

	POLICY & PROCEDURE	SERIES # 610	PAGE 1 OF 17
	SUBJECT		EFFECTIVE DATE
	<p style="text-align: center;">PROPERTY MANAGEMENT</p>		<p style="text-align: center;">11/20/2018</p>
			<p style="text-align: center;">OVERSIGHT Support Services</p>
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P #610, dated 07/25/17.		

I. PURPOSE:

To establish procedures for the handling of property and evidence which comes into the possession of members of the Hampton Police Division.

II. POLICY:

All property and evidence which comes into the possession of members of the Division will be categorized as either found property, recovered stolen property, seized property or abandoned property and will be properly recorded in the official Police Division records.

III. DEFINITIONS:

Releasing/Case Officer – sworn officer or cadet with authority to release property tagged within the Property and Evidence Unit.

Property Officer – person(s) civilian or sworn, assigned to the Property and Evidence Unit as their regular duty assignment.

Property Supervisor – is accountable for the control of all property accepted by and stored in the Property and Evidence Unit's storage areas.

Property and Evidence Unit Commander – person responsible for the Division's property management system.

IV. PROCEDURE:

A. Responsibility

1. All property will be stored in designated secure areas.
2. Access to the storage areas will be limited to authorized personnel only.
3. Items of property requiring added protection (e.g., money, jewelry, narcotics, firearms, etc. will be stored in a separate, locked, and secure area located within the Property and Evidence Unit.

APPROVED:
CHIEF OF POLICE



4. In the event a new property custodian is designated, an appropriate audit of property will be conducted jointly by the newly designated and outgoing property custodian (or other person as designated by the Chief of Police). This will be done in order to ensure the integrity of the system and the accountability of property.
 - a. A sufficient number of property records relative to the property and evidence items under the agency's care should be reviewed carefully with respect to property documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian. The new property custodian should utilize methods such as: pulling miscellaneous inventory sheets and tracking to the associated evidence; and pulling evidence and tracking back to the invoice.
 - b. This audit will be documented in memorandum format to include the number of items audited and the percentage of the total items currently in custody. This information will be included in the "Transference of Responsibility/Property and Evidence Unit" agreement signed by both the newly appointed and outgoing property custodian.
 - c. If the sampling method inventory reveals discrepancies in the records of the evidence and property that exceeds a 4% error rate, a 100% inventory must be conducted on all high-risk items (cash, precious metals, jewelry, firearms and drugs) and an additional sampling of items in general storage to the satisfaction of the Chief of Police to re-establish the accuracy of the records.

B. Property and Evidence

1. It will be the responsibility of the officer who has initial custody of the property to deliver the property as soon as possible, but no later than the end of the officer's tour of duty, to the Property and Evidence Unit during working hours, or through the Information Center after working hours whichever the case may be. A property invoice and property tag will be completed by the officer on all property in the following manner:

Property Invoice:

- a. Date the property was seized or found by the officer.
- b. Officer's name, last name first.
- c. Officer's three digit CAD number.
- d. Hampton Police Division IBR number or Tracking number when

there is no IBR report. (i.e. Traffic accident , property refused at Juvenile or Adult Intake (lock-up). All property turned in to Property and Evidence MUST have one or the other, or a Special Report explaining why neither was available.

- e. Person or place that the property was taken from including street address.
- f. Type of investigation that is being conducted even if charges are not placed.
- g. Place an X in a box to indicate the status of the property.
- h. Numerical list of items.
- i. The quantity of each item.
- j. Physical description including brand name, model number, etc.
- k. Serial number, if available.
- l. Information on the legal owner of the property if known.
- m. Information on the finder of the property who turned it over to the officer.
- n. At the time property is turned in, the officer must provide the name and address of the person(s) who can receive the property at a later date.
- o. The person(s) who receive such property will sign in the appropriate space on the Property Invoice Form.
- p. Officers will run all items for stolen status prior to tagging them into Property and Evidence.

