FREE PREVIEW

PATROL REFERENCE PRESS

PATROL ESSENTIALS

# Evidence Collection & Chain of Custody

The Collection Decision · Preservation & Spoliation · Collect, Package, Seal, Label, Log · Storage · Submission & Disposition · Special-Handling Evidence · Proving the Chain

*A Pocket-Reference Guide for Patrol Officers*

AUTHORITY · COLLECT · PRESERVE · LOG · SUBMIT · DISPOSE · PROVE

First Edition — 2026

This free preview contains the complete Foreword, How to Use This Manual, and the full Chapter 1 from the 75-page manual.
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This manual is a training and reference aid. It does not constitute legal advice, nor does it replace department policy, state law, POST or agency training, your agency's legal advisor, the prosecutor's direction, your laboratory's current requirements, or a court's own rules and orders.

# About This Free Preview

This preview gives you the complete opening of **Patrol Essentials: Evidence Collection & Chain of Custody** — the Foreword, How to Use this Manual, and the full first chapter, *The Evidence Discipline*. You'll see the manual's real format: the Quick-Reference card that opens each chapter, the case-law callouts, red-line warnings, high-risk-practice calls, officer notes, and pitfalls that make the full manual a fast, field-ready reference.

> Provisional. Verify before you rely — agency policy and your legal advisor govern.

If this preview helps, the full 75-page manual continues with the nine chapters and three appendices listed below. Almost none of evidence handling is federal doctrine, so every rule in it is labelled by its source — a statute or court rule, an agency requirement, or a best practice — and every case named is listed in Appendix A with its verified citation and the one point it supports.

## Contents of the full 75-page manual

*Page numbers refer to the full manual, not to this preview.*


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# Foreword

An officer rarely loses a case at the moment he makes the arrest. He loses it in the twenty minutes afterwards — standing over a bag of property on a tailgate, deciding whether the shirt is evidence, whether the phone should be turned off, and who is going to carry the bag. Almost nothing in those twenty minutes feels like law. A great deal of it is.

This manual is about what happens to a thing after you lawfully have it. That sentence is the whole scope, and it is deliberately narrow. This is not a search-and-seizure book. It does not tell you when you may seize, what container you may open, or what a lawful search looks like; those questions belong to *Stop, Search & Detention*. What this manual owns is the practice that starts the moment the item is lawfully in your hands: deciding what to take and what to leave, approaching a scene without destroying it, preserving what may matter, packaging and sealing, labelling and logging every transfer, storing the item securely, submitting it, and standing up in court to prove the chain you built.

Three failures bring officers to the rules in this volume, and every chapter is built to prevent one of them.

**The officer treated custody as a place.** The item goes into a pocket, a cargo pocket, a patrol bag, a trunk, a personal locker, a desk drawer, and the plan is to deal with it tomorrow. Nothing is stolen; nobody is dishonest; and there is now no record of where the thing was for eighteen hours. That gap cannot be repaired after the fact, because the only person who could close it is the officer whose memory is the gap.

**The officer destroyed the item's value by collecting it.** Clothing wet with blood sealed into a plastic bag for the ride. Two people's items into one container on a two-party call. A phone powered on to see whose it is, so that it locks and starts overwriting. The tape peeled back on a sealed package because the officer was not sure what was inside. Each of these is a five-second decision, made without malice, that can take the item's evidentiary value out of the case permanently.

**The officer assumed that preservation was somebody else's job.** The scene is cleared, the report is written, the detective has the file, and the officer believes the item is safe. Two weeks later a recording has overwritten inside its retention window, a scene has been cleaned, or a property-disposal cycle has run on its own schedule — and the officer is the one asked on the stand what he did to prevent it.

