



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**

Police Chief: John Fitzgerald

**GENERAL ORDER: 5-26.5; FOUND PROPERTY/CONTRABAND/
PROPERTY FOR SAFEKEEPING**

DATE: 8/8/2019 Pages: 2 ◇ New ◆ Amended

DISTRIBUTION: **All Personnel**

I. POLICY

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. 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 Village Ordinances and/or other applicable laws.

II. PROCEDURES

A. Recovered Stolen Property

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.
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 stolen, officers will determine if any latent evidence can be recovered from the item(s).
4. If the property was stolen in the Village, officers will:
 - a. Package and submit the evidence to the Evidence/Property Custodian (EPC) per G.O. 5-26.4 if the owner cannot be located, or
 - b. Return the property to the owner if the owner can be located and after latent evidence (if any) has been obtained.
5. If the property was reported stolen by another agency, officers will make contact with the police agency that reported the property stolen and will determine how to handle the property.

a. If it is appropriate to release the property to the owner, the officer shall make a reasonable effort to do so.

b. If the item must be retained as evidence for court proceedings, the officer shall package and submit the items to the EPC as described in G.O. 5-26.4.

B. Recovered Property—Not Stolen

1. 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. *All efforts to locate the owner will be documented in the report.*
2. 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 as to protect it and keep it intact. A report, classified as "Found Property" and cleared 2946-2, shall be completed along with a Department "Property Transmittal Form" and submitted with the property.
3. Prior to the end of the submitting officer's shift, the property will be given directly to the EPC. If the EPC is unavailable, the property will be secured in a Temporary Evidence Storage Locker.

NOTE: If recovered property is delivered to a dispatcher in the Communications Center, it is permissible for the dispatcher to use her/his own efforts to identify and contact the property owner, however, the Communications Clerk must dispatch/assign an officer to handle the call so that the officer can write an incident report, and complete a thorough investigation.

If the owner is located and responds to pick up the item, an officer shall turn the item over to the owner and must ensure the owner signs for the item on the back of the Chain of Custody form.

- 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**.
2. The contraband shall be submitted to the EPC per G.O. 26.4, and the submitting officer shall complete a 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 the item(s) pursuant to a court order or other process;
 - The non-evidentiary property belongs to an arrestee and the jail will not accept the property;
 - Its owner was involved in a traffic collision or other incident requiring hospitalization and they are temporarily unable to accept the property, or
 - For other reasons a prudent officer feels the property should be held for safekeeping.
1. Officers taking property into custody for safekeeping will indicate this action in their report, and will also complete a Department Property Transmittal Form to accompany the property.
 2. The property will be handled as found property and will be inventoried, packaged, labeled, and submitted to the EPC as described in General Order 5-26.4.
 3. Whenever practical, property belonging to persons injured in a traffic collision should be taken to the hospital and returned to the injured person.

D. Due to the size of bicycles and our limited storage space, recovered bicycles will be stored in the storage room in the police locker room.

E. Recovered firearms 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 firearm is in such a condition that it cannot be ascertained if it is loaded, **it will**

be presumed that it is loaded and the EPC will be made aware of this on the Evidence Transmittal Form when the weapon is placed in a Temporary Evidence Storage Locker by the submitting officer.

2. Upon receiving the firearm, the EPC will consult with a firearms instructor and/or armorer in an attempt to ensure that the it is made safe before it is stored in the Evidence/Property Room.
3. Officers submitting firearms to the EPC will follow the procedures set forth in this General Order regarding the completion of appropriate reports and forms, packaging, and labeling.
4. The submitting officer will notify MCP Records Section to have the firearm entered into NCIC as a “Recovered Gun” if the firearm’s ownership is unknown. The EPC will forward a copy of the report via interoffice mail to the Commander, MCP Major Crimes Section.

III. PACKAGING/LABELING OF SUBMITTED PROPERTY

- A. Officers submitting property to the Evidence/Property Room will ensure that it is packaged and labeled in accordance with G.O. 5-26.4
- B. If the package contains property that can be destroyed, the submitting officer will write DESTROY in large letters in a conspicuous location on the package.

This directive voids the previous version dated 8/06/2009 and incorporates Memorandum 18-07: *All property must be fully documented and submitted into TESL by the end of an employee’s shift.*