I. PURPOSE

The purpose of this policy is to provide members of the Harford County Sheriff's Office with guidelines regarding seizure, packaging methods, submission, storage and disposition of physical evidence and recovered property.

II. POLICY

It shall be the policy of the Harford County Sheriff's Office to strive to properly maintain all physical evidence and recovered property and shall exercise a management system to control all seized property in its custody.
Harford County Sheriff’s Office  
Policy # MAN3600: Property Management

3600.1 Documentation  
3600.1.1 All property/evidence submitted to the Property Management Unit (PMU) shall be described in detail on a Property Evidence Record (SO-258), providing all required descriptive information.  
3600.1.2 A Harford County Sheriff’s Office (HCSO) Incident Report (SO-001) shall be required every time a Property Evidence Record (SO-258) is completed.  
3600.1.2.1 This includes, but is not limited to, incidents when a deputy arrests an individual and the Detention Center will not accept the property that belongs to the prisoner.  
3600.1.2.2 It is the arresting deputy’s responsibility to gather information as to who can retrieve the property if the prisoner is incarcerated for an extended period of time.

3600.2 Property Evidence Record (SO-258) Completion  
3600.2.1 A known or approximate value must be entered for each submitted item.  
3600.2.1.1 “N/A”, “0” or “Unknown” will not be accepted.  
3600.2.2 The chain of custody portion of the form shall be completed, beginning with the date and time of the recovery.  
3600.2.2.1 Whenever custody of an item is transferred from one person to another, the member receiving the property shall inventory each item to ensure that it matches the description listed on the form SO-258 and the transfer shall be documented in the chain of custody.  
3600.2.3 Any visible damage to property should be noted on the SO-258, either in the description field (block 20) or in the notations field (block 26).  
3600.2.4 The property, along with the original form SO-258, shall be forwarded to the Property Manager.  
3600.2.4.1 The second copy of the form SO-258 shall be submitted with the incident report or supplement.  
3600.2.5 The submission of incomplete, incorrect or mutilated documentation and associated property shall result in notification of the submitting member and his/her Lieutenant or appropriate supervisor for correction.

3600.3 Item Submission  
3600.3.1 During hours when the PMU is attended, deputies shall submit all property/evidence items directly to a member of the PMU or place the items in the temporary storage evidence lockers located at the Northern Precinct, Southern Precinct, Headquarters or CID.  
3600.3.2 During hours when the PMU is not attended, deputies shall place all property/evidence items in the temporary storage evidence lockers located at the Northern Precinct, Southern Precinct, Headquarters or CID. if CID personnel are present at the facility.  
3600.3.3 Storage of property/evidence at any other location shall require approval from the Property Manager.
3600.3.4 All property/evidence shall be turned over to the PMU or placed in the temporary storage evidence lockers prior to the end of the member’s tour of duty.  
3600.3.5 The chain of custody shall be signed by the receiving member.  
3600.3.6 Notification of late submissions of property/evidence shall be forwarded to the member’s Lieutenant or appropriate supervisor.  
3600.3.7 When submitting multiple items of similar description, each item should be tagged separately, with the incident number and the corresponding item number from block 18 on the SO-258 written on the tag.

