

Bowie Police Department - General Orders



TITLE: HANDLING PROPERTY OTHER THAN EVIDENCE	NUMBER: 428
EFFECTIVE DATE: 2/4/16	REVIEW DATE:

AUTHORITY Chief John K. Nesky	ACCREDITATIONS STANDARDS CALEA STANDARDS: 61.2.3-f, 82.2.1-a-b-c, 84.1.1-a-b-c-d-e-f-g, 84.1.3, 84.1.5, 84.1.6-a-b-c-d	TOTAL PAGES 4
<input checked="" type="checkbox"/> NEW <input type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS		DATE: January 1, 2010

I. POLICY

One of the fundamental responsibilities of a Police Officer is to protect life and property, and to ensure that property which is not contraband, and the ownership of which is not in dispute, is reunited with its owner in a timely manner. Property taken into custody by an Officer will be properly stored and safeguarded pursuant to Department policies and procedures until its owner is located and retrieves it, or it is disposed of according to City of Bowie Ordinances and/or other applicable laws.

II. PROCEDURES

- A. Found property is that which has been lost or abandoned by its owner or custodian and found by an Officer or citizen, and it is unknown if it is connected with, or constitutes a part of, any known or suspected criminal offense.

Officers finding or receiving property under the above definition shall:

1. Attempt to ascertain if the property has been reported stolen or lost by checking it for stolen through N.C.I.C., checking through reports already on file, or locating and contacting the property's owner or custodian.
2. If an original report is located, a Supplement Report will be written to describe the circumstances under which the property was found.
3. If the property has been reported as stolen, it will be treated as EVIDENCE and will be packaged and submitted to the Evidence/Property Locker as described in BPD General Order, "Submitting Evidence".
4. The Officer submitting the property will be responsible for notifying the property's owner/custodian of the found property and will inquire if the owner/custodian wants the

property back or will allow the Department to store the property as evidence until trial (if it is determined as evidence). It may be possible to photograph the property and return it to its owner/custodian.

5. If the property has not been reported stolen, the Officer who found the property shall make every reasonable effort to return the property to its owner/custodian without unnecessary delay.
 6. If the owner/custodian cannot be contacted or located, or if the owner's identity cannot be determined, the property shall be inventoried and packaged so as to protect it and keep it intact. An Incident Report, classified as "Found Property" along with a Department "Evidence/Property Transmittal Form" and a Property Tag shall be completed and submitted with the property.
 7. Prior to the end of the submitting Officer's tour of duty, the property will be secured in a Temporary Evidence Storage Locker and enter the item(s) into the Evidence/Property log book.
- B. Contraband is property that is illegal to possess in and of itself and is usually seized and/or taken into custody for the purpose of being destroyed.
1. Property seized or taken into custody under the above definition will be treated as EVIDENCE, and unless the Officer wants the contraband held as evidence for a future court proceeding, the Evidence Transmittal Form will indicate that it is to be destroyed.
 - An exception to this would be if the Officer in his/her discretion decides to release a particular item to a person authorized to possess the property.
 2. If contraband is submitted to the Evidence/Property Custodian, the submitting Officer will complete an Incident Report describing the circumstances under which the contraband was taken into custody.
- C. Property for safekeeping may be taken into custody for reasons which may include, but are not limited to:
- Its owner/custodian is unable to possess it due to injuries,
 - An arrest,
 - Its owner was involved in a traffic accident requiring hospitalization, or
 - For other reasons a prudent Officer feels the property should be kept for safekeeping.
1. Officers taking property into custody for safekeeping will indicate this action in their Incident Report, and will also complete a Department Evidence/Property Transmittal Form along with a Property Tag to accompany the property. The property should also be entered into the Evidence/Property Log Book.
 2. Property belonging to traffic accident participants that were transported to the hospital should go/stay with them whenever possible.

- D. If bicycle(s) are recovered by citizens/police the Officer must check it for stolen/ownership; if it is not stolen and ownership cannot be determined, the Officer shall:
- Transport the bike to the station.
 - Complete a Found Property Report, tag the bike, and submit an Evidence/Property Transmittal Form
- E. Recovered guns whether seized as evidence, found, abandoned, or taken by an Officer for safekeeping, will be unloaded prior to being placed in a Temporary Evidence Storage Locker.
1. If the weapon is in such a condition that it cannot be ascertained if it is loaded, a certified firearms instructor and/or departmental armorer shall be contacted to ensure the weapon is safely unloaded.
 2. Officers submitting firearms to the Evidence/Property Custodian will follow the procedures set forth in this General Order regarding the completion of appropriate reports and forms, packaging and labeling.
 3. The submitting Officer will notify Prince George's County Police Department's Records Section to have the firearm entered into NCIC as a "Recovered Gun" if the firearm's ownership is unknown.

III. PACKAGING/LABELING OF SUBMITTED PROPERTY

Officers submitting property to the Evidence/Property Locker will ensure that it is packaged in such a manner that ensures its protection and integrity the package will be labeled with:

- The submitting Officer's name,
 - Date, Case Number,
 - Owner's name, date of birth, phone number and address if known, and
 - Any other pertinent information, i.e. "biological hazard," "sharp edges," "do not bend," etc.
1. If the package contains property that is exceptional, valuable, or sensitive, before packaging the property the submitting Officer will:
 - Photograph the item for station files,
 - Record serial number(s) or if money, make photocopies,
 - Fully document and itemize the property in the Officer's Event Report and in the Property Transmittal Form, and
 - Safeguard the property until it is secured in a Temporary Evidence Storage Locker.

- Package money, firearms, and ammunition separate from all other property and from each other. A separate Evidence/Property Transmittal Form should be completed for these items as well.

IV. RESPONSIBILITIES OF THE EVIDENCE/PROPERTY CUSTODIAN

The Evidence/Property Custodian will be responsible for the Evidence/Property function.

- A. Upon receipt of property, the Evidence/Property Custodian will:
1. Ensure the property has a case number visible and indicate the number of the Property Transmittal Form, which will become part of the Evidence/Property Room records.
 2. Ensure that the property is properly labeled and suitably packaged.
 3. Secure property requiring extra security measures, i.e., money, jewelry, precious metals, gemstones, and any other piece of property that by its nature is deemed to be of considerable value, inside the Evidence/Property Room.
- B. The Evidence/Property Custodian will ensure that the Evidence/Property Room records accurately reflect the status of all property/evidence held in the Evidence/Property Room by:
1. Arranging with the Commander, Operations Support to conduct a quarterly inspection of the Evidence/Property Room and its records to ensure adherence to Department procedures regarding record maintenance and the control of property.
 2. Arranging for an annual audit of property/evidence held in the Evidence/Property Room by Commander, Operations Support or his designee with the title of Supervisor and who is not routinely or directly connected with the control of property.
 3. Ensuring that the Evidence/Property Room, property storage areas, and records pertaining to in-custody property are up-to-date and are available for unannounced inspections as directed by the Chief of Police.
- C. To ensure that records are correct and properly annotated, whenever personnel are assigned and/or transferred from the property and evidence control function, the Chief of Police will direct that an inventory be conducted jointly by the newly-designated Evidence/Property Custodian and a person designated by the Chief of Police.