



# The Property Times

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

May 2016

TAPEIT 2016 Conference—at the Omni at the Colonnade, San Antonio  
October 25-28, 2016 (more info on the back page and at [www.tapeit.net](http://www.tapeit.net))

The Officers and Board will meet for a board / pre-conference meeting June 26th—27th in College Station. If you have any questions you'd like to address to the board, ideas / suggestions regarding the 2016 conference, or if you'd like to attend the meeting, please email Jamie Murphy at [j-murphy@tamu.edu](mailto:j-murphy@tamu.edu), Gayla Robison at [grobison@burllesontx.com](mailto:grobison@burllesontx.com) or post on the TAPEIT Message board at [www.tapeit.net](http://www.tapeit.net).

The official mailing address for TAPEIT is:  
Gayla Robison  
Burlleson Police Department  
1161 SW Wilshire Blvd Burlleson TX, 76028.



TAPEIT 2015 Conference—General Assembly, San Marcos



### We Pay Tribute - Honoring TX Officers Who Left Us (since our last newsletter )

Source: [Officer Down Memorial Page](#)

#### [Police Officer David Stefan Hofer](#)

Eules Police Department, TX

EOW: Tuesday, March 1, 2016

Cause of Death: Gunfire

#### [Border Patrol Agent Jose Daniel Barraza](#)

Homeland Security - Border Protection -

United States Border Patrol, US

EOW: Monday, April 18, 2016

Cause of Death: Automobile accident  
Sierra Blanca checkpoint— near El Paso

#### [Patrolman David Ortiz](#)

El Paso Police Department, TX

EOW: Monday, March 14, 2016

Cause of Death: Motorcycle accident

#### [Trooper Jeffrey Nichols](#)

Texas DPS - Texas Highway Patrol,  
TX

EOW: Saturday, March 26, 2016

Cause of Death: Automobile accident

#### 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 risk.



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EQUIPMENT

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

HOUSTON RAPE KIT BACKLOG BACK WILL BE ERASED BY JULY, LAB PLEDGES:  
HOUSTON (KTRK) -- April, 2016

More than a year after Houston's leaders celebrated the official end of a backlog of thousands of rape kits, some dating back to the 1980s, the backlog has begun creeping up again -- and the city lab that does the testing promised Wednesday the new backlog will be erased by July 1. The current backlog sits at 333 rape kits that are more than a month old and 234 kits more than three months old, records show. The Houston Forensic Science Center's goal is to have those kits tested within a month, director Dr. Dan Garner said. "We're going to staff up with additional people, we're going to buy additional equipment," Garner said. "It's a matter of resources. We needed more people."

In addition, the science center will work staff overtime and now have grant monies to outsource testing to make sure the backlog is cleared. "Based on what I am seeing right now, we will be able to meet the deadline," Garner said. Another possible factor: March has seen an uptick in rape cases.

About 90 rape kits are collected as evidence in Houston each month. In March that number was 118, about a 20 percent increase. Rape kits backlogs have long been a cloud over Houston.

The rape kit backlog was found in 2002, when a state investigation uncovered severe problems in the Houston police crime lab.

According to an audit around that time: "the DNA Section was in shambles - plagued by a leaky roof, operating for years without a line supervisor, overseen by a technical leader who had no personal experience performing DNA analysis and who was lacking the qualifications required under the FBI standards, staffed by underpaid and undertrained analysts, and generating mistake-ridden and poorly documented casework."

Because of a result the state's findings, the DNA unit was temporarily shut down. In 2013, Houston City Council, at the urging of then-Mayor Annise Parker and with help from U.S. Senator John Cornyn, used \$4.4 million to created a new lab separate from the HPD lab and chip away at the rape kit backlog.



GulfWest Waste Solutions -

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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.

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### 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.

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### 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 — or the general discussion forums on our message board.

#### How do you do it?

Does anyone have an SOP related to storing vehicles as evidence and after the processing of evidence? Are there any particular laws relating to this? We usually release them back to the tow company after we have completed processing, but the admin is looking at releasing them from our shop. I have never had to deal with vehicles besides ATVs.

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My agency is currently looking into getting someone as my back up for the property room. In the past our records department has covered me when I was gone but they are now wanting to put one of our Lieutenants as my backup. I am a little wary about this and would like some input from other agencies on what personal they use as back-ups and any negatives in using a lieutenant. Thanks!

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#### TPCA Recognition:

My Department is currently starting the process of TPCA Recognition. I'm looking for feedback from others we have gone through the process to see how it went for you. What types of things were the most difficult for your department, etc? Any information would be appreciated. Thank you

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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

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#### NEW: 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

For more information on how to apply for TAPEIT's Grant, Scholarship fund and Tech of the Year awards visit [www.tapeit.net](http://www.tapeit.net). Unless a different date is posted on the website for a particular fund—apply by Sept. 1st!

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

2015 Tech of the Year Award recipient:  
Kimberly Burris with Cleburne, PD.



2015 President's Choice Award:  
Past Pres. John Stevens



Generous member donations to our silent auction helps fund TAPEIT's Scholarship and grant funds. We need your support for 2016 and beyond! If you are attending the conference please bring something to donate for the silent auction! Thanks!

Contact info re: the silent auction can be found on [www.tapeit.net](http://www.tapeit.net) or contact [Linda Roberts](#).



### News we don't want to hear...

A former Ellis County sheriff's lieutenant faces theft and other charges after he was accused of stealing guns from the department's evidence room. He worked for the sheriff's office from October 2001 until March 28, when he resigned abruptly as criminal investigations division lieutenant, which involved overseeing the evidence room, [The Midlothian Mirror reports](#).

