

Rockville City Police Department

GENERAL ORDER

Subject PROPERTY CONTROL		Procedure G.O. # 4 - 17
Authorizing Signature	Effective: 02-26-10 Revised: 01-01-15	Total Pages 19

I. POLICY

It is the policy of the Rockville City Police Department to maintain found, recovered or evidentiary property in accordance with federal, state and local statutes and court decisions relating to such properties. It is also the policy of this Department to return such property to its rightful owner(s) in a timely manner.

II. PURPOSE

The purpose of this General Order is to establish a procedure for the security, handling, disposition and regulation of evidence and property, which comes into the possession of the Rockville City Police Department.

III. DEFINITIONS

- A. Evidence: Any item that will be of use in a court proceeding to prove or disprove a fact under consideration.
- B. Contraband: Any item that cannot be possessed lawfully by a citizen.
- C. Found Property: Any lost, mislaid or abandoned property, which has been found, is not of any evidentiary nature and is not contraband.
- D. Temporary Property Storage Room (TPSR): The secure area designated by the Administrative Services Bureau Commander for holding property prior to being placed in the permanent property storage room.
- E. Permanent Property Storage Room (PPSR): A secure area designated by the Administrative Services Bureau Commander for holding property that has been appropriately documented,

packaged, entered into the department's records and to be held for a long period of time prior to final disposition.

- F. Controlled Dangerous Substance (CDS) Evidence Drop Box: A temporary storage safe located within the TPSR where officers deposit CDS prior to submission to the Montgomery County Police (MCP) Crime Lab.
- G. CDS Control Officer (CDSCO): An officer designated by the Chief of Police to handle, review and verify all CDS evidence submitted into the CDS evidence drop box has been packaged and labeled appropriately and all necessary forms have been completed. The CDSCO will be responsible for printing the appropriate barcode and transporting the CDS to the MCP Crime Lab.

IV. PROPERTY CONTROL UNIT

- A. The function of the Property Control Unit is to serve as a secure repository and control center for all property found, received or impounded by department personnel. All property taken into custody by any police officer shall be placed in the temporary property storage room (TPSR), with the exception of property that has been turned over to another agency, a crime lab, or returned to the owner as part of normal policy and process.
- B. The Property Control system is designed to control the receipt, storage and release of:
 - 1. Found property.
 - 2. Recovered stolen property.
 - 3. Evidence.
 - 4. Property to be examined by a crime laboratory (including found contraband).
 - 5. Property of arrested or incapacitated persons taken for safekeeping.
- C. All evidence submitted to Property Control must be properly tagged and labeled or otherwise packaged, and be accompanied by a Property Control Card (RCPD Form # 75).
- D. Property Control personnel assume the responsibility only for the storage and handling of items received while these items are in their custody. The officer who turns in property has the responsibility to ascertain whether the property in question should be in police custody; to determine the correct classification of the property; to correctly complete all the required paperwork; and to assist in the disposition of the property by helping to find the rightful owners, or by approving disposition under their own authority.
- E. All evidence and property are controlled by the case number assigned to that incident, and a unique Property Control Number.

- F. The department will not maintain controlled dangerous substances, weapons, or explosives for investigative or training purposes.

V. RESPONSIBILITIES

A. Police Officers

1. All property and evidence must be stored in the Temporary Property Storage Room (TPSR). Exceptions to this would be articles, which are delivered to the Montgomery County Police Crime Lab or other law enforcement agency.
2. Property will not be stored in officers' personal lockers or PPV under any circumstances.
3. Under no circumstance, shall property be turned in later than the end of the officer's tour of duty on the day the property came into the officer's possession.
4. The recovering officer will be responsible for packaging and labeling all items of evidence, found property, contraband or confiscated matter collected or recovered to prevent any tampering, contamination or destruction of same and to preserve the chain of custody.
5. The recovering officer shall list and describe all items on a Property Control Card (RCPD Form # 75).
6. Officers shall check all property coming into their possession against NCIC and MILES records. Also, officers shall make an effort to identify the owner of any property classified as found, abandoned, etc.
7. If the classification of property changes, such as "found property" to "evidence," the reporting or investigating officer shall immediately record and document that change on the appropriate report form.