Where this manual meets a subject another title in this series already owns, it hands off rather than repeats, and it says so at the point of contact. The authority to seize — search incident to arrest, the vehicle exceptions, the container rules, and the exclusionary remedy — belongs to *Stop, Search & Detention* (`SSD-DET-0020`, `SSD-VEH-0004`, `SSD-VEH-0005`, `SSD-DET-0019`). The documents an item

generates — the property and evidence record, the search-warrant return and inventory, the arrest package, the disclosure duty, and testifying from your report — belong to *Report Writing & Case Documentation* (RPT-DOC-0020, RPT-DOC-0018, RPT-DOC-0010, RPT-DOC-0031, RPT-DOC-0032). The chemical-specimen instance of the log — the blood kit, its serial fields, and the implied-consent paperwork — belongs to *DWI/DUI Enforcement* (DWI-ARR-0002, DWI-DOC-0014, DWI-ARR-0001). The pediatric and child-case application — scene preservation, the medical-forensic examination, the kit windows, and child-case digital material — belongs to *Juvenile Sexual Assault Investigations* (JSA-JUV-0027, JSA-JUV-0002, JSA-JUV-0026, JSA-JUV-0009). Property on the arrestee at the point of custody belongs to *Arrest, Warrants & Court Process* (AWR-ARR-0018). Preservation during a rescue under fire belongs to *Active Shooter Response* (ASR-COM-0011). The theft-scene recognition framing at a critical-infrastructure site belongs to the Critical Infrastructure volumes (EGR-CIR-0018, TRN-CIR-0039). Instrument foundation belongs to *RADAR Operations* (RDR-AUT-0001). What *this* manual owns is the practice of evidence handling and the general item: the collection decision, scene approach, the duty to preserve and what destroys evidence, packaging and sealing, the label and the general chain-of-custody log, storage and the property room, submission and disposition, special-handling evidence, digital and photographic preservation, evidence that comes from a person, and proving the chain in court.

One warning on the ground this manual covers. Far less of evidence handling is federal doctrine than officers expect. The Constitution tells you whether you may take an item; it says almost nothing about the container, the seal, the label, the shelf, the form, or the disposal order. Those come from your **agency's policy**, your **laboratory's submission requirements**, your **state's statutes and rules**, and professional practice — and they differ from one agency to the next and change over time. This volume states the federal baseline where one exists, the professional standard where one does not, and it labels each proposition so you can tell which one you are reading. Read the baseline as the floor, not as your authority. Your authority is your state's law and your agency's policy.

Read this manual once end to end, then keep it where the property gets processed — the tailgate, the property-room counter, the submission bench. The chapters are short on purpose, and the question underneath all of them is always the same: what did I take, and can I say what happened to it after that. — **Patrol Reference Press** *First Edition, 2026*

# How to Use This Manual

This manual is built for the working patrol officer and is structured so you can find the answer in seconds — at the scene with a scene in front of you, in the back of the car with a call still pending, or at the property-room counter with a bag in your hand and a log open.

**Each chapter opens with a Quick-Reference card** — the chapter's core doctrine as one table you can scan in thirty seconds. This print edition carries the full discussion. The same doctrine is also carried as a short field card in the **Patrol Core** mobile reference — Rule / Need / May / May Not / Watch For / Authority / Related — so the section's distilled answer and its cross-references are in your pocket as well as on the page.

**Icons and callouts used throughout:**

- ⚖️ **CASE LAW** — A decision that shapes the preservation question or the proof question. Hold the point; confirm the citation in your own jurisdiction before you rely on it.
- 🛑 **RED LINE** — A bright-line prohibition. Cross it and the item is compromised, the record is broken, or you have acted without authority.
- 🚨 **HIGH-RISK PRACTICE** — A circumstance-dependent judgment call where the wrong choice can create a suppression problem, a contamination problem, or a credibility problem. Not a bright line — weigh it, and document the reasoning.
- 💡 **OFFICER NOTE** — Practical field guidance and lessons learned in review.
- ⚠️ **PITFALL** — A common mistake that costs officers their evidence.

