

IN THE DISTRICT COURT OF THE  
FIRST JUDICIAL DISTRICT  
STATE OF IDAHO

ADMINISTRATIVE ORDER AS AMEMDED 2-20-92

ESTABLISHING GUIDELINES FOR THE PREPARATION, PACKAGING &  
PRESENTATION OF DANGEROUS EVIDENCE IN THE FIRST JUDICIAL DISTRICT

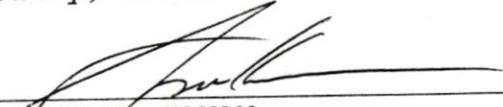
WHEREAS, the administrative Judge in each Judicial district in the State of Idaho has been assigned administrative supervision and authority over the operation of the courts within the Judicial district; and

WHEREAS, in order to provide a method whereby the acceptance and monitoring of dangerous evidence can be done in a consistent manner, and

WHEREAS, to establish a uniform system for presenting and handling dangerous evidence;

NOW, THEREFORE, IT IS HEREBY ORDERED that this court does adopt the guidelines for handling dangerous evidence for the First Judicial District, as attached. The party offering such evidence shall be responsible to ensure that the evidence is packaged and prepared according to these guidelines prior to being brought into the courtroom.

Date this 20 day of February, 1992.

  
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GARY M. HAMAN  
Administrative Judge  
First Judicial District

## Procedures for Preparing Dangerous Evidence for Court:

**PURPOSE:** A guideline for Attorneys and Police Officers to use when they have Dangerous Evidence to submit to the court.

### **WEAPONS:**

All weapons brought to court as evidence must be made safe for handling, and cleared through the Bailiffs office. All ammunition will be removed from weapons and placed in plastic bags.

### **HANDGUNS:**

**REVOLVERS:** All ammunition will be removed from the weapon. Revolvers will have their cylinders empty and open. A nylon strap must be placed through one of the chambers and secured so the cylinder can not be closed.

**AUTOMATICS:** All ammunition will be removed from the weapon. Automatics will have their magazines removed, slides locked to the rear. A nylon strap will be placed through the opening in the handle for the magazine, up through the open chamber and secured to prevent action from closing. Empty magazines may be taped or strapped to outside of handle.

\*\* ANY OTHER TYPE OF HANDGUN WILL BE PRESENTED TO THE BAILIFFS OFFICE FOR PROPER SECURING.

### **RIFLES:**

**BOLT ACTIONS:** All ammunition will be removed from the weapon. The bolt will be removed from the rifle and taped or strapped to the side of the stock.

**LEVER ACTIONS:** All ammunition will be removed from the weapon. Lever will be secured with a nylon strap to prevent the action from being operated.

**BREAK-A-WAYS:** All ammunition will be removed from the weapon. A nylon strap will be placed through the trigger guard and lower action to prevent the closing of the action.

**PUMP ACTIONS:** All ammunition will be removed from the weapon. The action will be opened. A nylon strap will be placed through the loading port, up through the chamber and secured to prevent closing of the action.

**SEMI-AUTOMATICS:** All ammunition will be removed from the weapon. The action will be opened. A nylon strap will be placed through the loading port, up through the chamber and secured to prevent closing of the action.

\*\* ANY OTHER TYPE OF RIFLE WILL BE PRESENTED TO THE BAILIFFS OFFICE FOR PROPER SECURING.

**KNIVES:**

FOLDING KNIVES: Folding knives will be closed and placed in a clear plastic bag. If blade needs to be seen for stains or length, knife will be opened and taped to cardboard and sealed in clear plastic bag.

SHEATH KNIVES: Sheath knives will be secured in their sheaths and placed in a clear plastic bag. If blade needs to be seen, knife can be taped to outside of sheath and sealed in a clear plastic bag.

SWORDS, MACHETES, AND OTHER LARGE KNIVES: These items will be taped to cardboard and sealed in a clear plastic bag.

**NOTE: KNIVES MUST REMAIN SECURED AND IN CLEAR PLASTIC CONTAINERS AT ALL TIMES.**

**DRUGS:**

All drugs and drug paraphernalia will be placed in clear plastic bags for court

**CLOTHING:**

All clothing will be placed in clear plastic bags for Court Proceedings. If stains are to be identified or viewed, clothes will be folded so these stains or identification marks can be viewed through the plastic container. No containers will be opened in Court.

**NOTE: If you cannot find large enough clear plastic bags! Bags of any size can be made from clear plastic film and duct tape purchased from a local hardware store. Nylon straps may be obtained at the Bailiff's office.**

## PRESERVATION OF EVIDENCE

### IDAHO COURT ADMINISTRATIVE RULE 71 (P.212-213 Pocket Part of Rules Volume)

**PHYSIOLOGICAL EVIDENCE** -- Exhibits marked and offered into evidence which contain human or animal body fluids and/or human or animal body fluid stains or parts should be placed in a clear plastic resealable covering or other suitable resealable container to reasonably protect court personnel and litigants from being subjected to communicable diseases.

**THE PARTY OFFERING SUCH EVIDENCE SHALL BE RESPONSIBLE TO ENSURE THAT THE EVIDENCE IS PROPERLY PACKAGED PRIOR TO BEING BROUGHT INTO THE COURTROOM.**