

Timeframes for Evidence Destruction

<p>Homicides Sex Crimes Evidence Narcotics Evidence Firearms Evidence Other Evidence</p>	<ul style="list-style-type: none"> • All cases where defendants have been charged and ALL defendants are deceased • Defendants were convicted, No appeals, or defendants' expiration of sentence, after 5 years of conviction, or expiration of defendants' longest sentence, whichever is later
<p>Homicides Evidence Sex Crimes Evidence</p>	<ul style="list-style-type: none"> • No suspects identified, but DNA or Fingerprints submitted (CODIS/AFIS), or no statute of limitations, Evidence retained indefinitely, only County Prosecutor or designee may authorize destruction
<p>Sex Crimes Evidence Narcotics Evidence Firearms Evidence Other Evidence</p>	<ul style="list-style-type: none"> • Juvenile defendants charged and no referral to another court – 4 years after final adjudication or disposition of all juvenile defendants or release from custody. If referred to adult court or adult co-defendants, follow adult standards
<p>Sex Crimes Evidence Narcotics Evidence</p>	<ul style="list-style-type: none"> • Defendants admitted in PTI, successfully completed, discharged and court signing case dismissed and expiration of any co-defendants' longest sentence
<p>Sex Crimes Evidence</p>	<ul style="list-style-type: none"> • Victim waived prosecution, not contacted police/prosecutor indicating a desire to pursue prosecution, or reported as "Jane Doe", not less than 20 years from the collection of evidence (or 20 years after a victim turns 18 years of age)
<p>Narcotics Evidence</p>	<ul style="list-style-type: none"> • Controlled buy or undercover buy and no prosecution – 1 year and 1 day • CDS submitted to Forensic Lab, no connection to anyone or Found Property – 1 year and 1 day • County Prosecutor or Director of Division of Criminal Justice may authorize use of CDS samples for training K-9s
<p>Firearms Evidence</p>	<ul style="list-style-type: none"> • Prior to destruction, all necessary tracing tests and IBIS submissions must have been completed • Could be returned to owner if not a defendant and can legally possess it • Not connected to any suspect/defendant, found property, no prosecution, unable to trace owner – 1 year and 1 day

The **County Prosecutor** or the **Director of the Division of Criminal Justice** may authorize the use of property, otherwise meeting the criteria for destruction, for law enforcement educational purpose or for preservation as a historical object.