PURPOSE:

The Sheriff's Office possesses or controls three basic types of property:

1. Property owned or used.
2. In-custody property.
3. Property acquired as found, recovered or evidentiary.

A strong property management system provides for control and accountability of all three types. This is critically important in investigative areas and in the proper administration of Sheriff's Office resources.

PROPERTY CONTROL RESPONSIBILITY:

The Commander of Administrative Services is responsible for the management of property controlled by the Sheriff's Office. He designates one individual for each of the following responsibilities:

1. Sheriff's Office owned or used property.
2. Found, recovered and evidentiary property.
3. In-custody property, such as seized vehicles.

Only specifically authorized personnel are to access areas used by the Sheriff's Office for storage of property.

PROPERTY INSPECTIONS, INVENTORIES, AND AUDITS:

Semi-annually, Administrative Services conducts an inspection of property storage areas to ensure:

1. Adherence to property control procedures.
2. Storage areas are being maintained in a clean and orderly manner.
3. Property is protected from damage and deterioration.
4. Proper disposition of property having no further evidentiary value.

Whenever a new **Property Room Custodian** is designated, the new Property Room Custodian and the Sheriff's designee conduct an inventory of property and related records. The purpose of the inventory is to ensure integrity of the system and accountability of the property. The inventory is not an accounting of every single item of property. It is a random sampling sufficient enough to evaluate documentation and accountability.

Annually, the Sheriff appoints a designee to conduct an unannounced inspection of property storage areas. Additionally, he appoints a designee to conduct an annual audit of property held by the Sheriff's Office. This audit cannot be conducted by supervisory or command personnel having the property function under their control.

OWNED PROPERTY: Property assigned to, procured by or otherwise obtained for use by Sheriff's Office personnel is managed by a two-phase control system:

1. Initial identifying, labeling, and recording of existing capital assets.
2. Maintenance of the system as capital assets are added, transferred, replaced or destroyed.

The system identifies each item cost, date of acquisition, location, condition and, where applicable, maintenance and repair data, and individual to whom assigned.

All property to be procured by the Sheriff's Office is requested through the Administrative Services Division, which initiates requisitions for all capital goods, as well as expendable supplies. Administrative Services records, issues, and is held accountable for all property within the Sheriff's Office, including capital and expendable items.

Administrative Services is to ensure that all stored equipment, excluding equipment assigned to special teams, is maintained in a state of operational readiness. This includes inspection of such stored equipment at regular intervals.

SPECIAL TEAM EQUIPMENT: Special Team Commanders or their designees are to ensure all special team stored equipment is maintained in a state of operational readiness. This includes inspection of such stored equipment at regular intervals.

SEIZED/CONFISCATED NARCOTICS AND DANGEROUS DRUGS: Acceptance and release of narcotics and dangerous drugs are governed by a system of quality control, quantity control and container inspection:

1. Narcotics and drugs are to be counted, as well as weighed. The loss of minute or small amounts of an encapsulated, powdery substance may escape detection if capsules are counted only.

2. An exception to weighing a substance is permissible when the substance is officially sealed in tamper-proof, protective packaging.
3. All containers of narcotics and drugs are to be inspected for tampering as a safeguard against substitution of materials having the same weight.

PROPERTY ROOMS: Fundamental to the operation of a property room is its records system. Property records are to reflect:

1. Location of the property.
2. Date and time property is received and released.
3. Character, type and amount.
4. Chain of custody.
5. Date and result of inspections, inventories and audits.

The Property & Evidence Room (P&E) is used for the storage of found, recovered and evidentiary property. The Property Room Custodian is accountable for all property accepted into P&E.

STORAGE: All property stored by the Sheriff's Office is to be placed within designated secure areas. Secured, refrigerated storage is available for perishable items, such as blood samples. Secure facilities are provided for storage of found, recovered or evidentiary property during periods when Property & Evidence is closed.

Items of property that require added protection are to be stored in separate, locked, secured areas located within Property & Evidence. These items include:

1. Money
2. Precious metals
3. Jewelry
4. Weapons
5. Narcotics and dangerous drugs

Final disposition of found, recovered and evidentiary property is to be accomplished within six (6) months after legal requirements have been satisfied. Final disposition of property placed into P&E is the responsibility of the investigating deputy. Supervisors are responsible for ensuring their assigned personnel dispose of property in a timely fashion.

Semi-annually, P&E prepares **Disposition Reports** by investigative deputy for property disposition. Reports of former personnel are sent to their last units of assignment. Supervisors within these last units of assignment are responsible for disposing of property designated to former employees.

