



**Baltimore County Sheriff's Office
Towson, Maryland**

**Sheriff
R. Jay Fisher**

General Order

**Subject:
Property and Evidence**

**Effective Date
02/10/10**

**Number
B-2**

Purpose:

The purpose of this directive is to set forth the policies and procedures relating to property and evidence recovered by the Baltimore County Sheriff's Office.

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- I. Definitions**
- II. Policy**
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I. Definitions

- A. Form 15:** Baltimore County Police Department Property Inventory Form.
- B. Form 88:** Baltimore County Police Department Request for Laboratory Analysis.
- C. Form 98:** Baltimore County Police Department Request for CDS Analysis.
- D. Form 128:** Baltimore County Police Department Property and Evidence Disposition Form.
- E. KAPAK:** Clear plastic bag provided by Baltimore County, for packaging evidence.
- F. Safekeeping Property:** Non-evidentiary property held at the Sheriff's Office.
- G. Temporary Storage Logbook:** For property stored less than 72 hours, in a secured, temporary locker. The logbook will be maintained in the Desk Sergeant area.
- H. Long-term Storage Logbook:** For property kept longer than 72 hours, in a secured, limited access, holding area. The Property Custodian will maintain the Long-term Storage Logbook.
- I. CDS Vault:** A secure box located in the Desk Sergeant area to be utilized for the temporary holding of currency and/or CDS.

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- J. CDS Vault Logbook:** Logbook to be utilized when CDS or currency is recovered after normal working hours. The logbook will be maintained in the Desk Sergeant area.
- K. Property Custodian:** The Quartermaster.
- L. Lost and Found:** A secure holding area for items found in and/or around the Courthouse. The Security Supervisor will administer the Lost and Found.
- M. Abandoned Property:** Any found/recovered property in the custody of the Sheriffs Office unclaimed after 45 days.

II. Policy

Evidence, abandoned, found and safekeeping property shall be processed and submitted according to procedures set forth in this directive. If special processing is required, the member must request assistance of his/her supervisor prior to obtaining the assistance of the Baltimore County Police Evidence Management Unit.

For all items submitted to the Baltimore County Police Department, including CDS, members are required to meet the packaging guidelines that are set forth by the Baltimore County Police Department, and detailed in this order.

III. Abandoned, Found and Safekeeping Property

- A.** Baltimore County Sheriffs Office members are not eligible to claim any abandoned, found, or safekeeping property.
- B.** Only items that have no evidentiary value may be considered abandoned, found, or safekeeping. CDS will never be considered abandoned, found, or safekeeping, and will not be permanently held at the Baltimore County Sheriffs Office.
- C.** Property found in and/or around the Courthouse will be given to the Security Supervisor for entry in the Lost and Found per Section IV of this directive. Found currency is not to be placed in the Lost and Found and is to be handled per Section VIII of this directive.
- D.** When a member receives or recovers **any other** property, he/she shall:
 - 1.** Document details (including where, when, and under what circumstances item was found) on a Baltimore County Sheriffs Department Event Form 10 and Continuation Form 11. A description of the property is to be listed at the top of the narrative section of the Form 10.

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2. Determine whether a finder wants to be claimant and document his/her contact information on Event Report Continuation Form 11. If the member was the finder, state said fact on Form 11, and omit contact information.
3. Draw an SD number, and ensure it is recorded on the Sheriff's Office Event Report Form 10, Continuation Form 11, Property Inventory Form 72 and a property tag.
4. Complete Property Inventory Form 72 to include an itemized description of all property recovered.
5. Small items are to be placed in an evidence envelope. Larger items are to have a property tag affixed. Currency is to be handled per Section VIII of this directive.
6. The member shall make every effort to identify the lawful owner of the property, and record details on the Form 11.
7. Before the end of tour of duty, submit property and Forms 10, 11, and 72 to supervisor.
8. In the event property is seized or recovered during holiday, evening or weekend hours and a supervisor is not working the member shall contact the Night Commander. The Night Commander will respond to the Office and oversee securing the property per the guidelines set forth in this directive.

D. Member's immediate supervisor shall:

1. Upon receipt of all property, the supervisor must inspect property and forms to ensure that forms and packaging procedures are correct, and SD number is listed on all forms and tags.
2. Sign property tag and Form 72, and indicate receipt of evidence on Form 11.
3. Store property in Temporary Storage Locker and secure the locker key in the Desk Sergeant's area.
4. Log property into Temporary Storage Logbook.
5. Place a copy of all reports in the logbook.
6. Forward all original reporting to the Administrative Lieutenant.
7. Notify the Property Custodian.

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- E.** Property Custodian shall:
1. Check Temporary Storage Locker daily.
 2. Retrieve property kept in the Temporary Storage Lockers.
 3. Transfer property from the Temporary Storage Locker to Long-term Storage within 72 hours and document transfer on Form 11, property tag, and logbooks.
 4. Document all follow-up action taken to notify/locate owner of abandoned/found property on corresponding Form 11.
 5. Hold the property for 45 days. In the event that no claimant is located or comes forward, dispose of the property. Note the disposition in the Long-term Storage Logbook.
 6. Record final disposition of property in the logbook, and on Forms 11 and 72.
 7. Conduct monthly inventory and sign all logbooks upon completion. Custodian must ensure that the Chief Deputy initials the books after inventory.