B. Property Control Officer.

1. The Property Control Officer is accountable for all property acquired by the Department and stored in the permanent property storage room or its related areas.
2. The Support Services Coordinator is the designated Departmental Property Control Officer.
3. The Property Control Officer is responsible for the following:
 - a. For timely transfer of property to the Permanent Property Storage Room.

- b. Responsible for control of all property and evidence stored in the permanent property storage room.
- c. For maintaining property rooms (including bike storage) that are clean, orderly, and secure, with appropriate safeguards in place to protect property from theft, damage, and deterioration.
- d. Ensuring that access to the permanent property storage room is restricted only to those personnel as authorized by the Chief of Police.
- e. Maintaining a separate high security area for the storage of money, jewelry, weapons, precious metals, and narcotics.
- f. Maintaining an appropriate facility for the storage of items of perishable nature.
- g. Responsible for the maintenance of records on recovered property indicating continuity of property and evidence control from system entry to final disposition.
- h. Releasing of property and evidence only to authorized persons.
- i. Responsible for appropriate and timely notification to property owners to make arrangements for return of property to the rightful owner in a lawful manner.
- j. Responsible for conducting a semi-annual inventory of items stored in the permanent property storage room.
- k. Ensuring compliance to the policy regarding finder's claims.
- l. Disposing of property in accordance with established legal standards, which include, but are not limited to;
 - (1) Destruction.
 - (2) Return to rightful owners.
 - (3) Public auction.
 - (4) Retained by the Department.
 - (5) Donation.

C. Administrative Services Bureau Commander.

- 1. The Administrative Services Bureau Commander is responsible for the Property/Evidence management function.

2. Once each month the Administrative Services Bureau Commander, or his designee, will conduct an inspection of the permanent property storage room to ensure compliance of all property control procedures. Specifically, the inspections should determine that:
 - a. Provisions of General Orders on property control and accountability are being followed.
 - b. The permanent property storage room is maintained in a clean and orderly fashion.
 - c. Property is being protected from damage or deterioration.
 - d. Property having no further evidentiary value is being disposed of promptly.

D. Chief of Police.

1. A supervisor, designated by the Chief of Police, who is not connected routinely or directly with the property control process, will conduct an annual audit of property and property management records.
2. Unannounced inspections of the property storage areas will be conducted as directed by the Chief of Police. The purpose of these inspections will be to ensure that property accountability and security procedures are being followed properly. This may be accomplished by the random comparison of records with physical property.

E. Reassignment of Property Control Function

Should the property/evidence function be reassigned, the outgoing and newly designated Property Control Officer prior to the transfer of authority shall conduct an audit or inventory jointly. Any discrepancy shall be noted and reported to the Chief of Police. Corrective action shall be taken, when possible, before transfer of authority.

VI. PROPERTY CONTROL CARD

- A. The Property Control Card (RCPD Form # 75) shall be utilized in all cases where evidence, found property, contraband or confiscated matter is physically controlled by the Rockville City Police Department.
- B. If a citizen turns property in to the Department, a copy of the property control card will be used as a receipt and given to the citizen.
- C. A control number will be obtained from the Property Control Log. This number will be the next sequential number on the log. If a mistake is made, do not erase but put a line through the number, write ERROR, and add your I.D. number. Select the next number, and place that number on the form in the appropriate box. This number should be recorded on any related report(s).

- D. In the property inventory/description section, describe the property in as much detail as possible. Include the following, where applicable:
1. Make.
 2. Model.
 3. Serial Number.
 4. Color.
 5. Condition.

VII. UTILIZATION OF TEMPORARY PROPERTY STORAGE ROOM (TPSR)

- A. Secured evidence lockers are located in the TPSR and are to be used for the storage of found, recovered or evidentiary property during periods when the property room is closed.

- B. Access to TPSR

The Temporary Property Storage Room (TPSR) shall be accessible to all sworn personnel at all times.

- C. Physical layout of TPSR

The TPSR contains 25 evidence lockers, a lockable refrigerator and a CDS evidence drop box.

