

Rockville City Police Department

GENERAL ORDER



Subject PROPERTY CONTROL		Procedure G.O. # 4 - 17
Authorizing Signature 	Effective: 02-26-10 Revised: 01-01-15 Revised: 02-07-24 Revised: 10-07-26	Total Pages 27

I. POLICY

It is the policy of the Rockville City Police Department (RCPD) to ensure that all property and evidence is lawfully collected, properly documented, safeguarded, and maintained in a manner that preserves its integrity, evidentiary value, and chain of custody. All department personnel shall handle property and evidence in accordance with applicable laws, Department directives, and established procedures. Property shall be returned to its rightful owner in a timely manner, provided it is not contraband and ownership is not in dispute.

II. PURPOSE

The purpose of this General Order is to establish the policies and procedures governing the collection, documentation, security, storage, release, and disposition of property and evidence in the custody of the Rockville City Police Department. This General Order is intended to preserve the integrity of the evidence, maintain chain of custody, safeguard property, and ensure the lawful return or disposition of property.

III. DEFINITIONS

- A. **Audit:** A review of the policies, procedures, and processes of the property and evidence function to determine if recognized standards, best practices, and federal, state, and local statutes comply.
- B. **Chain of Custody:** The documented chronological history of the possession, custody, transfer, storage, examination, release, and disposition of property or evidence from the time it comes into Department custody until its final disposition.
- C. **Controlled Dangerous Substance (CDS):** Any drug listed in Schedule I through Schedule V; or an immediate precursor to a drug or substance listed in Schedule I through Schedule V that can be used to manufacture a drug or substance listed in Schedule I through Schedule V.
- D. **Contraband:** Any item that is unlawful to possess, carry, manufacture, distribute, or otherwise possess under Maryland law.
- E. **Disposable Property:** Any property that is no longer required to be stored, maintained, or retained pursuant to the Department policy, applicable law, or other legal requirements.

- F. **Disposition:** The authorized final action taken regarding property or evidence, including return to an owner, release to an authorized person or agency, auction, donation, retention, or other lawful transfer or disposal.
- G. **Digital Evidence:** Information or data of evidentiary value that is stored, transmitted, or generated in digital form, including information contained on electronic devices, digital media, or online accounts.
- H. **Evidence:** Any item that will be of use in a court proceeding to prove or disprove a fact under consideration.
- I. **Evidence Property Custodian (EPC):** An officer designated by the Chief of Police who is responsible for the management, security, accountability, and disposition of property and evidence maintained in Department storage locations.
- J. **Evidence Submission Area:** An area designated for the submission of all evidence and property for storage.
- K. **Finder:** Refers to the person who finds, discovers, or comes into possession of abandoned or lost property, of which the finder is not the owner, and turns such property over into the custody of the Department.
- L. **Found Property:** Property that has been lost or abandoned by its owner or custodian and subsequently found by an officer or citizen and is not known to be connected with any known or suspected criminal offense and it is not contraband.
- M. **High-Security Storage:** A designated storage area with restricted access for property and evidence requiring additional security due to its nature, value, or other characteristics.
- N. **Lawful Owner:** The person or entity legally entitled to possession of property, as established by available documentation, Department records, or other reliable evidence of ownership.
- O. **Permanent Storage:** A secure, designated area for the storage of property and evidence that has been appropriately documented, packaged, entered into the property and evidence tracking system, and secured pending release or final disposition.
- P. **Property Discrepancy:** Any inconsistency between the physical property or evidence and the information documented in the Property and Evidence Tracking System or other Department records, including missing, misplaced, improperly documented, or otherwise unaccounted-for property or evidence.

- Q. **Property for Safekeeping:** Property placed in the custody of RCPD for temporary protection on behalf of the owner. This may include personal property that has come into the department's possession due to an arrest, psychiatric evaluation, or other events.
- R. **Property and Evidence:** Any item, material, document, currency, firearm, controlled substance, or other article that comes into the custody of the Department for evidentiary, investigative, safekeeping, found property, or other lawful purpose.
- S. **Prescription Drug Drop Box:** A box located in the lobby of the Rockville City Police Department where citizens can safely dispose of unwanted, unused, or expired prescription or over-the-counter medications.
- T. **Property and Evidence Tracking System:** The Department approved electronic system used to document, barcode, track, store, transfer, release and dispose of property and evidence maintained in Department custody.
- U. **Recovered Property:** Any property that may be evidentiary nature that comes into custody of RCPD and is associated with a previously reported incident.
- V. **Temporary Storage:** The authorized short-term storage of property or evidence prior to placement into an appropriate permanent storage location.
- W. **Temporary Storage Lockers:** Lockers located in the evidence processing room where officers submit and secure property and evidence.

IV. RESPONSIBILITIES

A. **Chief of Police**

1. Establishes and maintains overall responsibility for the Department's Property and Evidence function.
2. Designates the Evidence Property Custodian (EPC) and authorizes personnel to perform property and evidence management duties as necessary.
3. Ensure appropriate resources, facilities, and controls are provided to maintain the security and accountability of property and evidence.
4. Ensures that significant discrepancies involving property or evidence are appropriately reviewed and addressed.