Property Tag:

A Property tag will be filled out and attached to all property turned into Property and Evidence. The tag will contain the following:

- a. Officer's name and CAD number.
 - b. The IBR or Tracking number.
 - c. Which item of total items the tag is for.
2. The information listed above is located on the property invoice and will be filled out by the officer who is taking possession of the property. The form entitled "Hampton Police Division Property Invoice" will be

available to all members of the Division and can be procured at the field offices or in the property section. The form has a carbon copy, the officer's receipt of such property is the second page of this form.

3. When the Property and Evidence Unit is closed, officers will report to the Information Center counter. Information Center personnel will fill out the information required in the Property and Evidence ledger. The officer will take his/her evidence to the first level and place item(s) in a locker, along with the original property invoice. The officer will secure the pad lock attached to the locker. Officers should note the locker number on the property invoice.

Locker thirty-six (36) can be used for temporary storage of item(s) while an officer works on a case. Before the end of the officer's tour of duty, property **must be** transferred to a storage locker or the drug locker. The key for locker thirty-six will be kept at the Information Center counter where officers will sign for it on a temporary basis.

Items too large for lockers shall be placed in the secure area adjacent to locker 36 and secured with the chain and lock. The key for this area will also be signed out from the Information Center as listed above. If a higher chain of custody is required follow E-4 below.

Under no circumstances will property or evidence be left at the Information Center to be given back to individuals who may be at Adult Intake or en-route from another location.

4. The Property & Evidence Unit shall not accept property from any outside agency unless there is a memorandum of understanding on file or with approval of the Chief of Police or his designee.
5. The Property Officer will not accept any property from the storage lockers or drug locker that is improperly invoiced or not sealed according to Division procedures.
6. Found Property

When an officer receives found property from a citizen, he shall obtain the citizen's name, address and telephone number and this information will be noted in the remarks section of the property invoice. The Police Division will not pick-up and tag in found bicycles with no evidentiary value.

7. Recording Found Property or Evidence

The Property Officer will ensure that all property is entered into the automated property management system. Upon final disposition the invoice will indicate whether the property was returned to the owner or disposed of. When property is returned to the owner, the property invoice will bear the date, name and address of the owner. No property

or evidence will be received into Property and Evidence without the proper paperwork.

8. Checking Out Property and/or Evidence for Court or Other Purposes

Any property/evidence checked out for court or any other purpose shall be returned to Property and Evidence as soon as possible, but no later than the conclusion of court or the officer's tour of duty if he/she is working. Any exception to this must be approved by the Property and Evidence supervisor and the property will be maintained in such a manner as to insure the evidentiary chain of custody and the security of the item(s). Any evidence that is unsealed in court must be properly resealed prior to its return to the property officer.

9. Death Investigations

Property and/or evidence from any death investigation (homicide, suicide, motor vehicle accident, etc.) will be retained for an indefinite time period depending on the requirements of the case both from an investigative and prosecutorial standpoint (this includes any civil judgement period).

****NOTE: Prior to release or destruction of this property, the releasing officer will obtain authorization from the Commonwealth's Attorney Office and/or the City Attorney's Office. The releasing officer will also submit the Division's Authorization For Property Disposal Checklist to Property and Evidence upon release and sign the invoice authorizing the final disposition.**

C. Disposal of Property and Evidence

1. Authorization to dispose of property/evidence is the responsibility of the arresting officer or the last officer to whom the case has been assigned. The officer will do one of the following:
 - a. Determine if a detective was assigned to the associated case before disposing of any evidence.
 - b. Introduce the property into court as evidence and notify the Property Officer that the court has taken possession of the property.
 - c. Authorize release of the property to the owner.
 - d. It is the responsibility of the detective/case officer to determine the case status and if the appeal period has passed prior to disposition of property. Property will not be marked for disposal until all appeal periods have passed.