VIII. PROCEDURE FOR STORING PROPERTY IN TPSR

- A. Whenever possible, property placed in the TPSR will be placed in one of the lockers. Property/evidence too large to be placed in a locker will be placed on a shelf or on the floor of the TPSR.
- B. CDS evidence will only be placed in the CDS evidence drop box for submission to the MCP Crime Lab. CDS evidence that will not fit into the drop box will be submitted into the Montgomery County Police District station in accordance with MCPD directives FC 721 Evidence/Property Handling and FC 731 Crime Laboratory Submissions.
- C. Evidence will be secured whenever possible.
- D. Found items or those classified for safekeeping may be placed on shelving.
- E. Packaging material is provided in the Temporary Property Storage Room for property/evidence to be placed in storage.

- F. Under no circumstances, will an officer destroy property or hold seized property in their personal possession.
- G. All recovered/confiscated hypodermic syringes, whether commercially manufactured or homemade, will be placed in a vial supplied for that purpose. The syringe will be inserted into the vial point down and the vial opening secured with tape. (Caution should be exercised to prevent injury from the needle or contact with syringe contents.) The vial will then be placed in a sealed envelope to be submitted to Property Control. Syringes that are not needed as evidence may be taken to the Shady Grove Adventist Hospital emergency room for disposal.
- H. Refrigeration of evidence and property.
 - 1. Secure refrigerated storage is available within the TPSR for perishable items such as blood samples, urine specimens, etc.
 - 2. All evidence requiring refrigeration shall be sealed appropriately in an evidence envelope or bag before being placed in the refrigerator.
 - 3. Any property that requires refrigeration and is not involved in a criminal case will be secured in a manner that will preserve the property.
 - 4. The Property Control Officer will check the refrigerator daily (Monday - Friday) for property and evidence.

IX. ACCESS TO THE PERMANENT PROPERTY STORAGE AREA

- A. Access to the permanent property storage room shall be limited to the Administrative Services Bureau Commander, the Property Control Officer or other personnel as designated by the Administrative Services Bureau Commander.
- B. During the inspection of the permanent property storage room, the Property Control Officer or the Administrative Services Bureau Commander will accompany the assigned supervisor.
- C. Sworn personnel are not authorized to enter the permanent property storage room unless accompanied by the Property Control Officer, Administrative Services Bureau Commander or other personnel as designated by the Administrative Services Bureau Commander.

X. ITEMS REQUIRING ADDED SECURITY

- A. Property items that require high security shall be stored in the safe within the permanent property storage room by the Property Control Officer.

These items may include; but are not limited to;

- 1. Money.

2. Precious metals.
3. Jewelry.
4. Gemstones.

- B. The Fire Marshall shall be contacted and requested to respond to take custody of any property that cannot be safely stored in the permanent property storage room, e.g., dangerous chemicals or explosives.

XI. SUBMITTING EVIDENCE TO THE CRIME LABORATORY

- A. It is the policy of this Department to submit all controlled dangerous substances (CDS) and CDS paraphernalia coming into an Officer's possession to the Montgomery County Police Crime Laboratory, either as evidence for safekeeping or for destruction. No CDS evidence will be processed into or stored in the Permanent Property Storage Area.
- B. An officer who submits an item to the Montgomery County Police Crime Laboratory will do so in accordance with the procedures described in the Montgomery County Police Field Operations Manual, Function Code 731 titled CRIME LABORATORY SUBMISSIONS.

XII. CONTROLLED DANGEROUS SUBSTANCE (CDS)

- A. CDS Evidence may be processed for submission to the MCPD Crime Lab by utilizing the department's CDS evidence drop box or submission through any MCPD District Station.
- B. All CDS evidence processed through the department's CDS evidence drop box will be submitted to the MCP Crime Lab by the departments designated CDS Control Officer (CDSCO) only. No CDS will be delivered to the MCP Crime Lab that has not been processed through the designated CDSCO.
- C. Officers seizing CDS as evidence or for destruction will adhere to the following procedures identified in the Montgomery County Police Field Operations Manual, Function Code 731 Titled CRIME LABORATORY SUBMISSIONS.
 1. Packaging
 - a. Evidence will be packaged and sealed as soon as possible.
 - b. To minimize chain of custody concerns, one officer will be responsible for packaging and sealing all evidence.
 - c. CDS field test kits will not be accepted into the lab and should not be submitted as evidence. Any package that contains field test kits will be returned to the submitting officer.