B. Special Operations Division Commander

1. Provides administrative oversight of the property and Evidence function.
2. Ensures that the Property and Evidence function operates in accordance with this General Order, applicable laws, Department directives, and established procedures.
3. Conducts or ensures required inspections and audits of property and evidence operations.
4. Reviews significant discrepancies, audit findings, and corrective actions involving property and evidence.
5. Ensures deficiencies identified through inspections, audits, or other reviews are appropriately addressed.

C. Property & Evidence Custodian (EPC)

1. Manages day-to-day operation of the Property and Evidence function.
2. Maintains the security, organization, accountability, and integrity of property and evidence maintained in Department storage locations.
3. Ensures property and evidence are accurately documented, entered into the Property and Evidence Tracking System, properly stored, and maintained through final disposition.
4. Maintains records necessary to document the chain of custody and disposition of property and evidence.
5. Reviews submitted property and evidence for compliance with Department requirements and may return improperly packaged, labeled, documented, or otherwise deficient items to the submitting officer for correction.
6. Controls access to designated property and evidence storage areas and ensures access is limited to authorized personnel.
7. Ensures property and evidence are released only to authorized persons or agencies and that all releases are properly documented.
8. Ensures property owners are appropriately notified when property is eligible for release.
9. Conducts required inventories and assists with or coordinates required audits and inspections.
10. Identifies property eligible for release, destruction, auction, donation, or other lawful disposition and ensures disposition is properly authorized and documented.
11. Reports significant discrepancies, security concerns, or other deficiencies involving property or evidence through the appropriate chain of command.
12. Maintains the Property and Evidence function in accordance with applicable laws, Department directives, and established procedures.

D. Supervisors

1. Ensures officers under their supervision comply with this General Order and related property and evidence procedures.
2. Ensures property and evidence submitted by personnel under their supervision is properly documented and submitted within the required timeframe.
3. Ensures officers under their supervision correct property or evidence discrepancies identified by EPC within a reasonable timeframe.
4. Provides supervisory assistance when required for seizure, handling, storage, release, or disposition of property or evidence.

E. Police Officers

1. Officers who seize, recover, find, receive, or otherwise take custody of property and evidence shall:
 - a. Safeguard property and evidence while it is in their possession or control.
 - b. Ensure it complies with all applicable laws, Department directives, and established property and evidence procedures.
 - c. Maintain the integrity and chain of custody of property and evidence while it is in their possession or control.
 - d. Accurately document property and evidence and ensure it is properly packaged, labeled, submitted, and entered into the Property and Evidence Tracking System by the end of their shift.
 - e. Ensure that all information entered into the Property and Evidence Tracking system accurately corresponds with the physical property or evidence submitted.
 - f. Immediately report any loss, damage, contamination, unauthorized access, discrepancy, or other circumstances that may affect the security, integrity, or accountability of property or evidence to a supervisor and EPC.
 - g. Check all property coming into their possession against the National Crime Information Center (NCIC) and the Maryland Electronic Telecommunications Enforcement Resource System (METERS) records.

V. PROPERTY AND EVIDENCE INTAKE AND SUBMISSIONS

A. General Requirements

1. Property and evidence shall be submitted no later than the end of the officer's tour of duty on the day the property comes into the officer's possession.

2. Property and evidence shall not be retained in an officer's vehicle, personal locker, desk, office, or other unauthorized location.
3. Property and evidence shall not be destroyed, discarded, or otherwise disposed of by an officer unless specifically authorized by the General Order or other Department directive.
4. Officers shall maintain custody and security of property and evidence until it is submitted to an authorized storage location or transferred to another authorized custodian.

B. Property and Evidence System

1. Officers shall enter property and evidence into the Property and Evidence System as required by the General Order and established procedures.
2. Officers shall only use their own system credentials when entering or modifying property and evidence records.
3. Information entered into the Property and Evidence Tracking System shall accurately correspond with the physical property or evidence submitted.
4. Each item will be assigned an identifying barcode once entered into the Property and Evidence Tracking System.
5. Property and evidence records will be maintained from initial submission through final disposition.

C. Documentation and Identification

1. Officers taking custody of property or evidence shall document the circumstances under which the property came into Department custody in a police report.
2. Property and evidence shall be associated with the appropriate case number.
3. All property and evidence coming into Department custody shall be properly inventoried, identified, documented, packaged, labeled, entered into the Property and Evidence Tracking System, and submitted to an authorized property and evidence storage location.
 - a. Each item shall be individually identified and entered into the Property and Evidence Tracking System in a manner that permits the item to be distinguished from all other items associated with the same case.
 - (1) Like items may be packaged together only when they can remain individually identified and accounted for through final disposition.
 - (2) Generic descriptions are prohibited when they do not uniquely identify the property.
4. Description of property and evidence shall include, when applicable:

- a. Item description;
 - b. Make and model;
 - c. Serial number or other unique identifying number;
 - d. Quantity;
 - e. Color;
 - f. Condition;
 - g. Identifying marks or characteristics; and
 - h. Any other information necessary to distinguish the items from similar property.
5. The following items shall be packaged separately:
 - a. Currency
 - b. Serialized items (e.g. electronic items like cell phones, laptop computers, tablet computers, etc.)
 - c. Jewelry
 - d. Medication
 - e. CDS
 - f. Firearms
 - g. Ammunition, projectiles, or casings
6. Officers shall document any known damage, alteration, contamination, or other conditions that may affect the integrity or value of the property or evidence.
7. When the classification or status of property changes, the officer responsible for the case shall ensure the change is documented in Property and Evidence Tracking System.

