



The Property Times

Texas Association of Property And Evidence Inventory Technicians (T.A.P.E.I.T.) Newsletter

Feb 2016

The Officers and Board members will meet for their March 2016 board meeting March 20th in College Station. If you have any questions you'd like to address to the board or if you'd like to attend the meeting, please email Jamie Murphy at j-murphy@tamu.edu, Gayla Robison at grobison@burlsonTX.com or post on the TAPEIT Message board at www.tapeit.net.

The official mailing address for TAPEIT has recently changed.

Our new mailing address is:

Gayla Robison

Burlson Police Department

1161 SW Wilshire Blvd Burlson TX, 76028.

General Assembly

San Marcos

TAPEIT Conference Oct. 2015





We Pay Tribute - Honoring TX Officers Who Left Us...

Source: [Officer Down Memorial Page](#)

[Sergeant Korby Kennedy](#)

San Angelo Police Department, TX
EOW: Thursday, June 25, 2015
Cause of Death: Motorcycle accident

[Deputy Constable Jeffrey Radford](#)

Bell County Constable's Office - Pct 3,
EOW: Wednesday, October 28, 2015
Cause of Death: Automobile accident

[Corrections Officer Timothy Davison](#)

TDCJ, TX
EOW: Wednesday, July 15, 2015
Cause of Death: Assault

[Sergeant William Karl Keesee](#)

Tx DPS - Highway Patrol
EOW: Thursday, October 29, 2015
Cause of Death: Automobile accident

[Detention Officer Tronoski Jones](#)

Harris County Sheriff's Office, TX
EOW: Thursday, August 20, 2015
Cause of Death: Heart attack

[Chief of Police Darrell Lemond Allen](#)

Marlin Police Department, TX
EOW: Tuesday, November 10, 2015
Cause of Death: Gunfire

[Deputy Sheriff Darren H. Goforth](#)

Harris County Sheriff's Office, TX
EOW: Friday, August 28, 2015
Cause of Death: Gunfire

Conference Registration 2015



Bingo / Get Together 2015



Being able to locate evidence, equipment, and files efficiently and effectively is not an option in law enforcement- **it's an imperative.** A single piece of lost evidence could mean the difference between a solved or unsolved crime. PADtrax RFID technology was designed to remove the possibility of lost evidence, while mitigating your security



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The Folks Behind The Scenes - your officers and board members—all working for T.A.P.E.I.T. members because....
They're members too!

| Officers | | Board |
|--------------|--|--|
| President | Gayla Robison - Burleson PD | Tommie Hastings —Humble PD |
| 1st VP: | Danny Barfield - Killeen PD | Fonda Rhoades - Bee Cave PD |
| 2nd VP | Vincent Hunter - Mansfield PD | Connie Jordan - Jasper County S.O |
| Secy: | Jamie Murphy - TX A&M PD | Steve Yancey - Forest Hill PD |
| Sgt. At Arms | Bob Killingsworth - Nacogdoches PD | Christina McDaniel - Richardson PD |
| Treasurer | Linda Roberts - Longview PD | |
| Web/Editor | Melinda Strange - Huntsville PD, retired | |
| Historian | Lynne Sinclair - McKinney PD | |

If you are interested in serving as a board member please go to the TAPEIT Documents tab on our website or contact any officer / board member for information regarding the requirements.



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Law Enforcement Services

IFL offers law enforcement a level of service in laboratory testing that is unheard of today.

Information You Can Use—Guidelines from DPS Lab

A note of caution from DPS labs regarding packaging GSR or other trace evidence in paper composed of recycled material:

The DPS Lab System has received several questions recently regarding our policies on brown paper packaging. I believe that these questions are the result of an informal conversation at the recent TAPEIT conference. I want to try to clarify what the actual issue is...

In 2011 we had a case in our Austin crime laboratory in which we identified indicative GSR particles on a paper blank related to an item of evidence that we were performing GSR testing on. The paper blank is a way for us to attempt to assess if we have environmental contamination. Our practice is to stub a piece of screening paper prior to examining the item in question and analyze this sample with our evidence samples to determine if GSR is present. The paper used in this case was recycled brown butcher paper. Through our research of the incident to determine a root cause, we believe that one possibility is that the indicative particles came from the brown paper itself. The brown paper that we were using was made from 100% recycled materials.

