A. Purpose

To establish the rules and methods of collecting, transporting, and disposing of property acquired in the course of law enforcement operations.

B. Policy

The proper collection, preservation, and handling of physical property are becoming increasingly important. The security of the property from recovery to the time of its being returned to its rightful owner should be carefully scrutinized and documented by the department.

To insure that property taken in by Department personnel is stored and accounted for in a professional manner, it is necessary to establish standard procedures which will permit the proper collection and preservation of property.

All property shall be the responsibility of the person accepting the property until such time as the property is delivered to the Property Custodian.

The Director shall appoint a Property Custodian and Assistant Property Custodians as needed, for the Department. The Property Custodian will train, direct, and supervise the Assistant Property Custodians. Property Custodians will maintain all records/files necessary for the proper disposition and security of property. It shall also be their responsibility to maintain a security storage area/locker for the storage of same.
C. Definitions

1. For the purpose of this policy, the following definitions apply:

   b. CONFISCATED PROPERTY - Any item of property, which is legal to own, seized by this department that does not meet the criteria for inclusion in the following categories. (i.e. knives, properly registered hand guns, or other legal items taken from patients, visitors, or employees for safekeeping until the owner of the property departs the University.)

   c. SAFEKEEPING/ LOST AND FOUND - Any item that would require temporary storage until such time the owner can take custody of it. This may include items of specific value which are found as lost or abandoned which can be returned to the rightful owner or otherwise handled with appropriate documentation.

   d. PRINER PROPERTY – Any property taken from a prisoner, at the time of arrest, which is stored by this department pending the prisoners release from incarceration.

   e. INVENTORY - The detailed written description of property within the interior and trunk of a vehicle, or at the scene of a crime.

D. Procedure

1. The Director or is designee will designate a property custodian and assistant custodians assigned to each shift to evaluate, photograph and process all property.

2. All property will be stored in a locked cabinet in the department’s secure storage room. Only the property custodian and assistant custodians will have access to the locked cabinet in the secure storage room. Access to the secure storage room is via Card Access. (CALEA 84.1.2, 84.1.3) Exceptional, valuable, or sensitive items of property will be stored in the black file cabinet located in the secure storage area. The custodians will have to sign the key out with the Dispatcher. (CALEA 84.1.1.e)

E. Confiscated Legal Property

An Incident Report will be completed on all confiscated legal property. It will be inventoried and logged on a property form by the seizing officer before he/she ends their shift. (CALEA 84.1.1.a) A copy of the form will be provided to the property owner and the officer will explain to the owner how he can claim his property at the appropriate time. (CALEA 84.1.1.g) (The property will be described in as much detail as possible on the property form.) Confiscated Illegal
Property will be handled in accordance with Policy and Procedure #55, Evidence.

1. The property along with the property from will be turned over to the property custodian on duty, before the end of his/her shift, who will secure the items in the confiscated property section of the property cabinet or black file cabinet. (CALEA 84.1.1.b) The custodian will enter the property on the property inventory log as confiscated. (CALEA 84.1.5)

2. When the property owner wishes to claim the property, it will be released by the on duty custodian. The custodian must verify the item(s) to be released with the properly identified owner and the owner shall sign the property form as having taken custody of the item(s). The custodian shall annotate the item(s) release in the property room inventory log. (CALEA 84.1.1.g, 84.1.5)

3. Anyone claiming a legally owned weapon, which is being held by the Department of Public Safety as confiscated/safekeeping property, must have proof of ownership prior to release. (CALEA84.1.1.g) Any firearm not claimed within 90 days will be retained by the Department and disposed of in accordance with South Carolina law. (CALEA 84.1.1.g)

4. Any items not claimed after 90 days will be disposed of by the Property Custodian. Items of value will be disposed of in accordance with Lost & Found guidelines. (CALEA84.1.1.g)

NOTE: All guns will be checked through NCIC.