D. Classification

1. Property shall be classified according to its purpose and circumstances of custody: Found, Safekeeping, Recovered, or Evidence.
2. Property shall not be misclassified to facilitate storage, release, or disposition.
3. Classification shall be documented in the Property and Evidence Tracking System.

E. Temporary Storage

1. Officers shall submit and secure property and evidence into temporary storage lockers.
 - a. Property that cannot be accommodated in a designated temporary storage locker shall be secured in an alternate location approved by the EPC.
 - b. If the storage lockers are full, the EPC must be notified immediately.

2. Temporary storage shall be used only for a period necessary to transfer the property to the appropriate permanent storage location.
3. Officers shall ensure property and evidence submitted into temporary storage is properly packaged, labeled, and entered into the Property and Evidence Tracking System as required.
4. Property and evidence will be transferred from the temporary storage areas to a permanent storage location as soon as practicable.

F. Property Custodian Review

1. The EPC shall review submitted property and evidence for compliance with applicable submission, packaging, labeling, and documentation requirements.
2. The EPC may refuse or return property or evidence that is improperly packaged, inadequately labeled, inaccurately documented, or otherwise does not meet established requirements in this General Order or other department procedures.
3. When an item is refused or returned, the submitting officer shall correct the deficiency and resubmit the item as soon as practicable.
4. Until the deficiency is corrected, the submitting officer is responsible for the security and integrity of the property or evidence.

G. Prohibited Items

1. In certain situations, officers may come in contact with property which is not suitable for collection and storage at a police facility. In those situations, officers will notify a supervisor of the situation and request authorization to dispose of the property accordingly. This may include:
 - a. Personal or found items that present a health risk, due to communicable conditions, will be immediately destroyed and are not subject to the forty-five (45) day hold.
 - b. Personal or found items that are perishable in nature will not be placed into a property locker or submitted to the Property and Evidence Unit.
 - c. Certain hazardous materials including but not limited to flammable items will not be placed into a property locker or submitted to the Property and Evidence Unit. This includes lighters, matches, and E-Cigarettes.
 - d. In all situations officers will make every effort to safeguard and protect personal and found property. In the event an item is not suitable for collection and storage at a police facility, officers will make reasonable attempts to find alternate means to safeguard personal or found property.

- e. Extra attention will be given to items identified as having significant value. A supervisor will determine the best course of action to secure property while mitigating exposure and/or health concerns.
- f. Disposal of any items according to this section will be documented in the police report.

H. System Outage

- 1. If the Property and Evidence Tracking System is down the following must occur:
 - a. Property and evidence must still be submitted;
 - b. Manual documentation must be completed;
 - c. Chain of custody is documented;
 - d. Submitting officer completes entry once the system is restored;
 - e. The manual record is submitted to the EPC to be added to the property record and reconciliation purposes.

VI. PROPERTY AND EVIDENCE STORAGE AND SECURITY

A. General Storage Requirements

- 1. Property and evidence shall be stored in a designated Department property and evidence storage location appropriate to the type, condition, classification, and security requirements of the item. Items may only be removed for authorized purposes and must be properly documented.
- 2. Property and evidence shall be stored in a manner that protects the items from loss, theft, damage, contamination, deterioration, unauthorized access, or alteration.
- 3. Property and evidence shall be maintained in an organized manner that permits timely identification, retrieval, inventory, and accountability.
- 4. Property and evidence shall not be stored in unauthorized locations, including personal workspaces, desks, offices, vehicles, lockers, or other areas not designated for property and evidence storage, except as specifically authorized by Department policy or established procedures.

B. Access to Property and Evidence Storage Areas

- 1. Access shall be limited to personnel authorized by the Chief of Police or designee based on assigned duties.
- 2. Only sworn personnel are permitted in the temporary property and evidence storage areas.

- a. Officers shall not permit any unauthorized persons to enter or gain access to the temporary property and/or evidence storage areas.
3. Access to the restricted property and evidence storage areas by sworn personnel not assigned to the Property and Evidence Unit function, contractors, vendors, etc. will be escorted by the EPC and documented on the appropriate visitor log.
4. Keys, access cards, codes, or other means of accessing secured property and evidence areas shall not be shared or made available to unauthorized persons.
5. Lost, compromised, or malfunctioning keys, access cards, locks, or other security controls shall be immediately reported to a supervisor and the EPC.

C. Temporary Storage

1. Temporary storage locations shall be secured against unauthorized access.
2. Property and evidence shall not remain in temporary storage longer than necessary to complete processing and transfer to the appropriate permanent storage location.

D. Permanent Storage

1. Property and evidence shall be placed in an appropriate permanent storage location based on the nature, classification, security requirements, and storage needs of the item.
2. Items requiring specialized environmental conditions or additional security shall be stored in designated locations appropriate for those requirements.

E. High-Security Storage

1. Access to high-security storage shall be restricted to the EPC and specifically authorized personnel.
2. High-Security property and evidence shall be maintained and accounted for in accordance with applicable Department procedures governing its handling, access, inventory, and disposition.
3. The EPC shall ensure high-security storage areas are appropriately secured and included in required inspections and inventories.