PROPERTY ISSUANCE, USE AND DISPOSAL:

The Administrative Services Division Commander is responsible for the issuance, use and disposal of all property, equipment, and materials acquired through the Sheriff's Office and county's purchasing process. All initial issues and reissues of individual employees' equipment are through the Administrative Services Division Supply Officer.

All equipment, whether damaged or surplus, is designated as disposal property only upon authorization of the Administrative Services Division Commander, and by the method he designates, in compliance with county regulations governing disposal of county owned property. Any Sheriff's Office employee who disposes of equipment without prior approval of the Administrative Services Division Commander is liable in the manner, and to the extent determined in compliance with applicable county regulations.

The proper use and care of Sheriff's Office property is the responsibility of each individual division commander and the Administrative Services Division Commander. Complaints of employee abuse or misuse of Sheriff's Office property are to be made to Administrative Services Division Commander. Abuse or misuse of Sheriff's Office property is subject to disciplinary action.

PROPERTY ALLOCATION:

Requesting equipment and services:

1. Individual employees are to have prior supervisory approval from their immediate supervisors.
2. Contact the Supply Officer to obtain equipment or service needs.
3. If requested items needed are not in stock, a requisition request will be made.
4. Pick up items ordered at the Supply Office.

Reporting lost or damaged equipment:

1. Contact immediate supervisor and report lost or damaged item.
2. Complete a **Lost or Damaged Equipment** form.
3. Forward Lost or Damaged Equipment form to Administrative Services within forty-eight (48) hours. A copy of the form will be forwarded from Administrative Services to the Supply Office.

Replacement and disposal of equipment:

1. Contact Supply Officer after prior supervisory approval.
2. Turn in used equipment items to Supply Office.
3. Pick up replacement equipment item at Supply Office.

USE AND DISPOSAL OF FORFEIT PROPERTY:

Property stored in Property & Evidence usually falls into one of the following categories:

1. Evidence.
2. Recovered stolen property.
3. Found or abandoned property.
4. Seized for forfeiture proceedings.

EVIDENCE - Evidence is held until it is no longer needed in court proceedings. Evidence is periodically reviewed to determine if it may be disposed. Investigating deputies or their supervisors are responsible for making the determination if evidence is to be held or disposed. Evidence is disposed by returning it to the owner, destruction, or forfeit as provided by law.

RECOVERED STOLEN PROPERTY - If the owner of recovered property cannot be immediately contacted to reclaim his property, he or she is to be notified by certified mail within ten (10) working days. The letter will inform where and how to claim the property, and advise that he or she has sixty (60) days to claim the property. The notice is to also state that failure to reclaim the property within sixty (60) days will result in the property being sold at public auction to the highest bidder.

FOUND OR ABANDONED PROPERTY - Found or abandoned property is to be checked for stolen through an NCIC inquiry. If the inquiry is positive, the investigating deputy is to proceed with notification of the owner. If the inquiry is negative, the investigating deputy is to follow any available leads and make reasonable inquiries to determine ownership. If ownership is never determined, the property is held sixty (60) days before disposition. The property is advertised by full description in the newspaper before sale. After thirty (30) days following advertisement, the property may be sold at auction or used by the Sheriff's Office.

DISPOSAL - Once the sixty-day time limit has elapsed and property remains unclaimed, it may be acquired for use by the Sheriff's Office following completion of disposal requirements. A notation of transfer is made on P&E sheets.

Other agencies needing a specific item of forfeit property may submit a written request to the Sheriff requesting a temporary or permanent

transfer. The request should specify the type of item and intended use of the item. Only the Sheriff approves transfers to other agencies. The transfer will be noted on the P&E sheet.

All transfers within the Sheriff's Office or to other agencies will be recorded in an equipment file maintained for that purpose. Equipment acquired from forfeit property is to be used solely for Sheriff's Office or County purposes. Equipment will not be signed out for personal use, with the exception of exercise equipment that may be assigned to an individual under the Sheriff's Office goal of maintaining physical fitness among employees.

Civil Consent Forfeiture Orders:

*Any evidence seized by Selective Enforcement (DEU, DPU, Traffic, Gangs, and K9) will be sent to the Lieutenant overseeing that unit.

*CID's administrative specialist will review all orders, pertaining to firearms and verify if the original case agent is still employed.

*If the case agent is still employed the order will be turned over to him/her for final disposition.

*If the case agent is no longer employed then the order will be given to the Sergeant overseeing the Property Control officer, to determine final disposition.

*Verify that there are NO pending state/federal charges awaiting adjudication. (Public Index)

*Verify firearm(s) are not subject to the "Evidence Preservation Act".

*Run a NCIC inquiry on the firearm(s) to verify it's clear.

*Verify that the firearm(s) do not have a hold pertaining to NIBIN testing/hits. (Subject to a three year hold).

*Verify with General Counsel that the evidence in not needed in any pending civil litigation cases.