The charges are related to the suspected theft of three firearms from the evidence room. The firearms were sold to Ennis Pawn on April 5, and the Lt's name was on the receipt, Ennis police told the Midlothian paper.

Two of the firearms were evidence in an ongoing burglary investigation. The Lt. allegedly indicated that the other gun, part of a closed narcotics investigation, had been destroyed, The Midlothian Mirror reports.

Source: [The Dallas Morning News](#)



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### Southwest Solutions Group

Public Safety Storage Solutions are essential to protecting the public from criminals who violate the law. Southwest Solutions Group specializes in storage and filing equipment that organizes, stores, and secures information and evidence from seizure until submission at trial.



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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## Texas Attorney General

TEXAS EVIDENCE COLLECTION PROTOCOL: Recommendations to medical, legal, law enforcement, advocacy and forensic science professionals on the identification, collection and preservation of physical evidence and the minimization of physical and psychological trauma to the victims/survivors of sexual assault and Requirements of ECP kits as designated by Chapter 420, Government Code.

Read the entire document at:

[https://www.texasattorneygeneral.gov/files/cvs/evidence\\_collection.pdf](https://www.texasattorneygeneral.gov/files/cvs/evidence_collection.pdf)

PREFACE: Few other criminal offenses require as extensive an examination and collection of evidence as a sexual assault. And, but for an occasional assault case, no other crime collects as much evidence from a live person. While a potentially fatal object (bullet, knife, etc.) may be removed from someone and taken to the forensic lab for analysis, that person is not required to submit to the same intrusive exam as a patient of sexual assault. So, it is not unreasonable to assume that having your person gone over with a fine tooth comb, your blood and saliva samples taken, your fingernails scraped and every orifice that has already been violated swabbed with cotton on a stick can be a devastating experience. This manual is designed to make the examination and collection of evidence from a human being as thorough, timely and humane as we have the knowledge and capacity to do.

Hamlet PD needed more storage space so... A&P Grocery stepped up:  
[http://yourdailyjournal.com/archive/12781/news-home\\_top-news-police\\_report-3372202-hamlet-pd-needs-more-storage-space](http://yourdailyjournal.com/archive/12781/news-home_top-news-police_report-3372202-hamlet-pd-needs-more-storage-space)

The need for a new headquarters for the Hamlet Police Department has been there for many years, according to city officials.

The city purchased the former A&P grocery store building, located across from City Hall, for \$50,000 — a low price not offered to the general public. City officials said in recent interviews that the department simply has run out of space in which to store evidence and operate a city police squad.

**"I've been corresponding with the owners of the building for a year," Griffin said. "At the time it was being leased and under a charitable trust. I told them if they ever had it available to give me a call, and they did."**

The space for the Hamlet police will grow from 1,200 sq. ft. to 11,000 sq. ft. The additional space is something sorely needed, Griffin said.

**"The evidence room over there is crammed," said Councilman Pat Preslar, who has a law enforcement background with the federal government. "They don't have a meeting or training room. There needs to be more officer workspace and a multipurpose type room where they won't have to go to the college (Richmond Community College) or to City Hall to do various things. There needs to be space for equipment and most importantly a place to store and secure evidence that needs to be under lock and key."**

There are currently two large rooms at the headquarters that are used only to store evidence, Griffin said.

**Preslar said the transaction "was a good deal" and expects the community to benefit.** The building would have been sold at a much higher price had it not went to the city to help the community, Preslar said. It was initially listed around \$150,000.

The city of Hamlet, under Smart and the council, approved on Dec. 17 a contract with Summey Engineering Associates for engineering and design services. The price of these services are \$28,500 for engineering and design services and up to \$7,800 for construction specification and bid services.

The engineer study is a necessary part, Preslar said. The study helps the city to get any kind of money that would help with the project, such as grants.



T.A.P.E.I.T.  
1161 SW Wilshire Blvd  
Burleson Tx 76028  
817-426-9938 Fax 817-426-9384  
Email: grobison@burlesontx.com

Our TAPEIT 2016 Conference will be held at the Omni San Antonio Hotel at the Colonnade [Oct 25th through Oct 28th, 2016.](#)

Details and conference registration are now on [www.tapeit.net](http://www.tapeit.net)

Hope to see you all in October!

New for 2016 - our "Intermediate" class has been added.

The following are the requirements for each level of certification:

**Basic:** for those with 0 - 2 years property / evidence room experience;

**Intermediate:** Minimum 2 years experience in the property room and have completed the basic certification course:

**Advanced:** Minimum 5 years experience **and** have completed both the basic and intermediate certification courses.

If you have any questions regarding the certification levels, and where you need to be, contact our Secy. [Jamie Murphy](#).

NOTE: THERE WILL BE NO HARD COPY NOTEBOOKS. TAPEIT will provide USB drives with all the conference material. Also bring batteries as there will be no outlets available on the classroom tables.

REGISTER BY **SEPTEMBER 15 TO AVOID THE LATE REGISTRATION FEE, PAYMENT ISN'T DUE UNTIL THE 1ST DAY OF THE CONFERENCE BUT YOU NEED TO REGISTER BY SEPT 15.**

CONFERENCE FEE \$325.00 IF REGISTERED BY SEPT. 15 - \$375.00 IF REGISTERED AFTER SEPT 15, 2016

Hotel fee is the Government rate of \$120.00 / single

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](http://www.tapeit.net).