F. Specialized Storage Conditions

1. Property or evidence requiring refrigeration, temperature control, specialized containment, or other environmental conditions shall be stored in designated facilities appropriate to the item.

2. Property or evidence that may leak, deteriorate, contaminate other property, or otherwise create a safety or storage concern shall be identified and stored in an appropriate location.
3. Officers shall not place wet, leaking, hazardous, contaminated, or otherwise compromised property into storage locations where it may damage other property, create a safety hazard, or compromise evidence.
 - a. Officers shall notify the EPC when property or evidence requires specialized storage that is not available at the time of submission.
4. Any condition that may affect the integrity, safety, or storage of property or evidence shall be promptly reported to the EPC.
5. The EPC shall ensure specialized storage equipment is maintained in operational condition and action is taken when storage conditions are compromised.

G. Storage Security and Facility Maintenance

1. Security equipment, locks, access controls, surveillance systems, and other safeguards for property and evidence storage areas shall be maintained in working order.
2. Any security breach, unauthorized access, lost key or access device, or other condition that compromises the security of property or evidence shall be immediately reported through the chain of command and investigated as appropriate.
3. Security deficiencies shall be promptly reported through the appropriate chain of command and addressed as soon as practicable.
4. Property and evidence storage areas shall be inspected in accordance with the inspection and audit requirements established by this General Order.

VII. PACKAGING, LABELING, AND HANDLING

A. General Requirements

1. Property and evidence shall be packaged, sealed, and labeled in a manner appropriate to the nature and condition of the item and sufficient to preserve its integrity and evidentiary value.
2. Officers shall package property and evidence separately when necessary to prevent contamination, damage, loss, alteration, or when required by this General Order or Department directives.
3. Property or evidence packages shall be securely sealed before submission. The seal shall be placed in a manner that makes unauthorized opening or tampering apparent.
4. Property or evidence requiring specialized packaging, storage, or handling shall be processed in accordance with established Department procedures.

B. Evidence Processing Area

1. Property and evidence shall be processed, packaged, and submitted in the designated evidence processing area in the Temporary Storage Room located off of the sallyport.
 - a. When the volume of evidence exceeds the available capacity of the designated evidence processing area in the Temporary Storage Room, the DUI processing room may be utilized for evidence processing and packaging.
2. Evidence packaging supplies, including evidence bags, evidence tape, and other designated packaging materials, shall remain in the evidence processing area and shall not be removed to use in other areas of the station.
3. Food and beverages shall not be consumed in any of the evidence storage or processing areas.
4. Officers shall clean the evidence processing area after each use and return the area to an orderly condition.

C. Labeling and Identification

1. Each package or item submitted to the Property and Evidence Unit shall be clearly labeled and identified.
2. The label shall contain sufficient information to associate the item with the appropriate case record.
3. Officers shall ensure the item description recorded on the property or evidence package is consistent with the information entered into the Property and Evidence Tracking System.
4. Items shall not be packaged or labeled in a manner that prevents items from being individually identified or accounted for.
5. Property presenting a biological, chemical, hazardous, sharps, or other special handling concern shall be appropriately labeled in accordance with Departmental procedures.

D. Sealing

1. Officers shall ensure that all required seals, openings, or access points are properly secured before submission.
 - a. Officers shall include their initials and the date on every seal or piece of evidence tape used to secure the package.

2. A package that has been opened for examination, testing, court proceedings, or another authorized purpose shall be resealed in accordance with established procedures and the opening and resealing shall be documented appropriately.

E. Biological and Perishable Evidence

1. Biological and perishable evidence shall be packaged, marked, and stored in a manner that minimizes degradation and preserves its evidentiary value per Department procedures.
2. Wet biological evidence shall not be sealed in airtight plastic packaging. Officers shall allow the item(s) to dry in accordance with established procedures before packaging and submission.
3. Biological evidence shall be packaged separately when necessary to prevent cross-contamination.

F. Hazardous, Sharp, or Potentially Dangerous Property

1. Property or evidence that presents a safety hazard shall be identified and packaged in a manner that protects employees and other property.
2. Sharp objects, including knives, needles, broken glass, or similar items, shall be secured in rigid packaging that prevent accidental contact or injury.
3. Certain hazardous/dangerous property shall not be placed into general property or evidence storage when doing so may create a safety hazard or compromise other property or evidence.
 - a. Hazardous material that is flammable (e.g. gasoline, fireworks, etc) cannot be safely stored in a police facility. Officers will:
 - i. Contact the Montgomery County Fire Marshall requesting them to respond and take custody of any property of this type.
 - ii. All such evidence will be packaged, labeled, and entered into the Property and Evidence Tracking System prior to transfer of custody to the Fire Marshall.
4. No evidence or property containing gasoline, etc. will be stored in any Department property room.