- d. All items will be counted and must be sealed in a plastic evidence bag with the label on the bag completely filled out. The officer sealing the evidence will verify the bag is properly sealed, then initial and write the date across the seal.
 - e. If all the evidence will not fit in one plastic evidence bag, multiple plastic evidence bags should be used. If the evidence is too bulky for the plastic evidence bag, the evidence will be packaged in bags/boxes that are size appropriate and properly labeled and sealed with department issued evidence tape. Staples are not to be used to seal evidence packages.
 - f. Evidence from different defendants in the same case will be submitted separately.
 - g. Complete an MCP 139, "CDS Evidence Transmittal Form."
 1. The packaging officer will legibly complete all information on the MCP 139 except those sections reserved for Crime Laboratory Section use only.
 2. Include the full names of all defendants.
 3. Do not enter more than five separate exhibits for each MCP 139; use additional forms as needed.
2. Submission
- a. No evidence will be delivered directly to the Crime Laboratory Section that has not been processed through the CDSCO except:
 1. Items secured by the Forensic Services Section (Crime Scene Unit) at crime scenes.
 2. Evidence withdrawn from the Crime Laboratory Section for court or other processing purposes.
 - b. The officer will enter the items into the evidence system located in the report writing room. After packaging the evidence, the officer will attach all copies of the MCP 139 to the packaged evidence. The officer will place the evidence into the CDS evidence drop box located within the TPSR. The CDSCO will deliver the evidence from the mailbox to the Crime Laboratory Section after ensuring the evidence is properly packaged and affixing a barcode.
 - c. In the event the evidence system or computer is not working, an MCP 526, "Evidence/Property Transfer Report," must be completed by hand for all CDS evidence that is to be entered into the evidence system. The required forms must be filled out completely, including the signature block. The chain of custody cannot be tracked without a signature on the MCP 526. Once the computer is operational, the CDSCO will enter the information into the computer from the MCP 526. All other procedures, including any additional forms that are required,

will be followed. Nothing precludes an officer from utilizing the evidence submission systems at the Montgomery County Police District Stations.

d. When the evidence is delivered to the Crime Laboratory and a laboratory number is assigned to the case, one copy of the MCP 139 will be returned to the submitting officer.

3. CDS Evidence for Destruction Only (CDS evidence not connected with a criminal prosecution and not needed for analysis)

- a. Comply with packaging and submission procedures (sections XII.1, 2).
- b. On the MCP 139, check only the FOR DESTRUCTION box.

4. Transporting CDS evidence to the MCP Crime Lab.

Only the CDSCO is authorized to transport the CDS evidence to the MCP Crime Laboratory Section. No CDS evidence will be transported by the CDSCO that has not been processed through the TPSR and placed into the CDS evidence drop box. CDS evidence withdrawn from the Crime Laboratory Section for court or other processing purposes may be dropped into the CDS evidence drop box for return to the Crime Lab by the CDSCO.

5. CDS Control Officer responsibilities.

a. Acknowledge receipt of an item and assign it a bar code as soon as possible after receiving it.

b. Enter any CDS evidence that was not previously entered due to the system being down or CDS evidence dropped into the CDS evidence drop box after a court appearance.

c. Make weekly transfers of CDS evidence to the MCPD Crime Lab.

d. Record all transactions in the bar coding system for any CDS evidence received into or out of the CDS evidence drop box.

e. Not accept items not sealed properly, including a date and the sealing officer's initials. The CDSCO will notify the submitting officer and arrange for the CDS evidence to be returned to the submitting officer for correction.