F. **Prisoner Property**

1. Anytime an arrest is made, the arresting officer becomes directly responsible for any and all property under the direct control of the person arrested. The arresting officer must account for and secure all property according to the following procedures:

   a) All legal items that are normally found on the individual's person, such as identification cards, credit cards, jewelry, personal papers, general wallet or purse contents, and normal amounts of money, will be retained by the prisoner until it is turned over to Booking Officers at the jail. [All items retained by the prisoner will be inventoried and documented on the property section of the arrest and booking report, to include the exact amount of money and a detailed description of all other items. The prisoner must sign the property section of the arrest and booking report verifying possession of the items. If he refuses
to sign or cannot sign, the officer will annotate same on the booking report and have another officer sign as a witness. ] (CALEA 84.1.1.c)

**** Jewelry will be described generically (example: 1-woman’s ring, yellow in color, with one clear stone; 1- man’s ring, silver in color, with one red stone.)

**** Jewelry WILL NOT be described as being a specific type of metal or as having a specific type of gemstone.

b) All guns, knives or any other object which could be used as a weapon will be confiscated, receipted for, documented as evidence and turned over to the Evidence Custodian.

c) All items of contraband, items that are evidence of a crime, or items that are suspected of being unlawful to possess will be confiscated, receipted for, documented as evidence and turned over to the evidence custodian.

d) Property, such as luggage or instruments of any kind (provided they are legal), will be receipted for, inventoried and turned over to the property custodian for safe keeping. During the inventory, locked or sealed containers will not be forced open. If entry must be made follow search warrant requirements outlined in Procedure # 63.

e) If the prisoner is in control of a motor vehicle at the time of arrest, impound the vehicle and follow Procedure # 50.

**NOTE**: "In control of" means (1) in his/her vehicle; (2) about to enter his/her vehicle, sitting on or standing near his/her vehicle.

2. Any property not retained by the prisoner will be stored by this department. The arresting officer will inventory the property and complete an evidence/property form (PSD-61) before the end of his/her shift. **(CALEA 84.1.1.a)** Each item must be listed separately and described in as much detail as possible. One copy will be placed in the bag/s with the property, one copy attached to the incident report and one copy will be given to the prisoner. **(CALEA 84.1.1.d)** The property will be turned over to the on duty Property Custodian for review before the end of his/her shift. **(CALEA 84.1.1.b)** The custodian will store the property in the property cabinet at Public Safety Headquarters. The property will be entered into the property log as prisoner property **(CALEA 84.1.2)** The property log will contain,
as a minimum, the prisoner's name, OCA #, date taken into custody, and date released (CALEA 84.1.5). Prisoner property will be released by the on duty Property Custodian. (CALEA 84.1.1.g) Upon release of prisoner property, the appropriate annotation will be made on the evidence/property form and on the property inventory log. The evidence/property form will be turned over to the Records Department for inclusion in the arrest file. (CALEA 84.1.1.g)

**** Exceptional, valuable, and sensitive items of property will be photographed and a copy of the photos will be attached to the property form and a copy will be placed in the records clerks arrest package.

**** If you have multiple prisoners you must log and store each prisoner’s property separately using a separate property form for each prisoner.

3. Only department personnel authorized by the Director will have access to the department property room. This area is controlled by Card Access. Activity reports can be run upon request by the Director. (CALEA 84.1.2).

5. The prisoner will be allowed to authorize someone to pick up the property. This authorization will be in writing on the property sheet and the prisoner must sign the authorization. (CALEA 84.1.1.g) Every effort will be made to contact the prisoner to arrange for property pickup (CALEA 84.1.1.f). Prisoner property will be maintained for sixty days after the prisoner’s release from confinement. After the sixty day period all property of value will be disposed of appropriately. (CALEA 84.1.1.g, 84.1.7).

G. Inventory/Audit

1. Inspection/Audit of Property System

   a. The Property Custodian shall conduct a periodic (not less than semi-annually) inspection of the property cabinet and records, to insure proper compliance with procedures and the security of all property (CALEA 84.1.6.a).

   b. An audit of all property shall be conducted whenever a change of responsible personnel occurs. This audit will be conducted by the incoming custodian, outgoing custodian, and the Staff Inspector. The audit will be forwarded to the Director of Public Safety (CALEA 84.1.6.b).

   c. An annual audit of the property held by the Department is conducted by a Supervisor not routinely or directly connected with control of the property. (CALEA 84.1.6.c) An unannounced inspection of the property storage
area is conducted, as directed by the Director of Public Safety at least once a year. (CALEA 84.1.6.d)

d. When a Property System inspection and/or inventory is conducted, the date and results shall be listed in the Property Log and signed by the authorized officer.