- e. When returning property to the rightful owner the detective must indicate on the property invoice, to whom the property is to be released and sign approving the release of the property. Then it is the detective's/case officer's responsibility to complete the appropriate form letter to the rightful owner notifying them that the property is available for pick up. It is the responsibility of Property and Evidence to mail the letter to the rightful owner notifying them that the property is available for pick up.
 - f. When the owner is unknown and the court does not take possession of the property, the officer shall authorize the Property Officer to dispose of the property in accordance with law.
 - g. If a firearm is being released the detective/case officer must complete a NCIC/VCIN check and note that on the property invoice. All firearms must be submitted to NBIN prior to being released.
 - h. Prior to the release or destruction of any property related to a death investigation, the releasing officer must obtain authorization from the Commonwealth's Attorney or the City Attorney.
2. If the responsible officer is no longer with the Division, the Commander of the Unit concerned will, on request of the Property Officer assign an officer for the purpose of disposal.
 3. When a Police Officer will not authorize the release of property, an owner demanding property must present a Court Order authorizing the release of property. A copy of the Court Order will be filed with the property invoice.
 4. The Property Officer shall be responsible for the proper disposition of found property.
 5. Upon proper identification, property remaining in the property room which was lawful property of a deceased person will be released to the next of kin or person authorized to receive it as designated by the court or investigating officer assigned to the case.
 6. Owner/Finder Notification
 - a. Evidence – when evidence is authorized for release, the officer authorizing release will notify the owner.
 - b. Found Property – Officers receiving found property should attempt to make contact with the owner if possible. The Investigating Officer shall make the owner notification in order to

arrange a convenient time for the return of property. The Investigating Officer will generate a “Return Property to Owner Letter” obtained from the Division’s Intranet and email the letter as an attachment to the Property and Evidence Unit Supervisor and/or the Property Officer. The Property Officer will send the letter to the owner(s) by first class mail.

- c. Non-Evidentiary Property – Any property that is tagged into Property and Evidence that is not of evidentiary value shall be handled as follows: the property owner will be notified at the time the officer takes the property into custody that he or she has 60 days to retrieve the property or the property will be destroyed in accordance to law. The notifying officer will document that the owner was notified on the Property and Evidence Invoice. The officer will also provide the property owner a Return Property To Owner letter which will serve as written notice.
7. Procedure for Disposal. The releasing officer must complete the Division’s Authorization for Property Disposal Checklist and submit to Property and Evidence personnel when applicable. For the purpose of this policy, disposal is defined as any property or evidence that can be designated for release as described herein:
 - a. Destroy – property or evidence will be disposed (destroyed, donated, sold, or auctioned) in accordance with the law.
 - b. Return to owner
 - c. Currency Release – currency may be released to person/entity/financial institution with legal authority for obtaining custody.
 8. Officers should continuously monitor their cases and the property that they submit to authorize final dispositions as appropriate at the conclusion of the respective cases. It shall be a requirement of every officer to conduct an annual review of property tagged under their name prior to receiving a signed property and evidence annual evaluation inventory form. The releasing officer will complete the “Authorization For Property Disposal Checklist” form for all property categorized as evidence relating to Death Investigations, Felonious Sexual Assaults, and Firearm related offenses.
 9. Evidence such as firearms, casings, projectiles, and/or biological evidence (i.e., DNA that is related to Death Investigations, Felonious Sexual Assaults and Firearm involved offenses), will be retained for an indefinite period of time unless court ordered or authorized by the City Attorney’s Office and/or Commonwealth Attorney’s Office. The Releasing/Case officer will review all other property annually for final disposition. See retention schedule.

D. Retention Schedule

The following retention schedule will be utilized to determine the appropriate time to categorize property for disposal.