XIII. SEIZURE AND FORFEITURE OF CONTROLLED DANGEROUS SUBSTANCES AND GAMBLING RELATED MONEY

A. The following guidelines will apply in deciding to initiate seizure and forfeiture proceedings:

1. Seizure of money or currency will be authorized only when the defendant is charged with a violation of one of the following:
 - a. Distribution of Controlled Dangerous Substances.
 - b. Possession with the Intent to Distribute Controlled Dangerous Substances.
 - c. Manufacturing Controlled Dangerous Substances.
 - d. Gambling Violations.
 - e. Conspiracy to commit a, b, c, or d above.
 2. Monies or currency will not be seized when the amount is less than \$1,000.00 except that on a case-by-case basis. Supervisors may authorize seizure of less than \$1000.00.
- B. When an officer determines that the seizure and forfeiture of such money or currency is authorized, the officer will:
1. Seize the money or currency at the time of arrest and advise the arrested person the reason for seizure and the intention of the Police Department to pursue forfeiture.
 2. Include in the incident report:
 - a. The exact location(s), in relation to the narcotics or gambling paraphernalia that the money was seized from.
 - b. The respective amount(s) of money seized from each location.
 - c. The types and approximate quantities of controlled dangerous substances seized.
 - d. The name of the officer who seized the money.
 3. Complete a Property Control Card (RCPD Form # 75).
- C. The Rockville City Police Department will process confiscated money if it is related to a CDS arrest in one of two ways.
1. If there is a Rockville City Police officer assigned to a drug task force;
 - a. The seizing officer will contact this officer.
 - b. This drug task force officer will respond and take custody of the money.

- (1) The drug task force officer will complete a MCP "Notice of Money or Currency Seizure" form.
 - (i) The original is forwarded to the Director of Special Investigation Divisions.
 - (ii) The drug task force officer officer will retain the yellow copy.
 - (iii) The pink copy will be given to the defendant.
 - (2) The drug task force officer will process the confiscated money in accordance to the Montgomery County Field Operations Manual, Function Code 722.A.
 - (3) If the drug task force officer is unable to respond in a timely manner:
 - (i) The money will be processed as outlined in Section XIV C of this General Order.
 - (ii) The drug task force officer will respond to the police station and take custody of the money as soon as practicable.
2. If there is no Rockville City Officer assigned to a drug task force, then the officer will complete a Notice of Money or Currency Seizure Form. (RCPD form # 5.)
- a. Original copy - to be forwarded to the Special Operations Bureau Commander (or designee), who will retain the original for the City Attorney.
 - b. Copy - to be provided to the defendant to serve as a receipt and notification of seizure.
 - c. Copy - to be retained by the seizing officer.
3. The Special Operations Bureau Commander (or designee), will serve as liaison with the City Attorney in regard to seizure of monies or currency. The officer seizing the monies will forward the following documentation to the Special Operations Bureau Commander (or designee):
- a. The original Money or Currency Seizure form. (RCPD form # 5.)
 - b. Two photocopies of the Incident Report.
 - c. A photocopy of the search warrant and the return inventory, if applicable.
- D. Money confiscated, as a result of a gambling violation arrest, will be processed as follows:

1. The officer will complete a Notice of Money or Currency Seizure Form. (RCPD form # 5.)
 - a. Original copy - to be forwarded to the Special Operations Bureau Commander (or designee), who will retain the original for the City Attorney.
 - b. Copy - to be provided to the defendant to serve as a receipt and notification of seizure.
 - c. Copy - to be retained by the seizing officer.
 2. The Special Operations Bureau Commander (or designee) will serve as liaison with the City Attorney in regard to seizure of monies or currency. The officer seizing the monies will forward the following documentation to the Special Operations Bureau Commander (or designee):
 - a. The original Money or Currency Seizure form.
 - b. Two photocopies of the Incident Report.
 - c. A photocopy of the search warrant and the return inventory, if applicable.
- E. Court Notification - The investigating officer will notify the Special Operations Bureau Commander, (or designee), within 10 days of any court disposition. A RCPD form # 94 may be used for this purpose.
1. Defendant's full name.
 2. Amount of money subject to forfeiture.
 3. Date of sentencing.
 4. District or Circuit Court case number that the defendant will be sentenced under.
- F. Special Operations Bureau Commander, (or designee), responsibilities
1. Upon receipt of the notification of currency seizure, the Special Operations Bureau Commander, (or designee), will review the facts of the case and determine whether forfeiture proceedings should be initiated.
 2. The officer will be notified of the decision.
 3. In the event forfeiture proceedings are in order, the Special Operations Bureau Commander (or designee) will:
 - a. Prepare a memorandum for the Chief of Police, directed to the City Attorney requesting that forfeiture proceedings be initiated. This memorandum must be submitted within thirty days from the date of final disposition of the criminal

proceedings, which arise out of a Controlled Dangerous Substances violation or a gambling offense. RCPD Form # 95 may be used for this.