3600.4 Temporary Storage Evidence Lockers  
3600.4.1 Temporary storage evidence lockers are located at the Northern Precinct, Southern Precinct, Headquarters and CID.  
3600.4.2 Evidence lockers are also located in the IPC/Booking area at the Detention Center, however these lockers shall be used exclusively by Detention Center personnel for storage of items as outlined in HCDC Operations Manual, 2.700: Search Procedures.  
3600.4.3 Controlled dangerous substance (CDS) submissions, whether packaged in a sealed Kapak bag or a Sheriff’s Office evidence envelope, shall be placed in the evidence locker labeled “CDS Submissions” through the locker’s mail slot, providing the item(s) will fit through the slot.  
3600.4.4 Property/evidence submissions (non CDS) that are placed in a Sheriff’s Office evidence envelope shall be placed in the locker labeled “P/E Submissions” through the locker’s mail slot, provided the item(s) will fit through the slot.  
3600.4.5 All other submissions and submissions that are too large to be passed through the evidence locker mail slots shall be placed in one of the other available evidence lockers.  
3600.4.6 Evidence lockers of various sizes are provided to accommodate most submission items.  
3600.4.6.1 The submitting member should utilize the most appropriate evidence locker based on the size of the item being stored.  
3600.4.7 Large bulky items, such as bicycles, shall be placed in the designated areas at each precinct.  
3600.4.7.1 The designated area at the Southern Precinct is the storage room located behind the evidence lockers, referred to as “Evidence Locker 299”.  
3600.4.7.1.1 Items containing flammable or hazardous substances (e.g. lawn mowers, scooters, etc.) shall be stored in the fenced area near the dumpster on the rear parking lot and shall be referred to as “Evidence Locker 299A”.  
3600.4.7.2 The designated area at the Northern Precinct is the lockable fenced enclosure in the sally port, referred to as “Evidence Locker 399”.  
3600.4.8 The form SO-258 shall remain with the property.  
3600.4.9 The appropriate evidence locker number shall be included in the chain of custody section of the form SO-258.  
3600.4.10 Under no circumstance shall any biohazard or chemical item be placed in any evidence locker, with the exception of:
3600.4.10.1 Evidence such as knives or clothing that contain small amounts of blood or body fluids, provided the package is clearly labeled with a biohazard warning label.
3600.4.11 Evidence seized by SID detectives shall be temporarily stored in the SID evidence room or SID evidence lockers.
3600.4.11.1 It shall be the responsibility of SID supervisors to coordinate delivery of SID evidence to the PMU.

3600.5 Unacceptable Items
3600.5.1 Hazardous Substances: Poisons, fuels, volatile substances, chemicals used in the manufacture of CDS, fireworks, artillery shells, pipe bombs or components of such devices shall be photographed where they are found, if this can be done safely.
3600.5.1.1 Control of the item(s) shall be given to the State Fire Marshall’s Office, Military Explosive Ordnance Disposal, Haz-Mat Team or other appropriate agency.
3600.5.1.2 Ordinary firearms and ammunition may be submitted to the PMU as long as the items are submitted in a safe manner.
3600.5.2 Perishables: Foods, snacks and other perishable items.
3600.5.2.1 Perishable items submitted to the PMU shall be disposed of immediately.
3600.5.2.2 If perishable items must be maintained for evidence purposes, the deputy desiring to submit the item(s) must coordinate the effort with a member of the Evidence Collection Unit (ECU) for storage in the Criminal Investigations Division (CID) refrigerator or freezer.
3600.5.3 Vehicles: Automobiles, motorcycles, mopeds, motorbikes, mini-bikes, go-carts and other fuel powered vehicles (with or without motors) shall be stored at an approved vehicle storage facility.
3600.5.4 Any item which is considered by the property Manager to be unsafe for storage.
3600.5.4.1 It shall be the Property Manager’s responsibility to make arrangements for alternate storage or proper disposal of the property.
3600.5.4.2 Members should consult with a supervisor or PMU staff to determine alternate storage solutions until the item(s) can be stored or disposed of.

3600.6 Controlled Dangerous Substances (CDS)
3600.6.1 CDS submissions to be analyzed by the Maryland State Police (MSP) Laboratory must be accompanied by a properly completed Maryland State Police Request for Laboratory Examination Chain of Custody Log (form MSP67).
3600.6.2 CDS submissions shall be packaged by the submitting member in accordance with MSP requirements.
3600.6.3 A supervisor must review the packaging and lab form for completeness and correctness, then initial the lower right corner of the lab form prior to submission.
3600.6.4 Submissions shall be placed in the designated receptacle.
3600.6.5 Needles shall be submitted only after written approval from the Director.
of the MSP Crime Lab and the State’s Attorney.