Please note that there is no concern regarding DNA samples and evidence. Also, the issue appears to be isolated to brown recycled butcher paper as we did not find any contamination with brown paper bags or boxes during our research.

This type of paper can contain particles of paint, other debris, and heavy metals that can interfere with and prolong our analysis. We have seen this with brown paper specifically but may include other recycled paper. Regular packaging material such as boxes and paper bags are suitable and are not a concern at this time."



GulfWest Waste Solutions -

Today, there are increasing concerns about the disposal of all drugs. Regulations are being revised in a number of states to tighten drug disposal options. More than ever before, people, healthcare and the environment are inextricably linked. We understand the problems involved with managing waste in compliance with OSHA, DEA, RCRA and state regulations. Let us help you reduce costs and increase efficiencies as you work



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News you can use...

This is just an excerpt of some of the changes, mostly the ones affecting law enforcement personnel. For further info on changes in the laws or bills presented go to [Texas Legislature Online](#).

Art. 38.50. (Retention and preservation of toxicological evidence in certain intoxication offenses)

<http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.38.htm>

According to Art. 38.50. (Retention and preservation of toxicological evidence in certain intoxication offenses), requires retention and preservation of a blood or urine specimen that was collected as part of an investigation of an alleged offense under Chapter 49 of the Texas Penal Code. Applies to a governmental or public entity or individual that is charge with the collection, storage, preservation, analysis, or retrieval of toxicological evidence. Requires retention for two years or the period of the statute of limitations if an indictment or information has not been presented. Requires retention for the term of supervision, if applicable or for the **duration of the defendant's sentence. If defendant is acquitted or the indictment or information is dismissed with prejudice, requirement of retention ends.**

This article applies to all toxicological evidence stored by an entity or individual on or after September 1, 2015 regardless of whether the evidence was collected on or before the effective date.

If you haven't already, you might want to check with your prosecutor to determine if your agency will be required to "retain and preserve" the evidence. The lab that analyzes your blood evidence will also be able to help.

Open carry (HB 910):

Licensed handgun owners can openly carry holstered handguns everywhere starting Jan. 1. Businesses can prohibit handguns in their stores, but now they need a new sign to legally keep guns out.

Texas will join 44 other states that already have open carry laws. Texas has about 850,000 concealed handgun license holders, a number that has increased sharply in recent years. The rules of where guns are allowed are the same as concealed carry. It just means you can openly carry the weapon now. It does have to be on a belt and in a holster or in a shoulder holster.

Body Cameras for Police Departments - Chapter 1701, Occupations Code:

According to State Bill 158, effective on September 1st, 2015, a county sheriff or municipal police department may apply to the office of the Governor for a grant for body cameras to be issued to various police officers.

Search and Seizure of Cell Phones [HB 1396]

Police must now obtain a search warrant in order to search a person's cell phone or wireless communication device, per House Bill 1396, which will take effect on September 1st, 2015.



TAPEIT.NET Message Board Questions

Have input? Have a question? Have an answer? See these and more at <http://www.tapeit.net> and visit the "How do you do it?" forum on our message board.

How do you do it?

I have a question regarding Article 18.19, returning a firearm to owner. We have a case in which the suspect was charged with "discharging a firearm in a municipality," to where he plead guilty and served his time. It's well after a year from the date of conviction and he has called requesting the gun be returned. I was reading through the Article and came across a clause that read the court shall order the weapon destroyed if "(2) the person has been previously convicted under Chapter 46, Penal Code." This individual is not a felon, but he does have a previous conviction of unlawful carry, which is under Chapter 46 of the Penal Code. I plan on consulting with our DA's office, but I wanted to consult with other Evidence Custodians as well, to see whether or not his gun should be returned.

Hi All, I was wondering if anyone has dealt with Gerdau Steel in the Houston area regarding bringing items to be destroyed?

Can someone go through the process of their department's annual audits? My supervisor would like me to help create a form to use for ours. It needs to be tapered towards a smaller department that does not use an Evidence Management System. (I currently utilize paper documents and excel).

Returning Found Property: Does anyone have a policy/procedure in place about returning found property, owner unknown, to the person who found it and turned it in? Do you return any type of property to include firearms, cash, or jewelry or just general merchandise? Just looking for info. Thanks



TAPEIT Scholarship / Grant Fund / Technician of the Year Recipients—2016



TAPEIT Scholarship — 2016

Congratulations to:

Greg James Joe Ortega Ryan Roberts Taylor Stevens

All received a \$500.00 scholarship

For more information on how to apply for TAPEIT’s Grant or Scholarship fund awards visit www.tapeit.net.