VIII. CHAIN OF CUSTODY, TRANSFERS, AND REMOVAL FROM STORAGE

A. **Chain of Custody**

1. The chain of custody shall be maintained from the time the item comes into an officer's custody through its final disposition.
2. Each transfer of property or evidence shall identify the person releasing the item, the person receiving the item, the date and time of the transfer, and the reason for the transfer.
 - a. No officer shall accept or relinquish custody of property without documenting the transfer in the Property and Evidence Tracking System and/or on the property and evidence label.
 - b. The person relinquishing custody and person assuming custody shall verify the item description, barcode or item number, quantity, and condition when applicable.
3. Property and evidence shall be transferred only to authorized Department personnel, law enforcement agencies, laboratories, courts, or other persons or entities authorized to receive the item.
4. Transfers shall be documented in the Property and Evidence Tracking System.
5. Property or evidence shall not be marked as returned, destroyed, disposed of, or otherwise accounted for unless the Department has sufficient documentation to establish the action actually occurred.

B. **Removal from Property and Evidence Storage**

1. Property and evidence shall not be removed from a designated storage location without an authorized purpose.
2. Property and evidence removed from storage shall be documented in the Property and Evidence Tracking System.
3. Officers shall maintain custody and security of property and evidence while it is removed from a Department storage location.
4. Property and evidence removed from storage for investigative purposes, examination, court proceedings, laboratory analysis, or other authorized purposes shall be returned to an appropriate Department storage location when the authorized purpose has been completed, unless otherwise lawfully disposed of or transferred.

C. Transfers to Other Agencies or Entities

1. Property and evidence transferred to another law enforcement agency, laboratory, court, prosecutor's office, or other authorized entity shall be documented.
2. The receiving agency or entity shall acknowledge receipt of the property or evidence through the Property and Evidence Tracking System or a signature on the transfer receipt.
3. The Department shall retain documentation sufficient to establish the transfer and identify the entity assuming custody.
4. When property or evidence is returned to the Department, the return shall be documented, and the items shall be returned to an appropriate storage location.
5. When another agency or entity assumes permanent custody or disposition responsibility for property or evidence, the Department's records shall be updated to reflect the transfer and final disposition.

D. Laboratory Submission and Return

1. Evidence submitted to authorized laboratory shall be properly documented before the transfer by the submitting officer through a laboratory request.
2. Documentation associated with the laboratory submission is maintained in the Property and Evidence Tracking System.
3. Evidence returned from the laboratory shall be reconciled with the items originally submitted and returned to an appropriate storage location or otherwise handled in accordance with its authorized disposition.
4. Any discrepancy between the property submitted and property returned from a laboratory shall be immediately reported to the EPC and immediate supervisor.

E. Court and Investigative Use

1. Employees removing property or evidence for court proceedings, investigative purposes, examination, or other authorized purposes shall maintain custody of the items until it is returned or transferred to another authorized custodian.
2. Property and evidence used during court proceedings shall be returned to an authorized Department storage location unless the court or other authorized authority directs otherwise.
3. When property or evidence is retained by a court, prosecutor, laboratory, or other authorized entity, the Department's records shall be updated to reflect the item's location and custodian.
4. Property and evidence shall not be considered returned to Department custody until the physical item has been received and the transfer documented in the Property and Evidence Tracking System.

F. Lost, Missing, Damaged, or Compromised Property

1. Any officer who discovers that property or evidence is missing, damaged, improperly transferred, tampered with, or otherwise compromised shall immediately notify the EPC and a supervisor.
2. An officer and supervisor shall take immediate steps to locate, secure, or otherwise protect the property or evidence when practicable.
3. Any discrepancies shall be documented and reported through the appropriate chain of command to the Chief of Police.
4. The EPC shall initiate or coordinate a documented review of the discrepancy to determine whether the property can be located or its disposition verified.
5. The EPC shall document the discrepancy in the Property and Evidence Tracking System or other Department record.

IX. SPECIAL PROPERTY AND EVIDENCE

A. General Requirements

1. Property and evidence requiring specialized handling, packaging, storage, security, or disposition shall be processed in accordance with this General Order and any applicable Department procedures.
2. Officers shall notify the EPC when an item presents specialized handling, storage, or safety requirements that cannot be accommodated through normal property and evidence procedures.
3. Specialized property shall be physically marked and also identified in the Property and Evidence Tracking System in a manner that alerts personnel to any applicable handling, storage, or safety concerns.

B. Firearms and Weapons

1. For the purpose of this section, weapons are those items defined by the Criminal Law of Maryland and firearms includes any handguns, rifles, air rifles, or any mechanism that propels a missile, pellet, or similar object.
2. Firearms coming into Department custody shall be handled in a manner that minimizes the risk of accidental discharge and preserves potential evidence.
3. Officers shall render firearms safe when practicable and when doing so does not compromise evidentiary value or create unreasonable safety risk.
4. Firearms shall be packaged and stored separately from ammunition unless otherwise required for evidentiary purposes.

5. Firearms shall be placed in the designated firearm storage area or other location approved for firearm storage.
6. Firearms shall be identified by make, model, caliber, serial number, or other identifying characteristics when applicable.
7. Ammunition shall be separately identified and stored in accordance with established policies.
8. Firearms shall not be released, transferred, destroyed, or otherwise disposed of until all applicable investigative, evidentiary, legal, and administrative requirements have been satisfied.