3600.6.6 Submission of large quantities of CDS shall be coordinated with the
PMU.

3600.6.6.1 Random samples taken from large quantities for analysis shall be
submitted in the manner outlined above.

3600.6.7 CDS items which may be destroyed instead of being held for evidence,
shall be packaged in such a way as to protect the integrity of other items in the
collection receptacle.

3600.6.7.1 Such submissions shall be accompanied by a properly completed form
SO-258, which clearly states that item(s) are to be destroyed.

3600.6.8 Incidents involving found CDS paraphernalia where there is no suspect
shall require completion of an Incident Report (SO-001) and the deputy shall
indicate in the narrative that the item(s) are to be destroyed.

3600.6.9 All CDS shall be placed into a CDS locker prior to the end of the
member’s tour of duty, with the proper documentation.

3600.6.10 Notification of late submissions of CDS shall be forwarded to the
member’s Lieutenant or appropriate supervisor.

3600.6.11 CDS submitted for analysis shall be transported to the appropriate
laboratory by PMU personnel no later than fourteen (14) days from the date of
submission to the PMU.

3600.6.12 Upon completion of analysis by MSP, the Property Management Unit
shall retrieve the suspected CDS submission and shall obtain the completed MSP
Laboratory Report (MSP 21-8A) detailing the results of the laboratory analysis.

3600.6.13 The completed MSP 21-8A shall be forwarded by the Property
Management Unit to Central Records for scanning into the Denali RMS.

3600.6.14 Upon receipt of the MSP 21-8A, Central Records personnel shall scan
the form into Denali RMS under the complaint number for the incident as listed.

3600.6.15 Property Management Unit personnel shall disseminate an Intent to
Prosecute memo to the arresting deputy.

3600.6.16 Upon receipt of the Intent to Prosecute memo, the arresting deputy
shall review the lab analysis (MSP 21-8A) in the Denali RMS under the
appropriate complaint number.

3600.6.17 Upon reviewing the lab analysis, and making a determination to charge
for the CDS, the arresting deputy shall forward the completed Intent to Prosecute
memo to the Property Management Unit.

3600.7 Latent Prints

3600.7.1 Latent print cards shall be placed into latent print submission envelopes
which are available at the Sheriff’s Office Headquarters and the Precincts.

3600.7.2 The submitting member shall complete all required information on the
submission envelope and can either place same in a temporary storage evidence
locker or submit the envelope directly to the Evidence Collection Unit.

3600.8 Money

3600.8.1 Whenever possible, the inventory of monies shall be witnessed by the
individual from whom the monies are received and that individual shall initial the
SO-258 to confirm the count.

3600.8.2 Monies obtained from separate individuals shall be packaged separately.
3600.8.3 A supervisor, when available, shall witness the count and initial block
Block 20 (Item Description) of the form SO-258 to verify the amount is accurate.
3600.8.3.1 If a supervisor is not available, any available agency member shall
witness the count and initial the form SO-258.
3600.8.4 Money shall be packaged and sealed with evidence tape prior to
forwarding to the PMU.

3600.9 Seized Money/Treasury Protocols
3600.9.1 When seized or collected money is ready for deposit into the County
treasury, a benchmark of $500 shall be established that requires the Property
Manager to notify the HCSO Budget & Finance Office of the exact amount that is
ready for deposit.
3600.9.2 Biohazard money shall follow the same protocol, but shall be inserted
into a Kapak bag for safety reasons.
3600.9.2.1 Biohazard money is sent by the County to the Federal Reserve Bank
for replacement credit.
3600.9.3 Exception: Money deemed unique due to a variation from normal
currency and considered different in face value due to its collectable or valued
nature shall be disposed of via Sheriff’s Sale.