1. Misdemeanor Incidents such as: Shoplifting, Child Abuse, Misdemeanor Sexual, Larceny, Simple Assault, Counterfeit Currency (less than 10 bills), False Pretense, Bad Check (1) written within 90 days and less than \$200.00, Misdemeanor Identity Theft, Reckless handling of a firearm, discharge firearm within city limits, Prostitution Offenses, and any other misdemeanor offense therein...
 - a. Case Inactive/No Leads/No arrest:
 - (1) After 12 months: return to owner if applicable or destroy
 - b. Case Active/Pending Investigation:
 - (1) Review annually – retain until the case is closed.
 - c. Case Closed by Arrest
 - (1) If convicted (or guilty plea) in General District Court, 10 days after conviction date if no appeal is noted, return to owner if applicable or destroy.
 - (2) Not guilty, nolle prossed, etc. - Check with Prosecuting Attorney before returning or destroying property. If no prosecuting attorney, check with the City Attorney's Office.
2. Felonious incidents such as: Homicide, Rape, Robbery, Maiming/Aggravated Assault, Burglary, Grand Larceny, Motor Vehicle Theft, Destruction of Property, Drug Offenses, Sexual Offenses, Fraud, and any other felony offense therein...
 - a. Case Closed by Arrest:
 - (1) Biological evidence will be retained for 15 years after conviction (VA code 19.2-270).
 - (2) Disposition of evidence/exhibits used at trial shall be ordered by the Court. If not, proceed with utilizing the authorization for disposition checklist.
 - (3) If convicted – 30 days after conviction date, if no appeal is noted, return property not used as evidence in the trial to owner if applicable or destroy upon conclusion of trial.
 - b. Case Active/Pending Investigation, Inactive/No Arrest:
 - (1) Homicide – retain evidence indefinitely; case officer or CAP Sergeant/designee will review annually for

degradation and integrity of evidence. Repackage, restore, and photograph if necessary.

- (2) Rape/Felony Sexual Assault – evidence beyond the Physical Evidence Recovery Kit (PERK) - retain evidence indefinitely; case officer or CAP Sergeant/designee will review annually for degradation and integrity of evidence. Repackage, restore, and photograph if necessary.

Physical Evidence Recovery Kits must be sent off to the state lab within 60 days of the report for processing unless the following:

- (a) it is an anonymous (BLIND) PERK that shall be forwarded to the DFS for storage
- (b) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation, and the medical examiner and the law enforcement agency agree that analysis is not warranted
- (c) the physical evidence recovery kit (PERK) is connected to an offense that occurred outside of the Commonwealth
- (d) the physical evidence recovery kit (PERK) was determined by the law enforcement agency not to be connected to a criminal offense

1. All physical evidence recovery kits (PERK) not sent to DFS will be destroyed after two years if the case is determined not to be involved in a criminal offense
2. All physical evidence recovery kits (PERKS) that have been sent to DFS and returned after testing shall be stored for a period of 10 years or until 10 years after the victim reached the age of majority if the victim was a minor at the time of collection, whichever is longer.

After the mandatory retention period or any additional 10-year storage period has lapsed, the investigating officer shall, unless the victim has made a written request not to be contacted for this purpose, make reasonable effort to notify the victim (or next-of-kin if the victim is deceased) of the intended destruction of the PERK kit no less than 60 days prior to the intended date of such destruction.

- (3) Robbery – After the evidence is processed, the item can

be photographed and disposed of via return to owner or destroyed. Any biological swabs must be sent for testing or remain in the Property and Evidence Unit if a DNA profile is developed. If no biological evidence is detected, destroy the swabs.

- (4) Felony Assaults – Any large items that can be photographed and processed for biological evidence should be done immediately upon intake. Large items can be turned over to the owner or marked for destruction after processing. All other evidence except biological evidence shall be returned or destroyed after 5 years.
 - (a) Victims clothing items should be dried if contaminated with biological fluids, photographed and sample swabs taken. Once completed, destroy after 5 years.
- (5) Motor Vehicle Theft – Property may be returned to owner or destroyed after one year.
- (6) Felony Frauds – Property may be returned to owner or destroyed after 5 years.
- (7) Felony Hit/Run – Property may be returned to owner or destroyed after 2 years. Any biological evidence should be swabbed and photographed.
- (8) Burglary – Return property or destroy items after 3 years.
- (9) Illegal Drugs – Case officer will set for destruction upon adjudication and expiration of appeal.

E. Drugs and Narcotics (to include prescription drugs)

The following system will be utilized for the acceptance, processing and release to an officer of illicit drugs or narcotics. These procedures will provide a regulated system of quality, quantity and inspection control.

1. When any officer takes illicit drugs or narcotics into his possession, he will transport said contraband to police headquarters without delay.
 - a. The officer will see that the contraband is properly invoiced, packaged and recorded in accordance with current Hampton Police Division–Procedures and Division of Forensic Services Guidelines.
 - b. If the drugs/narcotics are capsules or pills, the officer will take a count of said capsules or pills and document the count on the

invoice tag.