- b. Maintain a case file on all monies or currency seized under the authority of this directive.
- c. The Special Operations Bureau Commander (or designee) will coordinate the return of the funds when it is determined that forfeiture proceedings should not be initiated or if forfeiture proceedings are terminated.

G. Storage of money.

1. Money seized for violations of the Controlled Dangerous Substance law (if there is no officer assigned to a drug task force) or the Gambling laws will be forwarded to the Special Operations Bureau Commander (or designee). When access to the Special Operations Bureau Commander (or designee) is unavailable, the money will be stored in an evidence locker in the TPSR. At the first opportunity, the money will be forwarded to the Special Operations Bureau Commander (or designee), who will transfer all monies to City account number 110-800-01IN-3522.
2. Photocopying
 - a. Monies seized during a gambling or narcotics investigation may be photographed or photocopied for evidentiary purposes (see note following), and the reproduction may be substituted in court proceedings for the actual currency.
 - b. When such monies are seized, the officer will photocopy or photograph the monies and record the serial numbers.

NOTE: If a photograph or a copy of money is necessary for court, the money should not be copied at 100% of its actual size. A photocopy at 77% or 66% or a photograph of the money at less than 100% is acceptable.

XIV. PROCESSING SEIZED MONEY

- A. Officers of the Department, while conducting investigations, searches or effecting arrests, may seize various amounts of money. Certain precautions must be taken while handling money to ensure;
 1. Accuracy in tabulation.
 2. The money is secure.
 3. Properly packaged as evidence.
 4. The integrity of the officers and the Department are protected.

B. Seizure of money

1. The officer seizing the money will be responsible for transporting, counting, reporting and packaging the money.
2. Only the impounding officer and the verifying officer should handle the money.
3. Officers will avoid being left alone with uncounted, unsecured money.
4. The counting and proper verification of cash money totals should be the first order of business when processing evidence, which includes money.
5. Two officers shall count money separate and independent of each other and verify totals by comparison.
6. Money should be counted in the presence of its owner when practical and circumstances permit. If this is not feasible, the rationale will be documented in the incident report.
7. All money should be divided by denomination. Each denomination of bill and coin should be counted and recorded on a Property Control Card (RCPD Form # 75). The mathematical conversion of the numbers of each denomination of bill and coin into a dollar total can then be computed.
8. The Property Control Card (RCPD Form #75) will be completed indicating the total money amount. The owner or person from whom the money was seized should be requested to sign and date both forms. If the person refuses to sign, it will be so noted on the Property Control Card. The defendant should be given the yellow copy of RCPD Form # 5.
9. A supervisor must be notified and present while handling large amounts of cash money (\$1,000.00 or more) to ensure proper precautions and procedures are followed to maintain evidence integrity.

C. Packaging for storage

1. All seized cash money, excluding what is turned over to an assigned drug task force officer, is to be packaged properly and stored within the TPSR.
2. Cash money bills and coins should be packaged in clear polyethylene evidence bags. NO other evidence is to be included.
3. Evidence bags must be closed securely, taped with tamper proof evidence tape and initialed across the seals.
4. Where the money is evidence, it will be packaged separately from other currency and placed in the Property Room as evidence and secured appropriately.

XV. WEAPONS

- A. For purposes of this section, weapons are those items so defined in the Criminal Law of Maryland and also include handguns, rifles, air rifles or any mechanism that propels a missile, pellet or similar object.
- B. Officers and employees shall not keep for themselves any weapon that is found, turned in or confiscated.
- C. Firearms impounded, as "found property" usually will not be examined by the Crime Laboratory. If a firearm stored as found property or for safe keeping in an arrest may be released to the owner, the arresting officer shall check the appropriate block on the Property Control Card (RCPD Form # 75).
- D. The investigating officer will have the responsibility to:
 - 1. Ensure that the firearm should be taken into police custody.
 - 2. To determine the correct classification.
 - 3. Check N.C.I.C. & M.I.L.E.S.
 - 4. To assure that all such weapons not involved in criminal cases are unloaded.
- E. Loaded firearms will not be entered into Property Control under normal circumstances.

If it is necessary to enter a loaded firearm, or a firearm of which the officer is unsure, the firearm should be identified with a red tag and the condition indicated on the tag.
- F. Federal and State law prohibit some people under certain circumstances from possessing a firearm. Before any firearm is returned to an individual, a Rockville City Police investigator will conduct a background investigation. RCPD Form # 124 will be used as a guide in conducting this background investigation.

