

**NEW CANAAN POLICE DEPARTMENT**

**SUBJECT: PROPERTY MANAGEMENT**

**GENERAL ORDER NUMBER: 88-1-44**

**FILE: SRVS 4-4**

**AUXILIARY & TECHNICAL**

**I PURPOSE/POLICY**

It is the purpose of this general order to provide guidelines for the management and control of found, recovered evidentiary property items and of property in the custody of the New Canaan Police Department.

**II RESPONSIBILITY**

It is the responsibility of all department personnel to adhere to this general order. It is the additional responsibility of the division captains, supervisors, investigators and the property custodian to insure compliance.

**III PROCEDURES (RECEIPT OF PROPERTY/TEMPORARY STORAGE)**

- A.** When this department receives property of any kind, whether evidentiary, found, safekeeping, recovered, bond or scofflaw payments, it shall be the responsibility of the receiving officer to submit the property into property management and supporting documentation before the end of his/her shift. When processing property the receiving officer is required to:
1. Complete the applicable sections within the LEAS records management program (i.e. incident, report, property, persons etc.) detailing the circumstances by which the property came into the department's possession and describing each item of property obtained.
  2. Complete the following forms, if applicable. Again, listing and describing each article of property:
    - a. Property Seized w/o a Warrant (JD-CR-18)
    - b. Property Seized Under a Search Warrant (JD-CR-52)
  3. Package and label the property received/seized in accordance with the provisions established in General Order 89-11-64, Collection and Preservation of Evidence.
  4. Secure the property in designated locker(s) or evidence/storage area(s) as outlined in this general order.
- B** During normal business hours, officers have the option of turning property directly over to the property custodian. However, when the property custodian is off-duty, property shall be temporarily secured in accordance with the following guidelines:

- 1 Smaller sized property shall be secured in one of several evidence lockers (#1-#6) located in the property management room.
- 2 Parcels, documents, licenses, etc. will be secured by inserting these items through a slot on the side of evidence locker #7 located in the property management room.
- 3 Larger sized property (i.e. TV's, kegs, tires, etc.) shall be temporarily secured in a designated area in Evidence Storage Room No 3.
- 4 Property requiring refrigeration shall be temporarily stored in a small cooler, which will contain ice or cold packs. The cooler shall be secured in an evidence locker until the property custodian transfers it into the refrigerator located in Property Evidence Room #1
- 5 When property is secured in an evidence locker, the locker key shall be inserted in the door slot to Evidence Room #1 for safekeeping. (The requirement excludes Evidence Locker #7, which remains locked at all times). A copy of the LEAS generated property form must accompany all property that is placed into storage.
- 6 The property custodian shall be responsible for transferring said property from temporary to permanent storage as soon as possible.
- 7 When all of the secure storage areas and lockers have been utilized and additional space is needed, the Captain of the Staff Services Division will be promptly notified of the problem. Said Commander shall be responsible for ensuring that secure storage areas are made available and that the additional property is properly secured.

#### **IV PROCEDURES (PROPERTY MANAGEMENT/LONG TERM STORAGE)**

- A** In accordance with the job description of the position of Clerk/Typist II, the property custodian will be responsible for the property management function of the Department. The property custodian shall maintain control of all property accepted by or stored in the lockers and property evidence/storage rooms. Said position will be under the direct supervision of the Captain of the Staff Services Division.
- B** The property custodian shall be responsible for logging in all property received by the department whether found, recovered, personal or evidentiary in nature, as soon as possible. He/she shall ensure that records accurately reflect the status of all property held by the department. This shall be accomplished by maintaining the following records;
  1. Evidentiary Log - This log documented all property, excluding found property that has been received by the department. Information contained in the log included; date received and released, where the property is stored and final disposition. (Note: The log was discontinued as of January 1, 2004 when LEAS database was solely utilized to document this information)
  2. Lost and Found Property Log – All found property that is received by the department is recorded in this log. The information contained in this log is identical to what was recorded in the Evidentiary Log. In addition to this log, this type of property is documented using the LEAS records management program.
  3. Chain of Custody - This information is documented using the Chain of Custody form and LEAS records management program. Copies of the Chain of Custody form are completed and maintained by the property custodian.