C. Controlled Dangerous Substances

1. Controlled Dangerous Substances (CDS) shall be packaged, labeled, and accounted for in accordance with applicable law and Departmental procedures.
2. CDS shall be stored in a designated secure location with access restricted to authorized personnel.
3. The quantity and description of CDS submitted shall be documented on the property or evidence package and in the Property and Evidence Tracking System.
4. CDS shall not be combined, repackaged, altered, or otherwise handled except as authorized and documented.
5. CDS shall be maintained in secure storage until transferred for authorized testing, court proceedings, or final disposition.
6. Destruction or other disposition of CDS shall be documented and conducted in accordance with applicable law and Departmental procedures.

D. Currency

1. Currency shall be individually identified, packaged, and documented.
2. Before handling or counting currency for submission, the submitting officer shall activate their body-worn camera in accordance with the Department's Body-Worn Camera General Order. The body-worn camera shall remain activated during the counting, verification, photographing, and packaging of the currency.
3. Currency shall be counted by the submitting officer, and the amount shall be verified by a second officer. The names of both officers and the verified amount shall be documented in the Property and Evidence Tracking system and report.
4. Before being packaged, the currency shall be photographed in a manner that documents the currency, the denominations, the serial numbers (if applicable), and the total amount submitted. The photographs shall be uploaded and associated with the applicable case.
5. Currency shall be packaged and secured in a designated high-security storage location.

6. Currency shall not be combined with currency from another case, incident, or property submission.
7. Transfers of currency shall be documented in accordance with the chain-of-custody requirements of this General Order.
8. Currency shall not be transferred or disposed of without appropriate documentation establishing the authority for the action.

E. Biological Evidence

1. Biological evidence shall be handled in a manner that prevents degradation and cross-contamination.
2. Biological evidence requiring refrigeration or other environmental controls shall be submitted and locked in the refrigerator in the evidence processing room.
3. Biological evidence containing blood, semen, saliva, or other biological material shall be submitted for laboratory analysis when the submitting officer deems necessary.
4. Biological evidence shall not be unnecessarily retained when laboratory processing or other authorized disposition has been completed.

F. Digital and Electronic Evidence

1. Electronic devices and digital media that may contain evidence shall be handled and stored in a manner that preserves the information contained on the device and prevents unauthorized alteration or access.
2. Officers shall not access, alter, delete, reset, or otherwise manipulate digital evidence unless specifically authorized and trained to do so.
3. Devices requiring specialized forensic examination shall be submitted to the Montgomery County Police Department Electronic Crimes Unit.
4. Passwords, passcodes, encryption keys, or other access information associated with a device shall be documented and secured in accordance with established procedures.

G. Hazardous Materials

1. Hazardous materials shall be identified and handled in accordance with applicable safety requirements.
2. Hazardous materials shall not be placed into general property storage when doing so creates a risk to personnel or other property.
3. Officers shall notify a supervisor and the EPC when hazardous material is received.
4. Hazardous materials requiring specialized disposal shall be disposed of through an authorized method and the disposition documented.

H. High-Value and Sensitive Property

1. High-Value or sensitive property shall be individually identified, packaged, and secured in an appropriate high-security storage location, and subject to additional documentation, inventory, or disposition requirements established by the Department.

X. FOUND, ABANDONED, AND RECOVERED PROPERTY

A. Found Property

1. Property found by an employee or turned over to the Department by a member of the public shall be documented in accordance with this General Order and other Department procedures.
2. Officers shall make reasonable efforts to determine whether found property is associated with a reported theft, missing property report, criminal investigation, or other incident.
3. Property shall not be classified as found property when there is reason to believe it is evidence, contraband, stolen property, or otherwise associated with a criminal investigation. Such property shall be handled according to its appropriate classification.

B. Abandoned Property

1. Found property with no obvious owner information, which is unclaimed by a rightful owner, will be held by the Department for forty-five (45) days. If the found property remains unclaimed after forty-five (45) days, the property will be classified as “abandoned” and the EPC will dispose of the property per section XII of this General Order.

C. Finder Information

1. When a member of the public turns found property over to the Department, the employee accepting the property shall obtain and document the finder’s identifying information on the Found Property Form (RCPD Form 75A).
 - a. A copy of the RCPD Form 75A shall be attached to the police report.
2. The finder shall be advised of any applicable rights to claim or requirements concerning the property.
3. Finder information shall be documented in the Property and Evidence Tracking System and associated police report.

4. The Department shall not release found property to the finder when the property is evidence, contraband, subject to an ownership dispute, or otherwise required to remain in Department custody.
5. Any member of the Rockville City Police Department shall not be considered a finder for the property in Department custody.

D. Recovered Property

1. Property recovered by an officer that is associated with a previously reported theft, missing property report, or other incident shall be documented and entered into the Property and Evidence Tracking System.
2. Officers shall make reasonable efforts to associate recovered property with the original report or investigation.
3. Recovered property shall be retained when necessary for evidentiary, investigative, or legal purposes.
4. When recovered property is no longer required for those purposes, the Department shall make reasonable efforts to identify and notify the lawful owner.
5. The release or disposition of recovered property shall be documented in accordance with this General Order and Departmental procedures.

