



EVIDENCE & RECOVERED PROPERTY – REPORTS & PACKAGING

INDEX CODE: 1201
EFFECTIVE DATE: 08-27-08

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I. POLICY

It is the policy of the department that all acquired property (found, recovered, or evidentiary), property which is in custody of the department, and property which is owned and used by the department will be diligently protected and secured by the strict adherence to the procedures set forth in this directive. All evidence and/or recovered property taken into custody by department personnel will be logged, tracked and managed through the department's property & evidence control function. Property Management is required to log all recovered property and evidence into agency records as soon as possible.

Personnel who take into their possession “recovered property” will make every reasonable effort to identify the owner of the property. If the owner of the “recovered property” can be positively identified, every reasonable effort should be made to return the property to the owner. In cases when (1) the ownership of “recovered property” cannot be determined or is in dispute; (2) the owner of the property cannot be located or is not available to have the property returned to them; (3) the property taken into custody needs to be held as “evidence;” or (4) the property is “contraband”- then the recovering officer will package and submit the property to the appropriate District Property Room or Property Management before the end of the recovering officer’s tour of duty.

In many cases, stolen property that has been recovered (and is therefore “evidence”) may be released to the owner after photographs of the property have been taken and submitted to Central Records for evidentiary purposes. Such photographs should document serial numbers, make and model information, and any other distinctive features of the property, so that witnesses can properly identify the item(s) depicted at a later court proceeding.

In all cases when property is returned to the owner, the owner must acknowledge receipt of the property by signing the Property Release Authorization section of the Recovered Property Form.

II. DEFINITIONS

A. Evidence

Property which is believed or known to be related to a crime or which tends to prove the guilt or innocence of a person suspected or accused of committing a crime. Includes property seized pursuant to the delivery of criminal process, such as a search warrant.

B. Recovered Property (Found Property)

Any lost, mislaid or abandoned property which has been found is not of an evidentiary nature and is not contraband.

C. The BEAST Property Management Program

The BEAST is a database that stores all property information and tracks its location. The program creates an electronic chain of custody using barcodes.

D. Contraband

Any item which cannot be lawfully in the possession of a citizen.

E. Recovered Property Forms

Recovered property forms in triplicate are stored in each of the district stations.

III. REPORTS AND FORMS

A. Recovered Property Form

Any employee of the department coming into possession of evidence or recovered property will prepare a Recovered Property form. The Recovered Property form will not be used for CDS.

B. Distribution of Recovered Property Forms

1. The original copy and officer's copy are forwarded with the recovered property to the Property Management Unit. The officer's copy will be signed and returned to the officer.
2. Central Records' copy will be attached to the investigating officer's report.

C. Use of the BEAST System

Upon receipt of all evidence and/or recovered property, Property Management Unit personnel will enter all applicable information into the BEAST.

D. Required Information for Recovered Property Forms

Every Recovered Property form MUST contain complete information for the following fields:

1. Department Case Number
2. Case officer
3. Offense location
4. Offense type
5. District of recovery
6. When the owner is known or there is a finder, you MUST:
 - a. Complete the address and phone number sections (including AREA CODE and ZIP CODE)
 - b. Name, race, sex, and DOB
 - c. Indicate whether the finder wants the property if the owner does not claim it and whether an NCIC check was completed. Officers are required to check anything with a serial number through NCIC.
7. If the owner is UNKNOWN, it is the responsibility of the RECOVERING OFFICER to make reasonable efforts to determine ownership.
8. The item type and item number
9. The process (hold for evidence, release to owner, etc.)
10. The purpose/status
11. Collection location (district)
12. Date and time

E. Multiple Owners

A separate Recovered Property form will be completed for each owner of property recovered. The same case number can be used if different owners have property involved in the same case. If the owner is unknown, it is the recovering officer's responsibility to make reasonable efforts to determine ownership. If ownership is determined, the officer MUST forward a copy of the supplement report to Property Management AS SOON AS POSSIBLE, preferably within 48 hours, to prevent the loss of property.

F. Multiple Items

Each separate component of an item coming into police custody must be separately identified on the Recovered Property form. For example: credit cards, currency and coins contained in a wallet must all be separately identified on the Recovered Property form.

G. Incident Report Required

An incident report will be submitted whenever any property is recovered. The incident report is to be submitted through normal channels. The incident report prepared by the investigating officer will describe the property and the details of its recovery; the results of the NCIC/MILES stolen check; the date and time of the recovery; the location of recovery; the complete name, address, and telephone numbers of the finder(s); the identity of the owner; and the results of the officer's attempts to notify the owner of the recovery of the property.

H. Teletype Notification Required

Officers who recover property reported stolen to MILES or NCIC are responsible for informing teletype of the recovery and requesting a cancellation.

I. Evidence Tags

The recovering officer will affix a recovered property or evidence tag as follows:

1. Evidence tags are YELLOW in color and display the word "EVIDENCE" in bold letters.
2. Recovered property tags are BLUE in color and display the words "RECOVERED PROPERTY" in bold letters.

IV. PACKAGING OF PROPERTY

A. Property of Different Owners

Property of different owners will be packaged separately and will not be mingled. (Forms will be completed as described in Section III).

B. Property Envelopes

Property will be placed in the appropriate envelope as follows:

1. Evidence requires manila envelope
2. Recovered property requires blue envelope

C. Recovered Property Boxes

Item(s) too large for envelopes will be placed in an approved Recovered Property Box and the appropriate tag will be taped to the outside of the box. (Recovered Property Boxes can be obtained from Property Management).

D. Large Items

Item(s) too large for a Recovered Property Box will be packaged as securely as possible and tagged.

E. Package Seals

All boxes must be sealed with packing tape. The officer must initial all seals. All envelopes must be sealed with packing tape or with the glue provided on the flap. The officer's initials must be placed across the flap. Packages not properly sealed will not be accepted in Property Management.

F. Special Packaging Requirements

Jewelry and money must be packaged separate and apart from all other evidence. Money, jewelry, firearms, and CDS will be packaged as follows:

1. Money will be counted, packaged and sealed in the presence of a supervisor and the officer's initials will be placed across the seal. Money which is not properly sealed will not be accepted by Property Management.
2. Jewelry will be packaged and sealed in the presence of a supervisor and the officer's initials will be placed across the seal. Each piece of jewelry will be listed separately on the Recovered Property Form. Jewelry which is not properly sealed will not be accepted by Property Management.

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3. Firearms will not only be packaged separate from other property, but also separate from any recovered ammunition. (For further instructions on firearms, see Index Code 1201.2.)
4. Controlled Dangerous Substances (CDS) will only be processed through the Crime Lab. It will never be processed through Property Management. (For further instructions on CDS, see Index Code 1202).
5. CDS paraphernalia which requires analysis and is crucial to a case will also be submitted to the Crime Lab. CDS paraphernalia which does not require analysis will be submitted through the property management system.

V. SUPERVISORS RESPONSIBILITY

Sergeants and other first line supervisors are responsible for ensuring property is properly processed and accounted for in accordance with the provisions set forth in this directive.

VI. PROPONENT UNIT: Property/Records Division.

VII. CANCELLATION: This directive cancels Index Code 1201, dated 03-17-06.