Grant Fund Recipients—2016
(Photos posted on www.tapeit.net)

Congratulations to: Hearne PD, Live Oak PD, Longview PD, Magnolia PD, Nacogdoches PD, Nacogdoches S.O., Weatherford PD.

Congratulations to our 2015 Property Tech of the Year Award recipient: Kimberly Burris with Cleburne, PD.



Congratulations to past president, John Stevens on receiving the **President’s Choice Award**.



Generous member donations to our silent auction helps fund TAPEIT’s Scholarship and grant funds.



CRIMINAL OBJECTS (And other weird things in property / evidence rooms)...

A reporter that was doing a story on a property / evidence room highlights some of the strangest objects and dug up their stories.



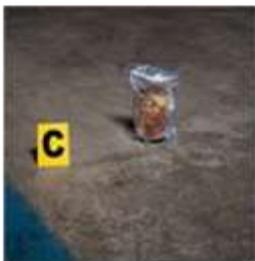
DISCO BALL

This disco ball peeked out from a box stored on the tallest shelf in the warehouse, catching the glare of fluorescent lights. It used to hang in an illegal club run out of Old Town's Star Theater. In August 2009, undercover cops discovered the theater was selling drinks until dawn with no liquor permit, slinging pre-poured cups of Red Bull mixed with vodka to people who paid \$10 a cup and knew to show up at the theater after other bars let out. The disco ball, clearly, was essential to the mood. When the place was busted, the mirrored ball was seized from an unpermitted stage lighting rig. It will likely be destroyed.



HILLBILLY JETPACK

In December 2010, a police officer stopped a subject for a traffic infraction. When the officer realized the car driven by the subject was stolen the routine stop led to a massive bust of a robbery ring. This strange jetpack—actually an Ultralite motor used for motorized paragliding—was found in the garage of the subject's grandmother, along with dozens of items ranging from a chainsaw to a college plaque. Police still aren't sure who owns this thing. No one's claimed it in the year and a half since it came in—but since similar paragliding motors fetch over \$6,000 online, the state will likely sell it off.



This can of tomatoes is still a mystery. The case number associated with the can is for a dine-and-dash at a restaurant. But the case "did not have anything to do with a can of tomato sauce," according to police.



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Questions from the Message Board...

Does anyone have a form that the Chief signs for authorization for agency use of property?

I need information if anyone can tell me what are you doing with the liquids brought in from Meth Labs that need to be destroyed. I have checked with every known company, even those that were mentioned at the conferences and no one will take the liquids.

Looking for SOP manual for property and evidence room. We are in the process for writing an SOP for our Property room and would like to know if anyone has one they would be willing to share? Thank you!

I was under the impression that you cannot store live ammo in an evidence room. I don't know who advised me of this and I can't find anything on it anywhere. Is this true and if so, where do you store ammo that is evidence?

Our agency has money that cannot be tied to an owner and that we've had for several months and longer. Do we need any sort of special documentation or court order to take possession of it and submit it to the city's general fund?

When you get case dispositions and are ready to dispose of evidence? Does your agency have the prosecutors sign off on them as well as the judge?

Who develops film and takes cell phones to be downloaded?

Paraphernalia: I am writing to see how other agencies handle the submission of paraphernalia in both county and class "C" offenses. I've been asked from officers if taking a picture of the paraphernalia and then disposing of it on the scene instead of submitting the actual physical evidence is an acceptable practice.

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Some untested rape kits may not need lab review

YNN Your News Now, TWEAN d/b/a Your News Now (YNN) Austin, http://www.twcnews.com/archives/tx/austin/2013/01/10/some-untested-rape-kits-may-not-need-lab-review-TX_289950.old.html

Austin, TX

When it comes to untested rape kits in Texas, it's not when they'll be tested, but if they can be tested. In Austin alone, about two sexual assaults are reported each day on average, but unlike most police departments across Texas, the Austin Police Department has its own crime lab staffed with five forensic scientists working to solve crime.

"That is some-thing that Austin is very fortunate to have the resources to do.