CDS Related Money Seizures
3600.9.4 Money seized as a result of a CDS investigation shall be processed
through the Special Investigations Division.
3600.9.4.1 Money shall be counted by the investigating deputy and witnessed by
a supervisor to verify the amount.
3600.9.4.2 A Cash Confiscation Record (SO-037), to include chain of custody,
shall be completed.
3600.9.4.3 The money shall be placed in an evidence envelope and sealed with
evidence tape by the investigating deputy.
3600.9.4.4 The envelope, along with the SO-037 and a copy of the incident report
shall be placed in the Duty Officer’s safe at the respective precinct.
3600.9.4.5 An email notification shall be sent to the SID supervisors indicating
that there is money in the safe to be picked up.
3600.9.4.6 As soon as reasonable, a SID supervisor or the SID Financial
Investigator shall respond to the precinct to take custody of the money.
3600.9.4.7 The Financial Investigator shall verify the amount and ensure that it is
deposited with Treasury.
3600.9.4.8 The Financial Investigator shall keep a file on all seized money that
pertains to CDS investigations and shall be responsible for handling any forfeiture
procedures.

3600.10 Sharp Objects
3600.10.1 Prior to submission, sharp objects shall be packaged in such a
manner as to minimize the likelihood of an injury occurring.
3600.10.2 Whenever possible, sharp objects should be delivered directly to the PMU for immediate packaging.

3600.11 Exposed Blade Knives
3600.11.1 Agency members submitting exposed blade knives to the PMU shall package the knives utilizing a cardboard knife box.
3600.11.1.1 Exposed blade knives shall be secured to the bottom of the box with at least two (2) evidence ties.
3600.11.1.2 The incident number shall be written on the knife box.
3600.11.1.3 Multiple exposed blade knives listed on the same form SO-258 and belonging to the same owner may be secured in the same box if space permits.
3600.11.2 Knives with a protective sheath or folding knives shall be submitted in a Property Evidence Envelope.

3600.12 Firearms
3600.12.1 Treat all firearms as if they are loaded.
3600.12.2 Use extreme caution when handling any firearm.
3600.12.3 No firearm shall be submitted to the PMU unless it has been unloaded or rendered incapable of firing.
3600.12.4 Loaded firearms shall not be placed into any temporary or permanent property/evidence storage facility.
3600.12.5 A member of the Agency Range staff or a firearms instructor shall be consulted whenever the submitting member is not familiar with the procedure to make the submitted firearm safe.
3600.12.6 Firearms which must be protected for forensic purposes shall be packaged in such a way that the safety of the firearm can be visually determined and shall be personally delivered to the PMU whenever possible.
3600.12.7 The PMU shall inspect every submitted firearm to determine that it is unloaded.

3600.13 Firearms Seizures
3600.13.1 If a firearm is seized in an arrest situation, whether as evidence or not, the firearm shall not be released until the case has been adjudicated.
3600.13.2 The deputy shall complete form SO-258 prior to leaving the premises and shall require the owner or the person surrendering the firearm(s) to sign the chain of custody section.
3600.13.3 Deputies shall exercise due care to prevent any damage to seized firearms and all seized firearms shall be photographed.
3600.13.3.1 Any visible damage should be noted on the SO-258, either in the description field (block 20) or in the notations field (block 26).

3600.14 Firearms Release
3600.14.1 Any individual making claim to a firearm must complete an Application for Return of Firearms form (SO-153).
3600.14.1.1 Once completed, the form SO-153 shall be forwarded to the
appropriate division that conducted the investigation involving the recovered, seized or confiscated firearm(s).

3600.14.2 The Division Commander shall then assign the firearm release inquiry to a designated division member(s) tasked to handle the inquiry.

3600.14.2.1 The designee(s) shall be responsible for checking available criminal history records to ensure the claimant is not prohibited from possessing a firearm as defined in Public Safety Article, §5-133, §5-134, §5-205 or §5-206, Annotated Code of Maryland and applicable federal law, 18 USC, §922(g) and (n).

