

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: APRIL 11, 2017

NUMBER: 4.13 - LEGAL

SUBJECT: RETENTION/CUSTODY OF OFFICER NOTES,
DOCUMENTS, AND OTHER EVIDENCE

RELATED POLICY: 4.13

ORIGINATING DIVISION: TRAINING AND EMPLOYEE DEVELOPMENT

NEW PROCEDURE:

PROCEDURAL CHANGE:

SUPERSEDES: DP 4.13 – 09/21/2010

I. PURPOSE

This Department procedure establishes guidelines for the retention and custody of evidence, notes, documents, etc., not addressed elsewhere in a Department procedure, Order or operations manual of a particular unit. To the extent a specific item is covered elsewhere (in a procedure, Order, operations manual or law), that other procedure governs that item.

II. SCOPE

This procedure applies to all members of the Department.

III. PERSONAL CUSTODY

- A. The following are the only authorized justifications for personal custody of documents/evidence:
1. Documents mass distributed to members of the Department (i.e., Training Bulletins, Safety Alerts, Department Orders, Investigative Supplementals).
 2. Department files or photographs of “wanted” suspects.
 3. Photographs, reports, and recordings of current, ongoing, active investigations.

4. Temporary custody of files or copies for testifying in judicial and administrative proceedings.
 - a. Department personnel may obtain pertinent records or copies when subpoenaed or otherwise officially notified of an appearance; and,
 - b. Department personnel shall return originals and destroy copies by shredding or placing them in a shred receptacle within three working days of completing testimony or completion of the judicial proceedings.
5. Temporary custody of files, records, reports, field interviews, or copies in the performance of official duty.
 - a. Department personnel may maintain custody of files, records, reports, field interviews or copies for the following reasons:
 - (1) To investigate a case or related cases; and/or,
 - (2) To prepare and develop related case files;
 - b. Department personnel shall return originals and destroy copies by shredding or placing them in a shred receptacle within three working days of completion of official duties.
6. Pre-approval by the commanding officer.

B. Officers' Notes

1. Officers shall use a PD-145, or other suitable notepad, when taking notes.
2. All relevant information (this includes exculpatory facts or statements) written in the notepad shall be immediately transferred to an official police record.
3. Notepads may be used until all pages are filled. Notepads that are completed or will no longer be used shall be destroyed by the officer.
4. Officers may retain a current PD-145 at a Department location until the notepad is completed.