4. Inventory of Property Seized Without a Search Warrant (JD-CR-18)- Although this form is filled out by the officer receiving or seizing property in conjunction with an arrest, a copy is maintained by the property custodian.
  5. Property Seized Under Search Warrant (JD-CR-52)- This form must be completed when property is seized in connection with the execution of a search warrant. The property custodian maintains a copy.
  6. Receipt For Seized Property (JD-CR-42)- This form must be completed when currency or stolen property is seized in connection with a criminal arrest, or pursuant to a search warrant without an arrest. The property custodian maintains a copy.
  7. LEAS Records Management Data Entry - All property received by the department shall be entered into the LEAS computer program by both the receiving officer and the property custodian. Data to be entered for each piece of property will include the following information:
    - a. Type Loss
    - b. Description/Make/Model.
    - c. Dollar value of the Property
    - d. Owner/Finders name
    - e. Serial Number (if available)
    - f. Date received/released
    - g. Storage location
    - h. Chain of Custody/Comments
- C** Final disposition of found, recovered and evidentiary property shall be accomplished within six months, or sooner, if possible, after all legal requirements have been satisfied and in accordance with Section IX, PROCEDURES (Disposition of Property), of this General Order.
1. In certain situations, property may be returned to its rightful owner before all legal requirements have been satisfied. In such cases, the items will be photographed and the photographs submitted as evidence in lieu of the actual property. This shall only occur in accordance with applicable statutes and/or with prosecutorial approval.
- D** All property received and in the custody of the police department shall be secured in designated, secure evidence/storage lockers, rooms and areas. When utilized, all of the storage areas will be locked at all times and access shall be limited to the property custodian and Commander of the Staff Services Division. Officers will however, have limited access to the a designated area within Evidence Room No.3
1. The designated property evidence rooms and storage areas are:
    - a. Evidence Storage Room No. 1 (2<sup>nd</sup> floor)
    - b. Evidence Storage Room No. 2 (2<sup>nd</sup> floor)

- c. Evidence Storage Room No. 3 (1<sup>st</sup> floor)
  - d. Evidence Storage Room No. 4 (prop management office)
  - e. Evidence Storage Room No. 5 (2<sup>nd</sup> floor)
  - f. Lost and Found Storage Lockers (2<sup>nd</sup> floor)
  - g. Evidence Locker Room (prop.management office)
  - h. Hazardous Property Storage Container (rear of HQ)
  - i. Sally Port
2. In addition to the sally port, vehicles may be stored at the New Canaan Highway Department when a high level security is no longer required.
3. Some articles of property, by there vary nature, require extra protection, security and handling precautions. Articles of property that fall into this category include:
- a. Perishable items of evidence, such as blood samples shall be stored in a secure refrigerator. Urine samples for DUI case do not require refrigeration.
  - b. Narcotics, Dangerous Drugs, Money, Precious Metals, Jewelry, shall be stored in a safe
  - c. Firearms, shall be secured in secure lockers and/or safe

**V PROCEDURES (AUDITS/INSPECTIONS)**

- A** The Commander of the Staff Services Division or designee, will at least semi-annually, conduct an inspection of the property room(s) to determine that records are correct, and to ensure that procedures are being adhered to.
- B** Whenever a new person is designated as the property custodian, an inventory of property and related records will be accomplished. The newly designated custodian will conduct said inventory with an employee designated by the Chief of Police. The inventory will be sufficient to insure the continued integrity of the property management system and the accountability of the property and associated records.
- C** Once each year, (or more often if deemed necessary) the Chief of Police shall appoint a supervisor, not routinely or directly connected with Property Management to conduct an audit of the Property Management Room(s) and function. Said audit will be in accordance with accepted auditing procedures. The scope of the inventory will be as outlined in V, B, above. Additionally, periodic unannounced inspections of property storage areas will be conducted as directed by the Chief of Police.
- D** Inspection and/or audit reports will be reviewed with the property custodian and a copy forwarded to the Chief of Police. Original copies shall be kept on file in the office of the property custodian.

**VI PROCEDURES (BOND/SCOFFLAW RECEIPTS)**

- A** Officers will be responsible for processing all bond and scofflaw payments received by this department using the following procedures:
1. Fines imposed on a scofflaw vehicle shall only be paid in cash, certified check or bank check.
  2. A licensed bondsman may post bonds. Cash bond payments will be paid in cash and/or traveler's checks only.
  3. The person receiving the payment shall verify the dollar amount in the presence of a supervisor. A cash envelope will be filled out, the cash sealed in it and the envelope signed or initialed by both parties.
  4. The payment will be documented using the LEAS generated property form and the State Bond/Appearance and shall include the following information:
    - a. Name of person making payment
    - b. Address
    - c. Incident number(s)
    - d. Amount/Reason for payment
    - e. Date of the Transaction
    - f. Signature of person making payment (Bond Form Only)
  5. The person making the payment should receive a copy of the LEAS generated property form and/or official receipt form.
  6. During normal business hours the cash envelope may be turned over to the property custodian directly, otherwise the envelope must be inserted into the slot of Evidence Locker #7. Once received the property custodian will be responsible for securing the envelope until it is forwarded to the proper authority (reference General Order 90-5-81 Fiscal Management).