3600.14.2.2 A Firearms Release Checklist (SO-154) shall be completed by the division designee(s) enumerating all data bases checked and listing any firearms prohibitions.

3600.14.2.3 All documenting paperwork shall be attached to the SO-153 and SO-154 for final release disposition by a division supervisor of the rank of Sergeant or above.

3600.14.3 Final firearm release disposition may include one of the following:

3600.14.3.1 Returning the firearm to the owner (if a Maryland resident) or a Federal Firearms Licensee (if a non-resident), if the firearm is not needed for evidence, the owner did not use the firearm or knowingly permit it to be used in violation of the law and the owner is not prohibited from possessing a firearm.

3600.14.3.1.1 The division designee(s) shall be responsible for authorizing the release of any firearm by notifying the Property Manager through agency email.

3600.14.3.1.2 The email shall indicate the date the criminal history checks were completed to ensure the firearm is released within a twenty (20) day period of the checks.

3600.14.3.2 Allowing the transfer or sale of a firearm seized under Public Safety Article §5-124.

3600.14.3.2.1 The firearm owner who retains a property interest, where there is no finding of guilt pertaining to the possession or use of the firearm, but the individual is otherwise prohibited from possessing a regulated firearm, may designate a non-prohibited person to receive or purchase the firearm, provided the firearm was originally obtained legally and the transfer or sale is completed through a Federal Firearms Licensee in Harford County utilizing the secondary sales process or through a designated law enforcement agency.

3600.14.3.3 Retaining the firearm for use as evidence in a criminal case or criminal investigation.

3600-14.3.3.1 The court may make final disposition on a firearm used as evidence at the conclusion of the court case.

3600.14.3.4 Provide for the forfeiture of a firearm that is considered to be contraband (e.g. altered or obliterated serial number).

3600.14.3.5 Forfeiture of any firearm from an owner who is prohibited by law because of a violation of the Criminal Law Article, §4-203 through §4-204 or disqualified from possessing firearms under the Public Safety Article, §5-133, §5-205, §5-206 and/or 18 USC, §922 (g) and (n).

3600.14.3.5.1 The division designee(s) shall notify the firearm claimant by certified mail, “return receipt requested”, using the Return of Firearms-Denial:
3600.14.3.5.1.1 The form SO-155 will also provide the claimant notification of the proper appeal procedure through the appropriate legal process.

3600.14.3.5.1.2 If the firearm claimant fails to petition the court in a timely manner (30 days) or the court fails to issue an order for the firearm release, the firearm shall be forfeited without further proceedings and disposed of according to applicable law (Criminal Procedure Article, §13-206).

3600.14.4 If the firearm claimant petitions the court for the release of a firearm, the division designee(s) shall be responsible for coordinating efforts with the State’s Attorney’s Office and/or the County Attorney’s Office to present the Sheriff’s Office position to the court.

3600.15 Ammunition

3600.15.1 Agency members submitting ammunition to the PMU shall ensure all items are packaged in a safe manner.

3600.15.2 The Property Manager shall coordinate with the Range Master for the orderly and safe destruction of the ammunition.

3600.16 Follow-Up

3600.16.1 Whenever property of a known owner is retrieved, members shall make reasonable efforts to return the property to the owner instead of submitting it to the PMU.

3600.16.1.1 The submitting member shall continue the follow-up effort until the owner is notified of the recovery.

3600.16.1.2 Whenever the property has already been submitted to the PMU, the member shall provide the owner with the incident number and instruct the owner to call the PMU to schedule return of the property at a mutually agreeable time.

3600.16.1.2.1 Prior to release of the items to the owner, the member shall forward an email to the PMU authorizing the release, as well as listing the incident number, item number(s) and to whom the item(s) can be released.

3600.16.2 Whenever the property of an unknown owner is retrieved, the member assigned the follow-up investigation shall make reasonable attempts to identify the owner by checking resources which might provide information concerning ownership.

