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**I. CATEGORIES OF PROPERTY**

For the purpose of these procedures, property taken into police custody is categorized and defined and follows:

**A. Evidence;**

Evidence is any property that comes into the custody of a Police Department employee when such property may tend to prove or disprove the commission of a crime, or the identity of a suspect, pursuant to an official criminal investigation.

*Examples: physical or chemical evidence left at the scene of a crime by a victim or suspect; recovered stolen property; or property currently under observation which is suspected to have been used in, or be the result of, the commission of a crime.*

**B. Found Property**

Found Property is any property of no evidentiary value whatsoever, which comes into the custody of a Police Department employee, and whose rightful owner may, or may not, be known to the finder or the Department. Due diligence must be exercised to discover the rightful owner. If the owner cannot be located, the Department will dispose of the property in a time and manner prescribed by law.

**C. Safekeeping**

Safekeeping is any property of no evidentiary value surrendered to an employee of this Department for temporary custody with the understanding that the person surrendering the property has the legal right to do so, and that the property will be returned to the rightful owner(s) at the end of a specified period of time, unless disposition by the department, in a manner prescribed by law, is requested by the owner(s).

*Note: Serialized property held as "Safekeeping" is not entered into the CLETS automated property or firearms systems.*

**D. Under Observation**

Under Observation is any property, of no apparent immediate evidentiary value, but is held, examined and/or tested by the police department for 72 hours pending the issuance of a criminal complaint. After 72 hours, the property will be returned if no charges have been filed.

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**E. Property for Destruction**

Property for Destruction is any property, including firearms and ammunition, seized from or released by a citizen to the Police Department for disposal.

**II. DOCUMENTATION & RECEIPT OF PROPERTY**

**A. Documentation of Property**

1. All property that is taken into custody and retained by the Police Department must be documented in a police report prepared by the Department employee accepting that property. Who, what, when, where and how he/she came into possession, and the disposition of that property shall be described in that report.
2. The report must also provide a complete description of the property collected or seized, complete and accurate information of the person, who found the property, or from whom it was seized or recovered.
3. All property retained by the Police Department shall be documented on the Property Report Form per established guidelines.

**B. Receipt of Property**

1. A copy of the Property Report Form shall be furnished as a receipt to any person, regardless of status, anytime property is taken from that person irrespective of the classification of that property.
  - a. A multi copy carbonless pad of the Property Report Form has been specially designed for and serves as the required receipt.

**C. Computer Inquiry & Entry**

1. All Department employees SHALL make the appropriate inquiries to the State Department of Justice computer system (CLETS) on all serialized or identifiable items collected or seized to determine if the property is reported stolen or otherwise entered into the statewide system PRIOR to placing the property into storage.
  - a. Communications should be cont confiscating the item. After verification, Communications/Records will be

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responsible to send locate information. acted and advised to verify all hits with the originating agency prior to

- b. The status of the property should be reflected in the offense and property report. The case should also reflect that a locate was sent to the originating agency. It is the originating agency's responsibility to update the CLETS system from stolen to recovered status.
1. In accordance with 11108 PC, employees shall submit descriptions of serialized property that has been reported stolen, lost, found, recovered or under observation into the CLETS automated system.
  2. It is Record's responsibility to make the CLETS entry per established policy.

### **III. PROPERTY FORMS**

The following forms are used in conjunction with the property and evidence function:

#### **A. Property Report**

##### Usage:

This triplicate form serves as the primary instrument to record property listed in a police report. It is to be used under the following conditions:

1. Anytime property of any classification is logged into a property locker, or
2. Anytime property of any classification is listed in the police report.

##### Routing:

##### Blue - Evidence Copy:

This copy serves as the original of the property page. The back serves as the "Chain of Custody" and property release record for the Property Officer. When the case has been adjudicated and the property has been permanently released from Department custody, this form will be forwarded to Records for inclusion into the original case file.

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Place the blue copy with the item of property/evidence logged into the property locker. If property items listed on the Property Report are logged into evidence in more than one location (e.g., bike locker, refrigerator, locker) place the blue copy of the Property Report with only one of the items of property. Making additional copies is not necessary. If no property is logged into the property locker, remove the blue copy and discard as confidential information.

White - Records Copy:

This copy serves as the Records copy to be included in the original case file. Place the white copy with your police report and submit it to Records.

If serialized property (including owner-applied numbers) is listed on Property Report, immediately place the white copy into the "Hot Tray" and notify Records. Records personnel will then enter the serialized property into the appropriate module of CLETS, initial the entry in the CLETS entry box on the form, then arrange for the white copy to be included into the original case file with the remainder of the report when received.

Pink - Property Receipt:

This copy serves as the property receipt to be given to the person *from whom property has been taken by an employee of the Police Department*. This receipt shall be given to any person, *regardless of status* (e.g., suspect, arrestee, victim, finder, etc.) and *regardless of the type of property taken* from that person (e.g., stolen property, body fluid taken for evidentiary purposes, clothing, etc.).

Officers should obtain the person's signature on the bottom of the Property Report or note their refusal to sign. Every effort should be made to personally receipt the person from whom the listed property has been taken; however, in the event it is impractical or impossible to do so, officers may mail a copy of the receipt to that person.

Officers should complete the back of the pink copy marking the appropriate boxes reflecting the classification and/or reasons why the property was taken.