XVI. ALCOHOL

- A. Containers of alcoholic beverages, which are opened or unsealed, must be sealed so that there is no chance of leakage while in the custody of the Police Department.
- B. All seized alcoholic beverages are not considered contraband.
 - 1. Contraband alcoholic beverages are those seized from persons where the persons' possession of alcoholic beverages is, in itself, illegal (example: under age).
 - 2. Recovered alcoholic beverages, which are not contraband or used for evidence, should be returned to the owner so long as the owner meets age requirement for possession of alcohol.

XVII. FOUND PROPERTY

- A. Before turning an item over to Property Control as found property, an officer should determine if the item has some value, or that it would have value for the average person.
- B. If an officer can determine the lawful owner of any found property, the officer should attempt to contact that person and return the property. If the owner cannot be determined or can be determined but not located by the end of the officer's tour of duty, then the property should be processed into Property Control.
- C. Found property which is unclaimed by a rightful owner, will be held in Property Control for one hundred eighty (180) days. If found property remains unclaimed after 180 days, Property Control personnel will dispose of the found property as outlined in Section XX of this General Order.
- D. Police personnel, whether they find property or receive found property from another person, shall not be entitled to claim any found property as their own as described in Section XIX of this General Order.

XVIII. RELEASING ITEMS FROM THE PROPERTY ROOM

The Property Control Officer or designee will:

- A. Retrieve the property from the property room.
- B. Retrieve the property card (RCPD Form #75) from the file, noting any restrictions on release.
- C. Obtain a signature from the person receiving the property.
- D. File the RCPD Form # 75 in the notebook for the year the item was recovered.
NOTE: Items needed for court appearance may simply be logged out on Form # 75. They will then be logged back in to the permanent property storage room upon the officer's return from court. Requests for such items will be made to the Property Officer at least one working day in advance.

XIX. RELEASE OF PROPERTY TO A FINDER

- A. When a finder turns in found property, the receiving employee will check 'YES' in block # 2 on the Property Card. The finder's complete name, address and day and night phone numbers will be reflected in block # 5 on the Property Card.
- B. If the property has not been released by 180 days from the date the Department received it, the Department will notify the finder by postcard or certified letter with return receipt that the Department intends to dispose of said property.
- C. The notification will include:

1. Date stored.
 2. Property Control Number.
 3. Complaint Control Number (if any).
 4. Last date the property may be claimed at RCPD.
 5. Days and times when property may be claimed.
 6. Types of personal identification to be required for pickup of property.
- D. Failure of a finder to claim property within ten (10) days of being notified by postcard or certified mail shall be deemed a waiver of claim. The Department shall then properly dispose of the property.
- E. A member of the Rockville City Police Department shall not be considered a finder for any property in Department custody.

XX. DISPOSITION OF FOUND/RECOVERED/EVIDENTIARY PROPERTY

- A. After final disposition of a case, the investigating officer will ensure that all evidence is returned to the owner or advise the Property Control Officer that the evidence is disposable property.
- B. All evidence and recovered property will be disposed of in a manner consistent with State law. This will be accomplished within six (6) months after legal requirements have been satisfied.
- C. The disposition of the following listed items will be handled as follows:
1. Firearms - See General Order 6-7.
 2. Controlled Dangerous Substances and Controlled Dangerous Substances paraphernalia.

All Controlled Dangerous Substances and Controlled Dangerous Substances paraphernalia will be submitted to the Montgomery County Crime Laboratory for disposal. See section XI and XII above for the proper procedures for submitting the items to the laboratory.
 3. Alcoholic beverages.

All alcoholic beverages will be poured down a sink.
 4. Unclaimed evidence / property.

If unclaimed by the rightful owner and no finder is involved, the property shall be disposed of by such means, as the Department shall determine, i.e., conversion -destruction - donation.

5. Found Bicycles

All bicycles unclaimed by the rightful owner and no finder claim is involved shall be disposed of by such means, as the Department shall determine, i.e., destruction or donation, after (45) calendar days from date recovered.

D. The disposition of property, whether it is returned, released, or disposed of, will be indicated on RCPD Form # 75.