

IAPE STANDARDS SECTION 13 – PROPERTY FOR SAFEKEEPING

Standard 13.1: Property for Safekeeping – Reporting Policy

Standard: Departmental policy should instruct all personnel that a numbered report is required whenever Property for Safekeeping comes into the custody of an employee.

Definition: A Property for Safekeeping report or other retrievable document should be searchable by day, date, location, article, and reporting employee.

Reasoning: Property for Safekeeping may consist of personal property item(s) that need safeguarding as a result of the owner's infirmity, accident, or arrest. The Property for Safekeeping report or property record should be separate from any related crime or accident report because the disposition of property held as safekeeping may be conducted much sooner than evidence in a criminal case.

Some states permit the disposition of unclaimed personal property after a specified period of time. Consider enacting a department policy in the absence of a local resolution, ordinance, or state guidelines.

Consider providing written notice to arrestees at the time of booking that Property for Safekeeping will be disposed of pursuant to departmental policy within a specified time unless claimed prior.

Standard 13.2: Property for Safekeeping – Receipt

Standard: Departmental policy should instruct all personnel that anytime personal property (Property for Safekeeping) is taken from a citizen that the owner is given a department authorized receipt with information on how to claim the property

Definition: A Property for Safekeeping Receipt is a document that is given to the owner that defines how to retrieve their property.

Reasoning: Providing the owner of property with a receipt on how to claim the item may reduce many inquiries to the department on how to claim their property. The receipt should provide a brief description of the property, a date the property will be available, case number, phone number of who to call with questions, any legal requirements, the statute numbers, and a signature block where the finder acknowledges they received the property and understands their obligations to claim it. Completing the receipts in duplicate is encouraged, as it can provide both the owner and the property unit a copy of the document.

Standard 13.3: Property for Safekeeping – Storage

Standard: Property for Safekeeping should be segregated from items of general evidence and clearly labeled as Property for Safekeeping.

Exception: Property for Safekeeping consisting of firearms, money, and prescription drugs should be stored with other high profile items with enhanced security, but still clearly labeled as Property for Safekeeping. Large or bulky items may also be stored in the bulky storage area if clearly labeled.

Reasoning: Property for Safekeeping should be considered a short term item that in most cases doesn't have to be retained as long as any evidence from the same case.

Due to the short-term nature of Property for Safekeeping storage, the location of these storage shelves should be where it is more convenient to frequently access than other items of general evidence. Generally speaking, there should be no items on the Property for Safekeeping shelves that significantly exceeds the minimum specified time requirements that may be determined by statute or policy.

Standard 13.4: Property for Safekeeping – Disposition

Standard: Property for Safekeeping should be released to the rightful owner or disposed of according to departmental policy as quickly as practical.

Definition: Disposition refers to the release of the property to the owner or designee, sale of unclaimed property at auction, the diversion to the agency for public use, or release to an other authorized entity, or destruction and disposal.

Reasoning: The department has an obligation to return a person's personal property to them as quickly as possible. In an arrest situation always attempt to return the Property for Safekeeping prior to the adjudication of the criminal case to free up storage space. If the owner of the property is incarcerated, he/she may complete a written and notarized authorization form that authorizes a friend or relative to retrieve the property.