*Verify that there are no co-defendants associated with the evidence.

***Email correspondence/supplemental reports are mandatory to show the agency's intentions with the disposal of any evidence, and there must be a copy in records.**

Release/Return of Firearms to Owner

When releasing/returning or preparing sales/trades of all firearms from Property and Evidence, the following steps must be completed:

*Any evidence seized by Selective Enforcement (DEU, DPU, Gangs, Traffic, and K9) will be sent back to the unit supervisor - even if the employee is NO LONGER here.

*Verify that there are NO pending state/federal charges awaiting adjudication.

*Verify firearm(s) are not subject to the "Evidence Preservation Act".

*Run a NCIC inquiry on the firearm(s) to verify it's clear.

*Run a criminal history on the rightful owner to verify their legal right to possess.

*Verify that the firearm(s) do not have a hold pertaining to NIBIN testing/hits. (Subject to a three year hold).

*Verify with General Counsel that all remaining evidence is not needed for any civil litigation cases.

*Complete the "Firearm Return Background Investigation" form.

***Email correspondence/supplemental reports are mandatory to show the agency's intentions with the disposal of any evidence, and there must be a copy in records.**

Disposal/Destruction of Evidence (Gun Trade)

Once evidence is determined to be no longer needed it is the responsibility of the case agent to dispose of all evidence. In cases where the deputy is no longer an employee, the Property Control officer is responsible for the disposal, destruction, or trade of all evidence. The following steps must be completed before the release, disposal, or trade of evidence is authorized:

*Any evidence seized by Selective Enforcement (DEU, DPU, Gangs, Traffic, and K9) will be sent back to the unit supervisor - even if the employee is NO LONGER here.

*Verify that there are NO pending state/federal charges awaiting adjudication.

*Verify firearm(s) are not subject to the "Evidence Preservation Act".

*Run an NCIC inquiry on the firearm(s) to verify it's clear.

*Verify that the firearm(s) do not have a hold pertaining to NIBIN testing/hits. (Subject to a three year hold).

*Verify with General Counsel that all remaining evidence is not needed for any civil litigation cases.

*Complete the Property and Evidence "Authorization for Disposition" form.

***Email correspondence/supplemental reports are mandatory to show the agency's intentions with the disposal of any evidence, and there must be a copy in records.**

PROPERTY DISPOSAL:

Unclaimed property that is cleared of any claim or court action will be disposed through public auction as provided by law. Property forfeit under statutes dealing with gambling, traffic violations, racketeering, or drug trafficking will be disposed through public auction as provided by law.

The Sheriff may sell at public auction any recovered stolen or abandoned property, after he has held it for sixty (60) days and declared it abandoned by the jurisdiction. The Sheriff is to make a diligent effort to ascertain the true owner of the property with its full description in a newspaper having general circulation in the county and post the advertisement in the Sheriff' Office and at the courthouse.

At any time after thirty (30) days have elapsed following publication of the second advertisement, the Sheriff may sell to the highest bidder the abandoned or recovered stolen property as provided:

1. Property that is not suitable for sale, including, but not limited to, clothing, food, prescription drugs, weapons, household cleaning products, chemicals, or items that appear not usable including, but not limited to:

    a. Electric components that appear to have been skeletonized, where parts have been removed and are no longer in working order.

b. items that have been broken up and only pieces exist may be destroyed by the jurisdiction holding the property.

2. The Sheriff may use any property recovered by his jurisdiction if the property is placed on the jurisdiction's inventory as property of the jurisdiction.
The Sheriff, with the consent of County Council, may turn over to any organization exempt from tax under Section 501(c)3 of the Internal Revenue Code of 1986, items of abandoned or recovered property that may be used for the betterment of that organization. However, the accrued value of the items given to an individual organization, as provided above, by a Sheriff shall not exceed a value of One Thousand Dollars ($1,000) in the respective government entity's fiscal year.

PROPERTY AUCTION: Administrative Services is responsible for monitoring the status of seized/found property. When property is ready for disposal, the Supply Officer will prepare a list of the property to be auctioned and secure the services of a licensed auctioneer. Public notice of the auction will be made in accordance with state law. The notice will list the date, time, location, auctioneer's license, and a general description of the items to be sold.

Auction expenses are to be paid from the auction proceeds. The remaining funds are to be forwarded to the County Treasurer's Office for deposit into the proper account.

Items difficult to appraise, such as jewelry, will be taken to a reputable dealer of such items and a written appraisal obtained. The appraisal for the item, or lot, is to be announced by the auctioneer before the bidding is started. Appraisal fees will be considered part of the auction expense.

Contraband property and property having no value or use will be destroyed.

Hobart Lewis, Sheriff