3600.16.3 Supervisors shall ensure that reasonable efforts to identify the owner have been pursued.

3600.17 Release

3600.17.1 If the Property/Evidence Record (SO-258) indicates that the property is to be held for court or is otherwise not to be released, the property shall not be released until the submitting member or follow-up investigator approves the release in writing.

3600.17.2 If evidence or the chain of custody for evidence is retained by the Court during a trial, the deputy responsible for that evidence or chain of custody shall
obtain a receipt from the Court or the State’s Attorney to record the whereabouts of the item(s).
3600.17.3 When property may be returned to the owner after trial, the deputy shall make arrangements to return the property to the owner (refer to above sections 3600.16.1.2 & 3600.16.1.2.1).

3600.18 Disposition
3600.18.1 Found property, with the exception of money, for which the owner has not been identified, shall be held for a minimum of ninety (90) days.
3600.18.2 Found money, for which the owner has not been identified, shall be held for a minimum of one hundred twenty (120) days.
3600.18.3 If the owner has not been identified and there are no viable leads at the conclusion of the mandatory holding period, the found property may be released to the finder.
3600.18.4 The Sheriff may extend the mandatory holding period when extenuating circumstances exist.
3600.18.5 The release to the finder shall be documented on the SO-258 and is subject to any legal responsibilities which might apply if the owner is subsequently identified.
3600.18.6 If the finder does not desire to claim the found property it shall be disposed of by the PMU in accordance with applicable laws.
3600.18.7 Members of the Sheriff’s Office who find unclaimed property in the course of their duties are not permitted to claim the property.
3600.18.8 In order to determine the status of a stored item, the PMU shall forward to the submitting member or the follow-up investigator a memorandum requesting a disposition.
3600.18.8.1 The recipient of the disposition memo shall have a maximum of fifteen (15) calendar days to complete, sign, date and return the memo to the PMU.

3600.19 Sheriff’s Sale
3600.19.1 The Harford County Sheriff’s recognizes Property Room.com as the authorized liquidation agent for disposal of unclaimed and surplus property.

3600.20 Retrieving Items from PMU
3600.20.1 In order to obtain stored property, members shall submit a request to the PMU so that it is received at least forty eight (48) hours in advance of the need by either:
3600.20.1.1 Submitting a completed Property/Evidence Request form (SO-041).
3600.20.1.2 Forwarding the request via email to the PMU, by directing it to the “PROPERTY” group listed in the email directory (Do not direct the email to individual PMU personnel).
3600.20.2 Weekends, holidays and other times when the PMU is not attended will require that the request be submitted further in advance to allow for the retrieval of the item(s).
3600.21 Access to the Evidence Storage Facility
   3600.21.1 Access to the property/evidence storage areas shall be limited to PMU personnel.
   3600.21.2 Other persons shall not be allowed access to the property/evidence storage areas unless accompanied by PMU personnel and then only for official reasons.

3600.22 Conversion to Agency/Charitable Use
   3600.22.1 All requests for conversion of unclaimed property shall be received by the Property Manager.
   3600.22.2 The Property Manager shall ensure the disposition status of each item.
   3600.22.3 The Property Manager shall prepare and submit a memorandum to the Sheriff stipulating the following:
   3600.22.3.1 Date of request.
   3600.22.3.2 Name of organization making the request.
   3600.22.3.3 Description of the item(s).
   3600.22.3.4 Date item(s) were recovered.
   3600.22.3.5 Intended use.
   3600.22.3.6 Incident number(s).
   3600.22.4 The memorandum shall be subject to approval of the Sheriff.
   3600.22.5 If approval is granted, the property may be released to the appropriate representative once the memorandum is completed with the following:
   3600.22.5.1 Date of release.
   3600.22.5.2 Signature of recipient.
   3600.22.6 If approval is denied, the property shall be disposed of by other means (i.e. auctions, sales, destruction, etc.).