**A word on the two kinds of language in this book.** Bright-line law and genuine safety rules are written in **absolute** language — "must," "never," "is required." Almost everything else in evidence handling — the container you choose, whether to field-test, how to dry an item, how to store it, when to release it — is written in **qualified** language — "should," "typically," "your agency's policy governs." When you see a RED LINE, treat it as a boundary. When you see guidance, treat it as a considered approach to be weighed against the facts, the item in front of you, and your agency's policy.

**Label the source of every rule.** Evidence handling is where the three sources of a requirement are most easily confused, because most of this discipline is *not* law. A rule can come from a statute or court rule, from your agency's policy, or from your laboratory's submission requirement, and the three are not interchangeable. Where this manual states a genuine legal standard it says so; where it describes an **agency requirement** or a **best practice** it says so. Appendix C (the jurisdiction fill-in) is

a fill-in page for your own state's evidence provisions, your agency's packaging and property-room policy, and your laboratory's current submission requirements — fill it in before you rely on anything in it.

**Cross-reference convention.** Where a doctrine has its own deep treatment in this series, this manual states the general rule and points you to the owner: *Stop, Search & Detention* (the authority to seize, every search doctrine, the exclusionary remedy), *Report Writing & Case Documentation* (the property and evidence record, the return and inventory, discovery and disclosure, testimony), *DWI/DUI Enforcement* and the Texas overlays (the chemical specimen and its log), *Juvenile Sexual Assault Investigations* (the child-case scene, the medical-forensic examination, kit windows, child-case digital material), *Arrest, Warrants & Court Process* (prisoner property at the point of custody), *Active Shooter Response* (preservation during a rescue), the Critical Infrastructure volumes (theft-scene recognition), and *RADAR Operations* (instrument foundation and judicial notice).

**How this volume is organized.** Chapters 1 through 5 build the discipline and the practice: why evidence handling decides cases, what counts as evidence and who owns it once it leaves your hands, the collection decision and scene approach, preservation and the duty not to destroy, and the five steps every item goes through — collect, package, seal, label, log — followed by storage and the custodial system. The rest of the volume carries submission and testing, special-handling evidence (controlled substances, firearms and toolmark, biological and DNA), digital and photographic evidence, evidence that comes from a person and the hospital path, proving the chain in court, and the appendices (the authority table, the field templates, the field checklist and the jurisdiction fill-in page).

**Disclaimer:** This manual is a training and reference aid. It does not constitute legal advice, and it does not replace department policy, state law, POST or agency training, your agency's legal advisor, the prosecutor's direction, your laboratory's current requirements, or a court's own rules and orders. Evidence collection, packaging, sealing, labelling, logging, storage, submission, retention, release and destruction requirements vary by state, by laboratory and by agency, and they change over time. Where this manual and your state's law, your agency's policy, your laboratory's requirements, or a court order differ, those sources govern. Confirm every citation and every state- or agency-specific rule with your legal advisor before you rely on it. When in doubt, consult a supervisor, your property and evidence unit, or your agency's legal office. Provisional. Verify before you rely — agency policy and your legal advisor govern.

CHAPTER 1

# The Evidence Discipline

QUICK-REFERENCE

### The Evidence Discipline — Three Questions

Every evidence decision in this manual is one of three questions. The first is somebody else's doctrine; the second and third are the whole of this book.

| # | Question | What it decides | Who owns it |
|---|---|---|---|
| 1 | **May I take it?** | The authority to seize: the search incident to arrest, the vehicle exceptions, the container authority and the warrant requirement. | *Stop, Search & Detention* (`SSD-DET-0020`, `SSD-VEH-0004`, `SSD-VEH-0005`). Stated here once as a boundary, never re-argued. |
| 2 | **How do I keep it intact?** | Scene approach, the collection decision, preservation against the clock, packaging, sealing, drying, contamination control. | This manual (Chapters 2–4). |
| 3 | **Who owns it once it leaves my hands?** | The label, the general chain-of-custody log, every transfer, interim storage, the property room, submission, disposition — and the record that proves all of it. | This manual (Chapters 4–10). The *documents* it generates stay *Report Writing & Case Documentation*'s. |

**Bottom line:** Officers lose more cases on the second question than on the first, because the first has a warrant or an exception attached to it and a scene that feels urgent, and the second is decided by a bag, a seal, a label and a log entry nobody is watching you make.