- c. An exception to this counting procedure is when large quantities of drugs/narcotics have been seized and they are in factory sealed containers which have not been opened or tampered with and the contents are identified on the container.
2. The officer will place the drugs or narcotics in a suitable container (packaging supplies will be available at Property and Evidence. The container will be sealed, taped and initialed by the officer. An invoice will be made out and the property will be turned over to the property officer. If it is after hours, all property will be invoiced and secured in the drug locker, located inside the hallway door to Property and Evidence, (locker thirty-seven). The key to the door may be signed out from the Information Center.

Drugs should be packaged in individual containers. Individual items should be sent to the laboratory in one container for ease of handling. A Request for Laboratory Examination Form will indicate individual items that are contained within a transport container.

3. Narcotics evidence will be placed in the keyless drop box (locker 37) inside the Property and Evidence Unit garage area. When Property and Evidence is closed, Information Center personnel will provide the key to the garage area and log its use on each occasion in the key log. The officer who is dropping the drugs in the drop box will leave the invoice in the “in basket” on top of the drug locker (#37).
4. If the container is too bulky to be placed in an evidence locker it will be secured in a safe location designated by the Unit Commander until he can contact the Property Officer or other officer on call who has access to the property room. The Property Officer or his designee will respond and properly secure the property.
5. The Property Officer will have the responsibility for the drug locker and will transfer its contents to the property room at the beginning of his normal tour of duty.
6. The Property Officer will be responsible for inspecting drug/narcotic containers to detect any tampering or improper sealing. The Property Officer will immediately report any tampering or discrepancies to the Property Supervisor, who is responsible for making immediate notification to the to the Unit Commander.
7. If the drugs or narcotics are to be transported to the laboratory for examination, the following requirements must be met:
 - a. A request for laboratory examination will be prepared by the officer and left with the invoice in the tray at locker 37. A copy of the Request for Laboratory Examination form will be maintained

in the Property and Evidence Drug file.

- b. If suspect is a juvenile, the officer will write Juvenile in parentheses next to the suspect's name on the Request for Laboratory Examination form.
 - c. As soon as possible, and within two weeks the Property Officer will transport all drugs which have cases pending to the Virginia Division of Forensic Science Eastern Laboratory for analysis.
 - d. The results of the lab analysis are sent in writing on the return copy of the Lab Analysis Request to the originating officer and the Commonwealth Attorney's Office or the City Attorney's Office if marijuana.
8. All requests for drugs or narcotics to be transferred to the laboratory for examination must be made to the Property and Evidence Unit.
 9. The Property Officer will personally transfer drugs, narcotics, and drug related guns by vehicle to the laboratory. In a like manner, the Property Officer will receive all drugs and related guns, which are at the lab and are ready for pick-up. All evidence will be maintained by the Property Officer.
 10. Only in cases of extreme emergencies, will the Property and Evidence Unit accept narcotics and/or contraband from the Forensic Science Laboratory through the mail.
 11. After court cases, the contraband will be maintained in evidence areas of the Property and Evidence Unit until a period of time has lapsed deemed compatible with appeal time of the appropriate court.
 12. The Division Property Officer or designee is the only person authorized to pick up or obtain any drugs or narcotics from the Laboratory which are being released after analysis.
 13. No member, without exception will keep in his possession any drugs or narcotics for a period of time greater than that set forth in this policy.
 14. Responsibilities of the Property Officer
 - a. In any case concerning drugs or narcotics, the Property Officer will be responsible for the accountability and proper disposition of all such drugs and narcotics.
 - b. The Property Officer will maintain proper records of all contraband items, including a file on all drugs and narcotics currently being examined by the Eastern Laboratory.
 - c. The Property Officer is responsible for the destruction of all illicit

drugs and narcotics which are no longer required as evidence.

- (1) Such destruction will be accomplished in the presence of two other members, neither of whom were involved in any way with the seizure of the drugs and/or narcotics being destroyed. All officers must actually observe the destruction of the drugs and narcotics.
- (2) The Property Officer will properly document and record the destruction of all illicit drugs and narcotics that is witnessed by two other members. The officer will maintain a permanent record of all such transactions.