E. Owner Identification and Notification

1. Officers shall make reasonable efforts to identify the owner of found or recovered property when ownership is not immediately apparent.
2. When an owner is identified, reasonable efforts shall be made to notify the owner that the property is being held by the Department when notification is appropriate.
3. Attempts to identify and notify owner shall be documented.
 - a. Documentation should include the method of contact and the result of the contact attempt.
4. Found property shall not be released to the person claiming ownership until the Department has taken reasonable steps to establish the person's ownership or lawful entitlement to the property.

F. Property with Disputed Ownership

1. When two (2) or more people claim ownership or entitlement to property, the Department shall not release the property until ownership or lawful entitlement has been established.
2. Officers shall document the dispute and notify a supervisor when required.

3. The Department requires appropriate documentation establishing ownership or legal authority before releasing property.
4. Property subject to a disputed ownership claim shall remain secured until the dispute is resolved or disposition is otherwise authorized by law or court order.

G. Property Determined to be Contraband

1. Property determined to be contraband shall not be released to a member of the public.
2. Contraband shall be retained, transferred, or disposed of in accordance with applicable law and Departmental procedures.
3. The basis for the classification of property as contraband and its subsequent disposition shall be documented.

H. Property Held for Safekeeping

1. Property may be taken into custody for safekeeping. Reasons may include:
 - a. Refusal of Montgomery County Detention Center Central Processing to accept an arrestee's property;
 - b. Inability of Fire / Rescue to transport items of property to the hospital with the patient; or
 - c. Removal of weapons pursuant to a court order.
2. The recovering officer is responsible for notifying the owner where their property will be held and the procedure for recovering it from the EPC.
3. Property will be held for a maximum of ninety (90) days for safekeeping, unless the EPC is contacted by the owner. If no contact is made within this period, the EPC will send a certified letter to the owner's last known address. If no contact is made within this time period, the property may be scheduled for disposal.

XI. PROPERTY RELEASE

A. General Release Requirements

1. Property and evidence shall not be released until the Department determines that the property is no longer required for evidentiary, investigative, prosecutorial, forfeiture, or other lawful purposes.
2. Property shall be released only to the lawful owner or a person legally authorized to receive the property on the owner's behalf.

3. The identity and entitlement of the person receiving property shall be verified before release.
4. All property releases shall be documented on the Receipt for Property Returned to Owner (RCPD Form #75) and in the Property and Evidence Tracking System.

B. Property Release

1. The investigating officer shall determine when property or evidence associated with an investigation is no longer required for investigative purposes and shall initiate the appropriate disposition process.
2. When applicable, the Department shall obtain the authorization of the State's Attorney, court, or other appropriate authority before releasing property.
3. The EPC shall not release property solely because a person requests it. The Department's records must establish that the property is eligible for release.
4. The Receipt for Property Returned to Owner (RCPD Form #75) shall be completed in its entirety for all property released.
 - a. If the item(s) were entered into the Property and Evidence Tracking System, the RCPD Form #75 shall be uploaded into the Property and Evidence Tracking System.
 - b. If the item(s) have not been entered into the Property and Evidence Tracking System, the RCPD Form #75 shall be attached to the associated police report or incident number.
 - c. A photocopy of the photo identification presented by the person receiving the property as well as any authorization, court order, or other documentation supporting the release shall be included in the release record.
5. Property shall not be released when ownership is disputed until the dispute has been resolved or release is otherwise authorized by law or court order.
6. The EPC or releasing officer may require additional documentation or methods to establish ownership when the ownership is not easily or obviously established.

C. Owner Notification

1. When property becomes eligible for release, the Department shall make reasonable efforts to notify the owner that the Department is in possession of the property.
2. The EPC shall send a certified letter to the owner's last known address. The letter shall include:
 - a. The information necessary to arrange for the release of property.

- b. Notification that if the owner does not claim the property within thirty (30) days, the property will proceed to final disposition in accordance with this General Order and Departmental Directives.
3. Notification attempts shall be documented in the Property and Evidence Tracking System.

D. Release to an Authorized Designee

1. An owner may authorize another person to receive property on their behalf when permitted by law and Departmental procedures.
2. The Department shall require the original copy of a notarized letter establishing the owner's authorization to release their property to a named designee.
3. A copy of the notarized letter shall be recorded in the Property and Evidence Tracking System.

E. Identification and Verification

1. The person receiving property shall present valid, government-issued photo identification before the property is released.
2. Department personnel shall compare the photo identification provided by the recipient with the property record, any documentation establishing ownership, or authorization.
3. When the property is being released to a person other than the person named in the Department's records, the EPC or returning officer shall verify the person's authority to receive the property.
4. The recipient shall acknowledge receipt of the property by signing the Receipt of Property Returned to Owner (RCPD Form 75).

F. Release of Evidence

1. Evidence shall not be released solely because an investigation has been closed, or an arrest has been made.
2. The investigating officer shall ensure that all applicable evidentiary, prosecutorial, and court requirements have been satisfied before requesting release.
3. Evidence subject to court order, forfeiture proceedings, preservation requirement, or other legal restrictions shall not be released except as authorized.
4. The release of evidence shall be documented and the Property and Evidence Tracking System updated to reflect the final status of the item.

G. Property Subject to a Court Order or Legal Hold

1. Property subject to a court order, preservation requirement, forfeiture proceeding, or other legal hold shall not be released or disposed of until the restriction has been resolved.
2. Court orders or other legal documents affecting the custody or disposition of property shall be maintained with property records.
3. The Property and Evidence Tracking System shall be updated to reflect any applicable release restriction on release or disposition.