*Note: In the event that multiple persons need to be given receipts from the same Property Report, photocopies of both sides of the pink form should be made and given to each person.*

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**B. Property Continuation Report**

This form serves as the continuation form for the Property Report. It can not be used without the Property Report.

**C. Money Envelope**

This form/envelope serves as the sole method for logging cash money into the property room. Cash is defined as coin and/or currency. Checks, credit cards or other negotiable items are not to be used with the money envelope. The Property Officer will not accept money that has not been packaged/logged appropriately and according to the following procedures:

1. Money is to be itemized by denomination listing sub totals and total amounts.
2. All money logged into the property room will require at least two officers or employees to verify the count.
3. All money envelopes MUST CONTAIN AT LEAST TWO signatures verifying the amount listed and enclosed. The entering officer and verifying officer shall sign their names and numbers to the front of the envelope, seal the envelope with tamper-proof security tape, then both must initial the back of the envelope prior to entering into the property locker.

*Note: It is strongly suggested that two separate counts be conducted with large amounts of cash.*

4. Extremely large amounts of coin and/or currency might be seized which, because of the container or quantity of money, make it impractical to package in the money envelope (e.g., coins stored in a large piggy bank or water bottle, large amount of bills in a briefcase or satchel, etc.). In those rare cases, it is acceptable to log the container containing the money as it. However, a money count and completion of the money form must still be done. The money envelope can be taped to the container; however, officers submitting the money should secure the container as necessary with evidence tape to prevent tampering.
5. A money envelope may be used for suspected counterfeit bills; however, it will not be listed as having any cash value. Make a notation on the outside of the money envelope reflecting that the contents contain suspected counterfeit bills.

6. It is recommended that the money envelope not be used for foreign currency. If used, the outside of the envelope should reflect the contents contain foreign currency.

**D. Evidence Property Tag**

This form serves as the control tag for all evidence items logged into and retained in the property room. This form shall minimally contain the following information: date, case number, officer's name, item and control numbers, and bar code.

1. Each item of evidence shall have its own evidence tag affixed to the item or appropriate container the item is packaged in.
2. Multiple items may be assigned the same "Control Number" issued from the Inventory Control Log Book.
3. The Property Officer may color code the PD-77 by year to assist in inventory control; however, the basic format of the PD-77 will remain the same.

**E. Found Property Tag**

This form serves as the control tag for all items categorized as Found Property logged into and retained in the property room. It is color coded YELLOW for identification. This form shall minimally contain the following information: date, case number, officer's name, item and control numbers, and bar code.

1. Each item of property shall have its own Found Property tag (PD-92) affixed to the item or appropriate container the item is packaged in.
2. Multiple items may be assigned the same "Control Number" issued from the Inventory Control Log Book.

**F. Safekeeping/Observation Property Tag**

This form serves as the control tag for all property categorized as Safekeeping or held for observation that is logged into and retained in the property room. It is color coded BLUE for identification. This form shall minimally contain the following information: date, case number, officer's name, item and control numbers, and bar code.

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1. Each item of property shall have its own Safekeeping Property tag affixed to the item or appropriate container the item is packaged in.
  2. Multiple items may be assigned the same "Control Number" issued from the Inventory Control Log Book.

**G. Evidence Processing Request Form**

This form is used to request the processing of evidence for latent print impressions by the Property Officer.

1. The requester will complete the form in its entirety and submit it with the evidence logged into the property room.
2. The Property Officer will facilitate the processing, return the form to the requester with the disposition.

**H. Latent Print Transfer Card**

This card is used to store the transfer of latent prints lifted and submitted as evidence.

1. Officers should complete the front of the card in its entirety and place it into the property room.

*Note: Use of a Property Report 2 is not necessary when submitting latent print cards into evidence. The quantity and source of the latents should be reflected in the body of the report.*

2. Notice of Section 8102 W& I (PD-203)

This form is used whenever a member of the Police Department confiscates a firearm or deadly weapon pursuant to Welfare and Institutions Code Section 8102.

This multi-part form serves to notify the party who has been taken to a mental health facility for psychological examination (pursuant to 5150 W&I) that property was held for safekeeping. It also informs the party of their legal rights and process to reclaim that property.

The lower portion of the form provides acknowledgment by the mental health facility that the property is being held per Section 8102 W&I. The representative of the examining health facility signs this form, causes the person committed to sign the form, then returns it to the Police Department.

Routing:

White - To Police Department

Yellow - To Person Committed to Mental Health Facility

Pink - To Mental Health Facility

Goldenrod - To Person Upon Release from Mental Health Facility

**J. Controlled Substances Envelope**

1. Only items to be analyzed should be placed in this envelope. All other items not submitted for examination should be packaged separately and according to policy.
2. Narcotics submitted for examination are to be packaged in a small paper or plastic bag then placed into the County envelope. Packaging larger than the envelope should be avoided unless absolutely necessary.
3. Attach the Evidence tag (PD-77) to the outside of the envelope and submit with a PD-221/222.
4. SEAL THE ENVELOPE ACCORDING TO CRIME LAB INSTRUCTIONS.

**K. Evidence Submission Envelope**

1. Only items to be analyzed should be placed in this envelope. All other items not submitted for examination should be packaged separately and according to policy.
2. Evidence submitted for examination is to be packaged in small paper or plastic bag then placed into the County envelope. Packaging larger than the envelope should be avoided unless absolutely necessary.
3. Attach the Evidence tag (PD-77) to the outside of the envelope and submit with a PD-221/222. DO NOT SEAL THE ENVELOPE.