F. Currency Transactions Handling

1. The “two person rule” will be followed when any and all currency is submitted to the Property and Evidence Unit. Two independent counts of the money will be accomplished and a Division Currency Voucher will be completed.
 - a. The primary officer shall count the money, witnessed by another employee or member of the Division. The witness shall then count the money, while observed by the primary officer. Both of these counts must agree and the Currency Voucher form shall be signed and initialed by both members. If the currency itself is needed as evidence and/or the currency needs to be processed by the Forensic Unit, then the case officer will note at the top of the Currency Voucher “Evidence, Do Not Deposit”. For deposit purposes the case officer will also make note at the top of the Currency Voucher “Narcotic Related” for potential seizure and forfeiture proceedings, or “Other” for all other cases.
 - b. To ensure integrity, whenever the package seal is broken, two members of the Division shall be present and count the money prior to returning the money to Property and Evidence. A Division Currency Voucher form will be completed whenever money is counted. The package shall be resealed, signed, dated and a purpose given by the participating persons for opening the package.
 - c. If it becomes necessary to re-package the inventoried money, the old packaging will be retained and placed in the new package. Property and Evidence personnel will not accept money if these procedures are not followed.
 - d. All currency will be secured in the locked security cabinets located in Property and Evidence. The Property Supervisor or his designee will be called out after hours for amounts over \$2,500.00.

- e. When final disposition takes place, the counting procedure set forth in (F,1, a) will be followed.

G. Firearms Procedures

1. Property & Evidence Personnel will ensure that all firearms taken into Property and Evidence are properly submitted to the National Integrated Ballistic Information Network (NIBIN). Upon return of the firearms from NIBIN all the NIBIN sample cases and projectiles will be pulled from packaging and preserved as evidence. When court orders are issued for the disposal of property, if the court order does not reflect the case status, it is the responsibility of the Investigating Officer to insure the case has been finalized and there is no appeal period.
 - a. If an Officer and his Supervisor determines that they should not send a firearm(s) to the State Lab for NIBIN exam, then 1) a Sergeant or above must sign the Property Invoice “Do Not send for NIBIN”, 2) properly document the invoice with the property owner’s information for identification, 3) the officer must Complete the Criminal History Check and annotate the results in the Property Owner’s comment section of the invoice , 4) authorize the return of the firearm on the invoice, and 5) provide the owner with the property tag number and a Return Property to Owner Letter.
2. All firearms submitted to Property and Evidence will be maintained until they have been submitted to NIBIN. After the firearm has been returned to Property and Evidence, it may be released in accordance with law unless it is evidence in an ongoing case. Firearms which are not related to a case and have no identifiable owner will be maintained for a period of one year after the date of seizure. If during that period of time the firearm is not identified as being part of any case it may be sent for destruction.
3. The Investigating Officer is responsible for assuring that the firearm is not part of an active case or one pending appeal prior to destroying the weapon.
4. **At no time will the shell casings or projectiles returned with the weapon be destroyed.**

H. Division Owned Property

1. Division owned property will be procured and requisitioned through the City of Hampton Consolidated Procurement Office in accordance with existing City Policy.
2. Maintaining equipment in a state of operational readiness is the responsibility of the person or unit to which the property is assigned.
3. The Property and Evidence Unit Commander or his designee is responsible for the distribution and issuance of Division owned

property. The Property and Evidence Unit is also responsible for records maintenance of all distributed property.