## 1.1 What Counts as Evidence and Who Owns It After You

The useful test is not "does this prove my case" but "could a later reader check this and reach a conclusion." That test is deliberately wide, because the reader you are writing for is a prosecutor in three weeks or a defense attorney in eleven months, and neither of them will ever see the room you are standing in. Anything a later reader could check — the item itself, its condition, where it sat, what it looked like before anyone touched it, and now the recording of all of that — is evidence, and it earns a record.

**Two kinds of item and one difference between them.** There is an item you are holding, and there is an item that is in the system. The first exists only in your memory and in whatever you happened to say on the radio; the second exists in a record that any of a dozen people can read a year from now. The whole discipline of this manual is moving the second thing into existence, and it is done with a bag, a seal, a label and a log line, in that order, every time.

**Custody is a transfer of responsibility, not a place.** When you take an item you are not putting it "in evidence" — you are accepting a duty that is discharged by handing it to the next person in a way the record can see. That is why the label and the log matter more than the shelf: the shelf is scenery, and the chain is what the prosecutor actually offers. `RPT-DOC-0020` owns what the property and evidence record and the custody narrative must say about the item; the practice of getting the item safely into that system is this manual's.

**The everyday item is the one that usually goes missing.** Officers are careful with the obvious exhibits — the firearm, the bag of suspected narcotics, the phone — and casual with everything else: the note handed over at a family disturbance, the torn piece of clothing from a hit-and-run, the medication bottle in a vehicle, the knife a complainant brought you a day later, the item a colleague asks you to "hold for a minute." Each is an item with a person attached to it, and each needs the same four things: a description of what it is and where it came from, a container, a seal, and a line that names you.

> 💡 **OFFICER NOTE**
>
> Say it out loud and bound it. "One black folding knife with a four-inch blade, found on the floor of the Honda between the driver's seat and the console, taken at 2143, item one." Ten seconds of speech gives you the description, the location, the time and the item number. Because the body-worn camera is usually running, that sentence is also a second, independent record of the same facts — and a recording that agrees with your label is very hard to attack.

> 🚨 **HIGH-RISK PRACTICE**
>
> The item that leaves no record. The phone a person hands you "for safekeeping" after an argument, the firearm a citizen turns in, the wallet found on the sidewalk, the item held for another officer's case until he is back on shift. These items come with no offense attached, which is exactly why they slip out of the system: no case to put them in, no seal, no log, and an officer holding property that is now, in effect, unaccounted for. Take them into the system anyway, with a report entry that says where the item came from and what you did with it. Where your agency has a found-property procedure, that procedure is an **agency requirement** — follow it, and never keep the item in your own possession as the alternative.

> ⚠️ **PITFALL**
>
> Describing the conclusion instead of the item. "Bloody shirt" is your conclusion. "Blue cotton shirt, right sleeve and collar damp with a dark red fluid, packaged in paper" is a description someone else can check, argue with, or verify against the photographs. The evidence-versus-conclusion language discipline is owned by *Report Writing & Case Documentation* (`RPT-DOC-0010`); this manual applies it to items and never re-teaches it.

### 1.2 How Evidence Cases Are Actually Lost

It helps to be concrete about the ways this goes wrong, because in review the failures are boring and repetitive. Almost none of them involve dishonesty, and almost all of them are visible a year later in a single document.

