence management to smart systems frees up evidence custodians and other involved personnel for more important law enforcement activities.

And good evidence management takes time, as it can be a complex, rigorous process. So if there are any tasks you can streamline without compromising the integrity of your evidence, you should.

Content surveillance systems built into evidence lockers can verify whether the correct materials were removed and alert the removing officer if they made a mistake. In addition, these systems can notify evidence custodians if they're needed for dual authentication sign-outs of regulated evidence like narcotics or firearms.

### Integrate technology to streamline operations

Evidence management technology needs to integrate with the other access control systems you already have. Maintaining separate user records is inefficient and too prone to errors. Instead, centralize your access control systems to manage user and evidence stakeholders from a single record system where possible.
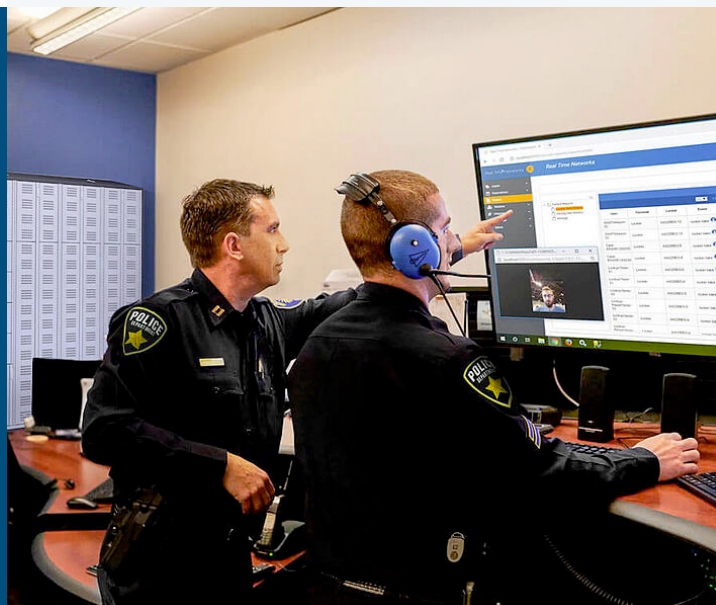


### Enforce stakeholder accountability

Having the country's most rigorous evidence management policies does you no good if you have no mechanism to enforce their use. If staff ignore those policies, take shortcuts, or play fast and loose with your chain of custody, your legal outcomes will suffer. Making all evidence stakeholders accountable for their performance helps ensure a proper chain of custody.



# Work with a Trusted Smart Locker Provider

Smart technology, including smart evidence lockers, can transform law enforcement operations. But it takes a little planning to get the most from them within a standards-based evidence management program. Working with a trusted smart technology provider can make the job simpler. Real Time Networks' team of experts has decades of combined experience designing and deploying smart locker systems for various industries and use cases.



**Get a free consultation from an RTN smart evidence locker expert today**

**1-800-331-2882**

info@realtimenetworks.com
www.realtimenetworks.com

**+44 (0) 204 525 8884**

info@realtimenetworks com
www.realtimelocation.co.uk

8

# Real Time Networks

AssetTracer is a premier brand of Real Time Networks. Over 4,000 of our key and asset management solutions are in use worldwide.

With operations in US, Canada, UK and Europe, Real Time Networks (RTN) is a leading provider of custom safety and security solutions — for keys, assets, and people. For over 30 years, RTN has built a reputation for delivering custom security solutions backed by industry-leading customer service and support.

From your initial consultation to custom installation, training, and 24/7 phone support, RTN keeps you and your technology running safe, secure, and efficient with sales and service available across Canada, US and UK.

**1-800-331-2882**

info@realtimenetworks.com
www.realtimenetworks.com

**+44 (0) 204 525 8884**

info@realtimenetworks.com
www.realtimelocation.co.uk

## Technical Specifications

### Power

- 120V Power Consumption
- 5° to 50°C (40° to 120°F) operational temperature range
- Optional Backup Battery

### Authentication

- PIN code
- Proximity card (compatible with most major access card systems)
- Biometric (fingerprint or facial)
- IrisID Iris Recognition Scanner
- Card & PIN

### Digital

- SSL encryption in transit
- Enterprise-grade SQL Database backend
- Reader interface: RJ45 or WiFi

### Lockers

- 18 gauge steel
- Optional shatter-proof clear polycarbonate doors