

EVIDENCE & PROPERTY MANAGEMENT IN TRIBAL LAW ENFORCEMENT

A Law Enforcement Resource Toolkit — National Native Justice Institute | www.nativejustice.us

■ EVIDENCE & PROPERTY MANAGEMENT IN TRIBAL DEPARTMENTS

Proper evidence and property management is a legal requirement, a prosecution necessity, and a protection against civil liability. In tribal law enforcement, where many serious cases are prosecuted federally, chain-of-custody integrity and evidence room standards are regularly scrutinized by FBI agents, U.S. Attorneys, and federal courts. A single break in chain of custody or an evidence room compliance failure can result in case dismissal, officer discipline, and department-wide audits.

⚠️ Evidence room irregularities — missing items, documentation gaps, or access control failures — are among the most common findings in tribal law enforcement audits.

🔍 Chain of custody documentation is legally required. Every undocumented transfer is a potential break that defense attorneys will exploit.

📁 DNA, digital, and biological evidence require specific storage conditions. Improper storage destroys evidence value permanently.

⚖️ Civil asset forfeiture and found property require separate documentation and disposition processes with strict legal timelines.

■ CORE EVIDENCE & PROPERTY MANAGEMENT REQUIREMENTS

Evidence Intake & Packaging

- Package every item of evidence at the scene using appropriate containers: paper bags for biological evidence, sealed plastic for non-biological, anti-static bags for electronics.
- Label every item immediately with: case number, item number, description, date/time collected, location found, and collecting officer's full name and badge number.
- Photograph every item before packaging, in its found position with a scale reference. Document the photograph in the chain of custody.
- Seal all evidence packaging completely and initial across the seal. Any breach of seal must be documented in a supplemental chain of custody entry.

Chain of Custody Standards

- Every transfer of evidence — from officer to evidence room, room to lab, lab to court — must be documented with: date, time, transferring party, receiving party, and reason for transfer.
- Use a formal chain of custody form for every item. Never rely on memory, informal notes, or verbal accounts.
- Electronic evidence management systems are strongly preferred. Manual logs are acceptable only with strict audit procedures.

Evidence Room Operations

- Access to the evidence room must be limited to authorized personnel only. Maintain a written access log and review it monthly.
- Conduct an annual inventory audit of all evidence in storage. Document findings in writing and address any discrepancies immediately.
- Establish and follow written procedures for long-term storage, biological evidence handling, controlled substance security, and digital media management.
- Establish documented disposition procedures for: case closed (property return, destruction, or retention), found property, and civil asset forfeiture.

■ TIPS FOR EVIDENCE & PROPERTY MANAGEMENT

- **Never Share Evidence Room Access** — Every person with access to the evidence room is a liability. Limit access strictly and audit the log regularly.
- **Document Every Action, Every Time** — No exceptions. Every touch, transfer, or action involving evidence must be recorded. "I forgot to log it" is not a defense.
- **Store Biological Evidence Properly** — DNA degrades rapidly in heat and humidity. Ensure your evidence room maintains proper temperature and humidity for biological evidence.
- **Audit Your Room Before You Get Audited** — Self-initiated annual audits demonstrate accountability, identify problems early, and protect officers from false allegations.
- **Develop a Destruction & Return Protocol** — Uncleared backlogs of old evidence create storage problems and liability. Establish a documented protocol for timely and lawful evidence disposition.
- **Train Every Officer Who Collects Evidence** — Evidence training should not be limited to evidence technicians. Every officer who ever collects evidence must understand packaging, labeling, and chain of custody requirements.

RESOURCES, GRANTS & SUPPORT

Funding, Training, and Support Resources — Tribal Evidence & Property Management Programs | www.nativejustice.us

■ FEDERAL GRANT RESOURCES

Evidence Technology & Training

- **NIJ Tribal Crime Research & Technology Grants** – Funds evidence management technology and training for tribal law enforcement. nij.ojp.gov
- **COPS Tribal Resources Grant (TRG)** – Funds evidence room upgrades, supplies, and officer training. cops.usdoj.gov/tribalresources
- **CTAS – Coordinated Tribal Assistance Solicitation** – DOJ consolidated tribal funding for law enforcement operations including evidence management. justice.gov/tribal

Standards & Technical Assistance

- **International Association for Property & Evidence (IAPE)** – Sets national evidence management standards and provides training and accreditation. iape.org
- **BJA Tribal Justice Programs** – Supports tribal law enforcement capacity building including evidence infrastructure. bjaojp.gov
- **FBI Forensic Coordination** – FBI provides coordination and technical assistance for evidence in Major Crimes Act cases. fbi.gov

■ STATE & ADDITIONAL RESOURCES

- **State Homeland Security Grants (SHSGP)** – Tribal law enforcement may be eligible for state-administered FEMA homeland security funding.
- **Tribal Law & Order Act (TLOA) Resources** – Expanded tribal criminal authority and DOJ technical assistance for implementation.
- **Grants.gov Tribal Search Tool** – Search all federal grants available to tribal entities. grants.gov (filter: Tribal Government eligibility)

■ HELPFUL TIPS FOR TRIBAL PROGRAMS & LEADERS

Adopt a Written Evidence Management Policy A comprehensive, formally adopted evidence policy covering intake, storage, chain of custody, and disposition is the foundation of a compliant evidence program.	Implement an Electronic Evidence Tracking System Electronic systems dramatically reduce errors, enable real-time auditing, and provide legally defensible records for every evidence transaction.
Conduct Annual Third-Party Audits Annual audits by an independent auditor — not just internal review — demonstrate accountability and identify problems before they become crises.	Establish a Narcotics & Currency Security Protocol Controlled substances and cash require the highest level of evidence security including dual-key access, camera coverage, and enhanced audit frequency.

■ KEY WEBLINKS

National Native Justice Institute	www.nativejustice.us
BJA Tribal Justice Programs	bjaojp.gov/program/tribal-justice
COPS Tribal Resources	cops.usdoj.gov/tribalresources
BIA Law Enforcement Services	bia.gov/bia/ojs
IAPE – Evidence Management Standards	iape.org
NIJ Tribal Crime Research	nij.ojp.gov
CTAS – DOJ Tribal Assistance	justice.gov/tribal
Grants.gov (Tribal Search)	grants.gov

■ PARTNER WITH NNJI — WE ARE READY TO SUPPORT YOUR COMMUNITY

TAKE ACTION TODAY — Contact NNJI at www.nativejustice.us to schedule training, consultation, or access resources.

Strengthening Tribal Justice — One Community at a Time