## **VII PROCEDURES (CONFISCATION OF WEAPON)**

- A.** There are cases when, in the interest of public safety, it is necessary for the police department to confiscate a weapon or a dangerous instrument. The decision to make a confiscation will be independent of whether or not an arrest is made. The department may hold the confiscated weapon for up to thirty-days or what is considered to be a cooling-off period. By holding the weapon for this period of time, the Police Department is attempting to eliminate any opportunity for the weapon to be used during a domestic dispute or other potentially violent situation where there is a substantial risk of injury or death to a person. During this time the weapon shall not be released without the approval of the Commander of the Staff Services Division. If after that period, the owner of said weapon has not had any further problems (i.e., violent, threatening or tumultuous behavior), then the weapon may be returned to the owner. If however, there are extenuating circumstances and the Department feels that, in the interest of public safety, the weapon should continue to be held, then the weapon, may be held indefinitely or until such time as a court order is received for the weapon's release. Under no circumstance will a seized weapon and ammunition be returned to the owner at the same time. After return of the weapon, the owner will be asked to come back at a later time for the ammunition.

- B. The officer confiscating the weapon is required to fill out the LEAS generated property form. A copy of this form is to be given to the owner of the weapon as soon as practicable. When an arrest is made, the officer must also complete the Receipt for Seized Property Without a Warrant (JD-CR-18).
- C. After the Commander of Staff Services has authorized the return of a weapon, a copy of the LEAS generated property form shall be used as a receipt to document the return of the weapon. The date and time of the release must be recorded and the form signed by the owner of the weapon, as well as the officer or property custodian who is releasing the weapon. The completed form must then be submitted to the records unit so that it may be included in the case file.

### **VIII PROCEDURES (DEPARTMENT OWNED PROPERTY)**

- A Property that is procured or requisitioned by the Department for department use will be so requisitioned by a purchase requisition/order, which is submitted to the Chief of Police for approval.
- B The distribution and issuance of department owned property (exception-vehicles and munitions and other expendables) to authorized users, is the responsibility of the Commander of the Staff Services Division or designee.
- C Accountability for all department owned property shall be the responsibility of the Commander of the Staff Services Division.
- D It shall be the responsibility of the Commander of the Staff Services Division or designee to keep departmentally stored property in good repair and operational readiness. This shall be accomplished through:
  - 1. Periodic inspections of equipment
  - 2. The reporting by departmental personnel of damaged, inoperative or equipment that is in need of repair via the department's Equipment Malfunction Repair form, case report or through direct communication with the Commander of the Staff Services Division.

### **IX PROCEDURES (DISPOSITION OF PROPERTY)**

- A The property custodian shall be responsible for the disposition of property held by the police department. The disposition of said property shall be accomplished expeditiously and only after all legal requirements have been satisfied. (Re: C.G.S. 54.36a-i, 50-11 to 50-14)
- B Whenever property is seized in connection with a criminal arrest or seized pursuant to a search warrant, the seizing officers are required to process (seal, mark or label) such evidence according to the provisions established in this general order and General Order 89-11-64, Collection and Preservation of Evidence and shall inventory said property using the appropriate forms.
  - 1. Inventory of Property Seized Without a Search Warrant (JD-CR-18) - used to inventory property seized in connection with a criminal arrest. (It shall not be used to inventory property seized as a result of a search warrant).
    - a. Exceptions to this policy include:

- 1) When property is stolen and its value does not exceed \$250.00 or:
  - 2) When an attempt is made to steal the property, but the property remained on the premises at all times, in a sealed container or:
  - 3) When directed by the court to do otherwise. Property presently included in this exemption are alcoholic beverages and motor vehicle registration plates seized as a result of a non-criminal offense.
- b. In cases where one or more of the aforementioned exceptions apply, an Inventory of Seized Property form need not be filed with the court. However, the property must be documented using the LEAS records management program.
- c. Prior to the final disposition of the property, the JD-CR-18 will be distributed as follows:
- 1) Property Management - will retain the yellow copy
  - 2) Records Unit - will temporarily retain a copy
  - 3) Court - will receive remaining copies.
- d. The disposition of property inventoried on the JD-CR-18 form shall, without exception, be determined by the court.
- 1) The disposition order will be received via the Order of the Court section of the JD-CR-18 form. (The order will be received in triplicate, two white and one pink copy). In order for the order to be valid, it must be signed and dated by the proper judicial authority.
  - 2) The terms and conditions of the order shall be strictly adhered to and properly documented. The documentation will include:
    - a) Completing as appropriate the Notice of the Court and Return of Compliance section on the backside of the JD-CR-18 form and forwarding same to the court.
    - b) Updating the LEAS records management program.
- e. After the disposition process has been completed, the JD-CR-18 form will be distributed as follows:
- 1) Property Management - will retain the white copy.
  - 2) Records Unit - will retain white copy
  - 3) Court - will receive the pink copy
2. Property Seized Under a Search Warrant (JD-CR-52) - used to inventory property seized as a result of the execution of a search warrant.
- a. This form will be used in conjunction with the Affidavit and Application, Search and Seizure Warrant (JD-CR-61) and the LEAS generated property form.

- b. Prior to final disposition of the property, the JD-CR-52 and associated forms will be distributed as follows:
    - 1) Property Management - will retain the yellow copies of the JD-CR-52 and LEAS generated property form.
    - 2) Records Unit - will retain a copy of the JD-CR-52 and JD-CR-61 Forms.
    - 3) Court - will receive the original copies of the JD-CR-52 and JD-CR-61 forms. The court should not receive a copy of LEAS generated property form.
  - c. The disposition of property documented using either the JD-CR-18 and/or JD-CR-52 forms shall only be completed when directed to do so by the court.
    - 1) The disposition order will be received via Order of the Court, Section III of the JD-CR-52 form. (The order will be received in triplicate; two white and one pink copy). In order for the order to be valid it must be signed and dated by the proper judicial authority.
    - 2) The terms and conditions of the order shall be strictly adhered to and properly documented. The documentation will include:
      - a) Completing as appropriate the Notice of the Court and Return of Compliance sections on the backside of the JD-CR-52 Form and forwarding same to the court.
      - b) Updating the LEAS records management program.
  - d. Upon completing the disposition process the JD-CR-52 and associated forms will be distributed as follows:
    - 1) Property Management - will retain a copy of the LEAS generated property form, white and yellow copies of the JD-CR-52 form.
    - 2) Records Unit - will retain a complete copy of the JD-CR-61 form and white copy of the JD-CR-52 form.
      - a) The Property Management Clerk will be responsible for ensuring that the JD-CR-52 accurately reflects the disposition of the property.
    - 3) Court - will receive the pink copy of the JD-CR-52 form.
3. LEAS generated property form - used in all cases where the use of the JD-CR-18 form would be inappropriate.
    - a. Generally, the use of this form is required when:
      - 1) Property of any kind is received by the department, regardless of whether an arrest is made.
      - 2) It is a juvenile case



- 3) It involves an alcohol related non-criminal offense (i.e. C.G.S. 14-227a, 14-111a etc.)
  - 4) Bond or Scofflaw payments are received.
- b. The disposition requirements of property that is inventoried using only the LEAS generated property form shall be determined by the type of property in question. To facilitate the disposition of property, there will be three categories of property types. They are:
- 1) Evidentiary - This category includes property for which there has not been nor is there likely to be an arrest due to statutory limitations, the owner is unknown or the property has not claimed. In such cases, the property will be held for a six (6) month period from date of receipt, at which time the property will be disposed of according to the following guidelines.
    - a) Property of no monetary value shall be immediately destroyed/disposed of. Such property may include; used clothing, broken or damaged items, liquor and physiological specimens.
    - b) Property of value may only be disposed of per order of the State of Connecticut's Examiner of Seized Property. This will be accomplished by forwarding a letter and copy of the property form attached to the Examiner of Seized Property for review. Upon completion of the review, the Examiner of Seized Property will determine how the property shall be disposed of.
  - 2) Found - Includes all property found by a officer of the department or private citizen. Found property will be held for a six (6) month period from date of receipt, unless claimed by the rightful owner.
    - a) The officer receiving the found property is responsible for attempting to contact the owner of said property, when their identity is known. However, if mitigating circumstances exist, this task may be delegated to the property custodian. The releasing of property will be documented in the LEAS Records Management Program.
    - b) If the owner of the property is unknown, the property custodian will, within one week from the date of receipt, advertise a general description of the property in a local newspaper. If unclaimed, the advertisement must be run for at least two successive weeks. This requirement may be omitted when the value or estimated value of the property is less than twenty dollars.
      - i. Perishable or property of a dangerous or harmful nature shall be disposed of as soon as practicable.