- **The record gap.** The item is real, it was seized lawfully, and there is an unexplained interval — a night in a locker, a weekend in a vehicle, a handoff in a corridor — that nobody wrote down. On cross-examination the gap is the question, and the honest answer ("I do not know where it was") is the answer that damages the case.
- **The contamination.** Two items in one container, an item packaged wet, gloves reused across people, an officer's own fingerprints or DNA on the item because he picked it up twice for a better look. Contamination rarely excludes the item outright; it gives the defense something better — a reason for the jury to doubt what the item proves.
- **The unrecorded transfer.** The item was handed to a paramedic, a detective, a task-force partner, a courier or a family member, with a verbal understanding and no entry. The chain now has a hole the size of whoever was not written down.
- **The destroyed item.** A recording overwritten inside its retention window; a scene cleaned by the property owner; a specimen discarded on a disposal cycle; a message deleted. Here the doctrine changes, because the Constitution does not require an officer to preserve everything — it asks what he knew and what he did with it, and the consequences of a preservation failure turn on questions a court decides, not on a rule you can apply at the scene.
- **The unlawful seizure.** The item was taken without authority, and everything downstream — the packaging, the seal, the log, the lab result — is offered on a foundation the court never reaches, because the seizure itself is the problem.

> ⚖️ **CASE LAW**
>
> A clean chain does not cure an unlawful seizure (owned elsewhere, cross-reference only): the consequence of a defective search or seizure, including the good-faith doctrine that sometimes preserves evidence obtained on a defective warrant, is owned by *Stop, Search & Detention* (`SSD-DET-0019`) and by *Report Writing & Case Documentation* (`RPT-DOC-0022`), where the suppression analysis and the good-faith case law are developed. The point this manual needs from it is one sentence long: **perfect handling of an item you had no authority to take is still an item that may be suppressed**, and no amount of packaging discipline fixes the top of the chain. Name the authority before you touch the item; the doctrine behind that sentence lives on the card named here, and this volume does not re-argue it.

> ⚠️ **PITFALL**
>
> Treating the property record as the practice. Officers who handle evidence carelessly will sometimes reason that the record will look fine, because a record can be written from memory at the end of shift. It will look fine, and that is the problem: a record written late and cheerfully is a record that disagrees with the body-worn camera, the log, the photographs and the property room's own entries. The documents are *Report Writing & Case Documentation*'s (`RPT-DOC-0020`, `RPT-DOC-0018`); what this manual asks is that the practice the record describes actually happened, in the order the record says it did.

### 1.3 Where This Manual Hands Off

This title is an owner title, and the shortest way to make that usable is to name the seams once, in one place, with the card that owns each of them. Where the table below rules a doctrine out, this manual states the general rule and stops.

| Doctrine | Owner | What this manual says instead |
|---|---|---|
| The authority to seize; search incident to arrest; the vehicle and container exceptions; the exclusionary remedy | *Stop, Search & Detention* (SSD-DET-0020, SSD-VEH-0004, SSD-VEH-0005, SSD-DET-0019) | Name the authority to seize once (Chapter 1), then handle the item. |
| The property and evidence record; the search-warrant return and inventory; the arrest package; the evidence-not-conclusions discipline | *Report Writing & Case Documentation* (RPT-DOC-0020, RPT-DOC-0018, RPT-DOC-0017, RPT-DOC-0010) | Write nothing about the document's required content; own the practice the document records. |
| Discovery and disclosure; preservation of **records**; retention of reports | *Report Writing & Case Documentation* (RPT-DOC-0031, RPT-DOC-0029) | Physical-evidence preservation is this manual's (Chapter 3); record preservation is theirs. |
| The chemical specimen: the blood kit, its serial fields, the implied-consent paperwork | *DWI/DUI Enforcement* (DWI-ARR-0002, DWI-DOC-0013, DWI-DOC-0014, DWI-ARR-0001, DWI-ARR-0003) | State the **general** log and the **general** item; the specimen instance, its fields and its forms stay theirs. |
| The child-case application: scene preservation, packaging, the SANE examination, kit windows, child-case digital material | *Juvenile Sexual Assault Investigations* (JSA-JUV-0027, JSA-JUV-0002, JSA-JUV-0026, JSA-JUV-0009) | State the general rule and link. Never re-write the pediatric packaging, the examination protocol or a kit window. |
| Property on the arrestee at the point of custody | *Arrest, Warrants & Court Process* (AWR-ARR-0018) | Own the item from the moment it becomes evidence rather than custody property. |
| Preservation during a rescue or an active threat | *Active Shooter Response* (ASR-COM-0011) | Own preservation when the scene is yours to process. |
| Testimony craft, prior statements and the expert-testimony frame | *Report Writing & Case Documentation*, *Juvenile Sexual Assault Investigations*, *RADAR Operations* (RPT-DOC-0032, JSA-JUV-0005, JSA-JUV-0006, JSA-JUV-0010, RDR-DOC-0002, RDR-DOC-0004) | Own only the evidence-specific foundation and the chain-of-custody testimony (Chapter 10). |
| Instrument foundation and judicial notice | *RADAR Operations* (RDR-AUT-0001, RDR-AUT-0002) | Own the item's foundation, not the instrument's. |

