

INTERNATIONAL ASSOCIATION FOR PROPERTY & EVIDENCE

Property Room Standards

17. FOUND PROPERTY

Law enforcement agencies are generally required to temporarily take personal property into custody when citizens and public officials report finding items that belong to others. A report documenting the circumstances of where and when property is found should always be completed for each found item, and a receipt provided to the finder instructing how to claim the item. The documentation is also applicable even if the item is released to the owner without going through the property room. Public employees that come across such items as a result of their duties are generally not permitted to claim them, and items having significant value must usually be advertised as lost and found pursuant to local guidelines before the finders may lawfully claim them.

Caution should be used to ensure that such property is thoroughly searched to prevent unwanted items from entering the Property Room. Property that is filthy, trash, open consumables, or items that may contain lice or other contagion should be disposed of and not brought in to contaminate the Property Room.

Found Property items should be stored in a Property Room location where it is segregated from other items of general evidence by virtue of its short-term storage requirement. Found Property reports should also be segregated from other reports by virtue of the same criteria. Found Property items should be placed on its own separate property report form and not commingled with other items of general evidence or other items that require special handling. Firearms should never be released to finders due to the inherent problems associated with the potential use of the weapon in future criminal activity. This issue should always be referred to the department's legal advisor.

The law enforcement agency is generally required to notify the owner (if his/her identity is reasonably ascertainable) that it possesses the property and where it may be claimed. Detectives should be provided copies of all Found Property items in the event that it may relate to some other criminal activity. This notification should be made as soon as possible after receipt of the property by the agency. The agency may require payment by the owner of a reasonable charge to defray the costs of storage and care of the property. If the owner appears within the statutory time period after receipt of the property by the agency, proves his ownership of the property, and pays all reasonable charges, the agency should return the property.