- c) If the property remains unclaimed, the property custodian will notify the finder of this fact via registered or certified mail. This notification shall occur within two weeks from the expiration of the six month period.
  - i. This requirement may be omitted when the value or estimated value of the property is less than thirty dollars. In such cases, the property shall become the property of the Police Department and the property custodian shall determine its disposition.
  - ii. Any amount of cash shall be returned to finder if unclaimed.
  - iii. If the finder refuses to claim the property within thirty days of the expiration date, such property or the proceeds shall become the property of the Police Department. The Commander of the Staff Services Division may, at his discretion, request that the Examiner of Seized Property review and take possession of such property.
- 3) Safekeeping/Recovered – Includes all property that is temporarily held in secure storage by the police department. This type of property will be held for a maximum period of six months from the date of receipt. However, when appropriate, an extension may be granted by the Commander of the Staff Services Division. If the owner of the property has not claimed the property within the specified period, it will be disposed of according to the following guidelines:
  - a) A certified or registered letter will be mailed to the last known address of the owner within two weeks of the expiration date.
  - b) The owner shall then have thirty days from the expiration date to claim the property. If the property remains unclaimed it shall become the property of the police department.
    - i. The property custodian will determine the disposition of all property whose estimated value is less than two dollars.
    - ii. The Commander of the Staff Services Division may at his discretion, request that the Examiner of Seized Property review and take possession of said property.

**C** The Police Commission shall authorize the sale at public auction any property that the police department acquires as provided herein. Prior to such sale, the property custodian shall advertise a general description of the property and announce the place and time of the auction, once a week for at least two successive weeks in a local newspaper.

- 1. The net proceeds from the sale of such property shall be paid to the town treasurer, who shall deposit them into the appropriate Town Account.

**X PROCEDURES (DISPOSITION OF ALCOHOL, M/V REGISTRATION PLATES)**

- A** The procedures for the disposition of Alcohol and Motor Vehicle Registration Plates shall be as follows:
1. Alcohol - Alcohol seized as a result of a criminal arrest (i.e., C.G.S. 53a-213, 30-86 etc.) shall be disposed of in accordance with the guidelines previously mentioned when using the Inventory of Property Seized Without a Search Warrant (JD-CR-18) form. When an alcoholic beverage is seized and an arrest does not occur, it shall be documented using the LEAS generated property form report. In these cases, the property custodian shall hold the beverages for a minimum of sixty days. After which, said property shall be promptly disposed of.
    - a. Circumstances that may require such property to be held for an extended period of time. Typically this occurs when an investigation is ongoing or when directed by the Motor Vehicle Department to retain the property.
    - b. The disposition of alcoholic beverages shall consist of emptying the beverage container of its contents and properly disposing of the container.
  2. Motor Vehicle Registration Plates - Motor Vehicle Registration Plates that are seized as a result of a criminal arrest shall be disposed of in accordance with the guidelines previously mentioned when using the Inventory of Property Seized Without a Search Warrant (JD-CR-18) form. As with alcoholic beverages, all other vehicle registration plates shall be held for a minimum of sixty days from the date of seizure. After that time, the registration plate will be returned to the issuing state's Department of Motor Vehicles.
  3. Connecticut Motor Vehicle Operator's Licenses - All motor vehicle operators licenses that are seized by an officer shall be submitted into Property Management. Upon receipt of a license, the property custodian will promptly forward licenses to the Connecticut Department of Motor Vehicles.

**XI DISTRIBUTION**

This general order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department general orders through a read-only file on their individual domain of the Department's computer network. A printed copy and/or CD will also be available in headquarters so that it is accessible should the electronic media not be available.

**XII EFFECTIVE DATE**

This general order approved by the Police Commission on  
March 31, 1988 and is effective March 31, 1990.  
Revised June 1997  
Revised May 2000  
Reviewed March 2006

Per Order

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Edward J. Nadriczny  
Chief of Police