4. Personnel receiving Division property will be responsible for items issued to them. They will insure the equipment is not altered, damaged, or lost through carelessness, neglect, or design.
 - a. Any member or officer who becomes aware of any Division equipment which is lost, damaged, or altered will report such information, in writing, to his/her immediate supervisor. A copy of the report will be forwarded to the Support Services and the Property & Evidence Commander by the employee's supervisor.
 - b. The employee's immediate Supervisor will complete an Accident/Loss Package and the Unit Commander will investigate the circumstances surrounding the loss or damage to all Division equipment. He or she will make a determination as to whether the loss or damage was due to neglect and/or carelessness by a Division employee.
 - c. Upon completion of his investigation of those cases that were identified as having equipment that was altered, damaged, or lost through carelessness, neglect, or design, the employee's Unit Commander will forward to the Chief of Police a full and complete report with his recommendations as to what actions should be forthcoming (i.e., discipline, reimbursement, etc.).
 - d. In the event an employee is found to have negligently or carelessly lost or abused Division equipment, that employee will be responsible for paying the depreciated or replacement value of the article in question (depending on the item's normal depreciated life cycle) with the exception of items covered under an insurance policy (i.e., motor vehicle) unless such loss is viewed as wanton, recklessness and a total disregard for City property.
 - e. The person responsible for equipment that has been altered without proper authorization shall be responsible for any costs associated with returning the altered equipment back to its original state if possible, or paying for its replacement based on current replacement costs.
 - f. When damage is incurred to Division equipment by a third party (e.g., resisting arrest), a Special Report will be forwarded to the member or officer's Unit Commander outlining the circumstances of the Division's loss. It is the responsibility of the officer responsible for the damaged equipment to charge the responsible third party with "Destruction of City Property". The cost of the damage will be provided to the officer prior to court if so requested.

5. NO Division Property will be accepted into Property and Evidence without a Special Report indicating the disposition of the item. (ex: radar unit # 1234 is submitted to P & E for calibration, typewriter submitted to P & E for destruction or auction) Units requiring storage of general furniture and equipment must make arrangements to have the items placed within their own unit or at the Armory.

I. Inspections

1. The Property and Evidence Unit supervisor will conduct an inspection of the Property and Evidence Unit each month for adherence to property control procedures. This inspection may be conducted to determine:
 - a. That the property room is being maintained in a clean and orderly fashion.
 - b. That accountability procedures are being followed.
 - c. That property is being protected from damage and deterioration.
 - d. That property having no further evidentiary value is being disposed of promptly (Within six (6) months after legal requirements have been satisfied). It is the responsibility of the primary investigating officer to notify Property and Evidence of the disposition of the evidence immediately following completion of all court proceedings.
 - e. That equipment is stored in a state of operational readiness.
2. An annual **audit** of the Property and Evidence Unit shall be conducted by the Office of Professional Standards. This process does not require an accounting for every item of property, but will serve to validate the integrity of the property management system. A minimum of 250 items will be audited, with 200 being high risk items (money, drugs, guns, precious metals and jewelry)

As a part of this annual inspection, in the even numbered years a cash audit will be conducted in conjunction with the Annual Inspection. This cash audit will be conducted by Professional Standards personnel as outlined in the Professional Standards Branch Directive regarding the audit.
3. Unannounced spot inspections of property storage areas will be conducted by Professional Standards semi-annually as directed by the Chief of Police. The primary purpose of such inspections is to ensure property accountability and security.

J. Special Report:

If any evidence cannot be sent to the appropriate Laboratory within the required time limits, the Forensics Unit supervisor or the Property and Evidence supervisor will complete a special report detailing the extenuating circumstances that caused the delay. This report will be forwarded forthwith to the Property and Evidence and Forensics Unit Commanders and a copy kept with the applicable invoice.

K. Recovery of Stolen Property from Pawn Shops

1. Division officers who locate property in a pawn shop which is identified as “stolen” will take possession of the stolen item(s).
2. Upon taking custody of the stolen property, the locating officer will provide the pawn broker with a receipt for the removed item(s). The receipt will include the name of the officer taking the property; a description of the property taken; date and time property was taken and the criminal case number. (The receipt book will be located in Investigative Services in the Property Squad Sergeants office).
3. On occasion, circumstances may arise where item(s) located in a pawn shop may appear to be stolen property, but additional investigative effort is required to make a determination. In these instances, officers may place a HOLD on the property for a period not to exceed five working days. During this time, the pawn broker cannot dispose of the property.

Once a determination is made about the stolen status of the property, the pawn broker will be notified and appropriate measures followed, i.e. (HOLD removed, property placed back into pawn inventory or property tagged in accordance with this policy).

4. All property removed from pawn shops will immediately be brought to the Division and tagged in as outlined in Section B of this policy.