Understand there are other departments that don't have those types of resources,"

Lt. Michael Eveleth with the Austin Police Department said. Two years ago, the 82nd Legislature passed Senate Bill 1636 which mandated all untested rape kits be counted. Almost 16,000 were reported to the Texas Department of Public Safety.

But under federal law, certain criteria must be met before a kit can be tested and placed into a national database. Investigation issues including unfounded allegations, a lack of a clean sample, an uncooperative victim and unavailable elimination samples all can **keep kits shelved. "It's those that we select for DNA testing, go on through the whole DNA test-ing process,"** Lt. Eveleth said.

DNA Crime Lab Supervisor Cassie Carradine estimates a little more than 400 rape kits sit untested in an APD evidence room. She says the notion of processing the thousands of kits is short-sighted. **"Saying across the board that every single sexual assault kit that's taken in the entire state of Texas needs to be processed is really probably more likely to bottle neck the system as opposed to help the system,"** Carradine said. While APD clears its cases, the thousands of untested kits statewide may someday have their day, first in a lab and then in court. But first, Texas lawmakers must approve the funds...

Commentary: "Investigation issues including unfounded allegations, a lack of a clean sample, an uncooperative victim and unavailable elimination samples all can keep kits shelved." Where I worked we used the DPS crime labs for this type of testing. They do not test sexual assault evidence kits for DNA Analysis when the only listed suspect states the sex act did happen and it was consensual. Someone once implied that the lab was just refusing to do their job. Well, the only named suspect admits to having consensual sex with your victim. The DNA is only going to tell you he was "there", and he's admitted to that. DNA will not prove whether the act was consensual or not and that's pretty imperative in proving sexual assault. In all of these types of cases the victim has either dropped the case or the prosecutor took the information before a grand jury where it was most likely no-billed for lack of evidence. Has anyone else had similar circumstances and, how long did you have to hold the SA kit?

Congratulations to fellow TAPEIT member, Ofc. Angela Burch—Kilgore PD
Citizen of the Year Award



Citizen of the Year

Chamber honors service of officer, volunteer

By JAMES DRAPER

news1@kilgorenewsherald.com

An active volunteer in her community, Ofc. Angela Burch accepts the Kilgore Chamber of Commerce's 2015 Citizen of the Year award Thursday night. NEWS HERALD photo by JAMES DRAPER Rainfall glittered on Angela Burch's bugle Wednesday morning as she waited patiently, still,

on the outskirts of the city's War Veterans Monument.

White-gloved, she raised the instrument to her lips and the familiar strains of "Taps" rolled solemnly across Harris Street Park to close Kilgore's Veterans Day Ceremony. A familiar tribute and a familiar player: Burch serves local veterans whenever she's asked.

Hers is a life of service, according to the men and women who championed the Kilgore police officer for the Kilgore Chamber of Commerce's Citizen of the Year award, serving in blue on the streets and in other roles too numerous to name.

"I can't begin to tell you how happy I am, how pleased I am, to introduce this year's 2015 Citizen of the Year," the 2014 recipient, Bill Woodall, told the crowd gathered for the chamber's annual banquet Thursday night. Kilgore News Herald publisher, Woodall has served with Burch on the board of Kilgore's Boys & Girls Club, but "It seems like I see Angela at every community event, and she's not just an observer. It seems like she's always involved in some way."

A 20-year veteran of KPD, Burch's law enforcement career began with a stint at Gilmer Police Department, where she was named Rookie of the Year. She currently works as Kilgore's evidence officer.

"Angela is one of those people who makes me think that there are police officers who are police officers only because it's a way to help," Woodall praised. "I think it's the Angela Burches of the world that are what it takes to make a healthy community."

According to chamber president Cindy Morris, Burch is a regular volunteer on the chamber's behalf. The announcement of the honor followed the organization's annual end of one-year, beginning-of-another celebration this week.

"A great award, a great recipient," Morris told the crowd, thanking Burch: "We're very grateful for everything you do for the community, for the chamber, and we're so happy that you were named Citizen of the Year."



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Email: grobison@burlesontx.com

Our TAPEIT 2016 Conference will be held at the Omni San Antonio Hotel at the Colonnade October 23-28. Details and conference registration will be on the **website as it get's closer.**

Hope to see you all in October!

The T.A.P.E.I.T. Officers and Board would like to thank all of the members, vendors and others who support our mission for being a part of T.A.P.E.I.T. - making it the best it can be. See updates and more at www.tapeit.net.