> 💡 **OFFICER NOTE**
>
> The seam is a courtesy, not a gap. When a question runs off the edge of this manual, the answer is one card away, in the title that owns it. Officers who have both volumes open on the same call are getting the whole system; officers who treat the handoff as a hole in the book conclude that nobody has written the answer, and then improvise. The cardIds above are the pointer; use them.

> ⚠️ **PITFALL**
>
> Re-inventing the document inside the practice. The most common way an owner title drifts is that the writer, describing how to seal a package, starts listing what the property record ought to say about the seal. That is a report-writing instruction, and it belongs to `RPT-DOC-0020`. Describe the seal; the record's wording is the other title's business.

# Get the Full 75-Page Manual

*What you take, and whether you can say what happened to it after that.*

- **Chapter 1: The Evidence Discipline** — the three questions every evidence decision answers, what counts as evidence, how cases are actually lost, and where this manual hands off.
- **Chapter 2: The Collection Decision** — scene approach and the single path, what to collect and what to leave, and when the right call is to stop and call somebody else.
- **Chapter 3: Preservation and Spoliation** — when the duty to preserve attaches, what destroys it, preservation letters and holds, and what to do when the evidence is already gone.
- **Chapter 4: Collect, Package, Seal, Label, Log** — the five steps in order — collect, package, seal, label, log — item by item, plus the broken seal, the missing entry and the correction.
- **Chapter 5: Storage, the Evidence Custodian and the Property Room** — temporary storage and the vehicle prohibition, the property room and its audits, and the item that needs a different shelf.
- **Chapter 6: Submission, Testing and Disposition** — laboratory submission and what the lab needs from you, then return, release, forfeiture and destruction.
- **Chapter 7: Special-Handling Evidence** — controlled substances, firearms and toolmark, biological and DNA evidence, and the item you are not supposed to touch.
- **Chapter 8: Digital and Photographic Evidence** — digital evidence at the patrol level, photographic and video evidence, and the difference between the original, the copy and the working copy.
- **Chapter 9: Evidence From a Person and the Hospital Path** — the hospital path and the medical handoff, clothing and belongings at the door, and the items that stay with the deceased.
- **Chapter 10: Proving the Chain in Court** — authentication and foundation, the chain-of-custody testimony under cross-examination, and the exhibit on the day of court.
- **Appendix B: Field Templates** — the evidence label, the general chain-of-custody log, the laboratory submission sheet, the property release receipt, and the disposal order record.
- **Appendix C: Field Checklist and Pre-Submission Self-Audit** — the eight questions at collection, the six before you submit, and the agency, laboratory and jurisdiction fill-in page.
- **Appendix A: Authority Quick Table** — every case this manual relies on, its verified reporter citation, the jurisdiction it reaches, and the chapter that uses it.

The full manual also carries the Quick-Reference card that opens every chapter, the callouts that mark the bright lines, the field templates you fill in at the car and the property-room counter, and the two self-audits. The same doctrine is searchable and offline in the **Patrol Core** field reference at **patrolreferencepress.com**.

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