H. Property Held for Safekeeping

1. Property held for safekeeping shall be released to the owner or authorized designee when the circumstances requiring the Department custody have ended.
2. The owner's identity and entitlement to the property shall be verified before release.
3. The release shall be documented in the Property and Evidence Tracking System.
4. Property held for safekeeping shall not be converted to another classification solely to facilitate release or disposition.

I. Property Prohibited from Release

1. Certain property and evidence shall not be released to the owner or other person, even when the property is otherwise eligible for disposition. Property prohibited from release includes, but is not limited to:
 - a. Controlled Dangerous Substances (CDS) including cannabis;
 - b. Prescription or over-the-counter medication; and
 - c. Contraband.
2. Property identified in this section shall be disposed of in accordance with applicable law and the disposition requirements of this General Order and Departmental procedures.
3. Currency shall not be released as physical cash. When currency is otherwise eligible for return to the lawful owner, the EPC shall make a request to the Rockville City Police Fiscal Manager that a check be issued to the lawful owner in accordance with Department fiscal procedures.
4. The Property and Evidence Tracking System shall document the disposition of the property subject to this section, including supporting documentation to establish lawful disposition.

XII. DISPOSITION OF PROPERTY AND EVIDENCE

A. General Requirements

1. All evidence will be retained until the case has been adjudicated, appeals have been concluded, and/or the statute of limitations has expired.
2. The investigating officer must authorize disposition unless the item is deemed abandoned.
 - a. The Property and Evidence Tracking system will send the investigating officer a disposition request via email.
 - (1) The officer will respond within ten (10) days or a second request will be sent.
 - (2) The officer has ten (10) days to respond to the second request or their supervisor will be notified.
 - b. If the investigating officer would like the item retained, the reason must be noted in the Property and Evidence Tracking System.
 - c. Prior to requesting disposal of evidence from cases where convictions have been obtained, officers should contact the assigned Assistant State's Attorney (ASA) to determine if an appeal is possible or pending. If the ASA is no longer available, contact the appropriate supervisor of the State's Attorney's Office. Officers must note the name of the ASA on the request.
 - d. If an officer has retired, on extended leave, or left the Department, the EPC will reassign the disposition request to the officer's supervisor.
3. The Property and Evidence Tracking System must reflect the disposition and include all supporting documentation.

B. Disposition of Property

1. The department may dispose of property in any of the following methods:
 - a. **Return to Owner**
 - (1) Property eligible for return should be released as described in section XI.

b. Conversion

- (1) Property converted or diverted to departmental use pursuant to the provisions of §3-505, Public Safety Article, Annotated Code of Maryland, by following the guidelines below:
 - (i) Determine if the item is authorized for release.
 - (ii) Identify the purpose of the conversion and the value to the Department (investigation, training or educational tool, etc).
 - (iii) Preliminary review and approval by immediate supervisor.
 - (iv) Submission of a memorandum through the requestor's chain of command to the Chief of Police. Include with the memorandum an attachment that fully describes the item(s) for conversion, along with the case number and barcode associated with the item(s).
 - (v) A copy will be sent to the EPC.
 - (vi) After approval, a copy of the request will be presented at the time of release.

c. Auction

- (1) Property can be auctioned pursuant to the provisions of §3-505, Public Safety Article, Annotated Code of Maryland.

d. Destruction

- (1) Property may be destroyed in accordance with established legal standards.

e. Donation

- (1) The Department may choose to donate eligible items approved for disposal.

XIII. AUDITS, INVENTORIES, AND DISCREPANCIES

A. Monthly Unannounced Inspection

1. Once per month, the Special Operations Division Commander, or a designee, will conduct an inspection of the property and evidence storage areas to ensure compliance of established procedures. The inspection should determine that:

- a. The provisions of the General Orders on property and evidence are being followed.
 - b. The property and evidence storage rooms are kept clean and organized.
 - c. Property is being protected from damage or deterioration.
 - d. Eligible property is being disposed of or returned to the owner as soon as practicable.
 - e. A random sample of property and evidence chosen by the Special Operations Division Commander will be inventoried.
2. The Special Operations Division Commander, or designee, will sign the inspection log and a memorandum will be prepared and sent to the Chief of Police with the results.

B. Annual Inspection

1. The Office of Professional Responsibility will conduct an annual inspection of the property and evidence rooms. During the annual inspection, a sample of one hundred (100) high-risk items, chosen by the Office of Professional Responsibility, will be inventoried.
2. The EPC or the Special Operations Division Commander will accompany the Office of Professional Responsibility during this inspection.

C. Semi-Annual Inventory

1. The EPC will conduct a full inventory of the items held within the property and evidence storage areas.

D. Change of EPC/Custodian Inventory

1. When the EPC is reassigned, the outgoing and newly designated EPC shall conduct an audit and/or inventory together prior to the transfer of authority.
 - a. Any discrepancies shall be documented and the Chief of Police will be notified via memorandum through the chain of command.
 - b. Corrective actions shall be taken, when possible, prior to the transfer of authority.

E. Additional Inspections

1. The Chief of Police may direct additional inspections, announced or unannounced, as appropriate.