IV. Lost and Found

- A.** A secure Lost and Found Locker is to be maintained by the Security Supervisor. Members recovering found property in and around the Courthouse will turn over the property in question to the Security Supervisor or his/her designee.
- B.** If the found property has an approximate value of less than \$100, the member finding same need not complete a report. Items with an approximate value in excess of \$100 will require the member to draw an SD number and document the incident on Event Report Form 10.
- C.** The Security Supervisor will maintain a Lost and Found Logbook. The logbook is to contain a description of the item, the date and location found, and by whom. The logbook is also to list the disposition of the item.
- D.** If an event report is completed a copy of the report will be maintained in the logbook.
- E.** The Security Supervisor will make every effort to locate the owner of the property and arrange for its release. If the property has not been claimed in 30 days the Security Supervisor is to turn the property over to the

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Property Custodian and note it in the disposition section of the logbook. If applicable, the event report will also be given to the Property Custodian.

- F.** The Property Custodian will log the item(s) into the Long-term Logbook and hold the property for 45 days or until claimed. If the property is not claimed, the property is to be disposed of. The Property Custodian will place the item's final disposition in the Long-term Logbook.

V. Prisoner Property

A. Prisoner property upon arrest:

1. If possible, a prisoner should be encouraged to leave all property and valuables with a third party or in an otherwise safe location prior to being placed in custody.
2. Once the member has taken custody of a prisoner, he/she must document all property in the prisoner's possession. The member will list each item on the Form 72, and package the property in an envelope. If the property will not fit in an envelope a property tag is to be affixed. Packaging shall be done in view of the prisoner.
3. The member will count all currency in front of the prisoner, and package it in a separate envelope. A second member will witness the counting of currency. The prisoner will sign across the seal of the currency envelope. The member and the witness will place his/her initials and ID number on the envelope.
4. The prisoner will sign the Form 72, verifying that the property listed on the form is accurate and complete. The member will sign the Form 72 and place his/her initials and ID number across the property envelope seal or on the property tag.
5. The prisoner will be given the goldenrod copy of the FOIm 72.
6. If the prisoner has property that will not fit in an envelope, and is too large to be taken at the jail:
 - a. The member shall complete a Form 999, and have the prisoner sign the form.
 - b. Members are to place a property tag on the items and submit the property to his/her immediate supervisor or Desk Sergeant.

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- c. The supervisor/Desk Sergeant will inspect the form and property tag to ensure that appropriate signatures and initials are obtained.
- d. The prisoner may indicate to whom he/she would like to release the property on the Form 999. If the person indicated comes to the Courthouse by the close of business, and has proper identification, the Desk Sergeant may release the property.
- e. If the prisoner has not designated someone by the end of the day, or no one has responded to obtain the property, the Desk Sergeant will store the property in the Temporary Storage Locker.
- f. The Property Custodian will take property from the Temporary Storage Locker to Long-term Storage, and fill out necessary logs. He/she will hold the property for 45 days before disposing of same if not contacted by a claimant.

B. Sealed Property:

1. If a prisoner comes to the Baltimore County Sheriff's Office with sealed property, the Desk Sergeant shall ensure that the property is properly inventoried.
2. If a member is transporting a prisoner from a foreign jurisdiction, an inventory of property shall be done before the member transports the prisoner. Transporting members will be required to carry blank Form 72's, evidence and currency envelopes when picking up prisoners.
3. The member will unseal any currency, count it in front of the prisoner, and have the prisoner sign the Form 72. Members will put the currency in a new envelope, and have the prisoner sign across the seal. A second member will witness the counting and both members will place his/her initials and ID numbers on the envelope.
4. When members unseal prisoner property, he/she must itemize all property, document all property on a Form 72, reseat the property in front of the prisoner, and have the prisoner sign the Form 72. The member will place his/her initial and ID number across the seal of the new property envelope. The prisoner will be given the goldenrod copy of the Form 72.

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VI. Firearms

- A. Members recovering firearms shall:
1. Conduct an NCIC check to determine any criminal history related to the firearm. Conduct a record check on the firearm owner. If the weapon is stolen or the owner is illegally in possession of the firearm, i.e. a convicted felon, arrest and charge the individual accordingly.
 2. Document details (including where, when, and under what circumstances the firearm was recovered) on a Baltimore County Sheriffs Department Event Form 10 and Continuation Form 11. A description of the firearm is to be placed at the top of the narrative section of the Form 10. Complete Form 72. Draw an SD number.
 4. Contact the Baltimore County Police Department through the Emergency Communications Center and have Police respond to recover the firearm. Obtain the name of the Officer and record the name in the Form 10.
 5. Deputies shall render the firearm safe prior to Police arrival. If a Deputy is unsure how to accomplish this, he/she shall contact a certified firearms instructor, or the Baltimore County Firearms Unit to receive instructions.
 6. In the event the firearm cannot immediately be turned over to Baltimore County Police. The member will state so in the Form 10. Complete a property tag and provide the weapon and completed forms to his/her supervisor.
 7. Complete charging documents if appropriate.
- B. Member's Immediate Supervisor shall:
1. If applicable, inspect the firearm and ensure that it has been rendered safe.
 2. Review property tag and forms, ensuring all items are appropriately completed.
 3. Notify a member that has access to the Property Room to have the firearm secured in same.
 4. If after normal business hours contact the Night Commander to secure the firearm in the Property Room.

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5. Notify the Property Custodian and place a copy of all reporting in his/her mailbox.
 6. Forward all reporting to the Administrative Lieutenant.
- C. Property Custodian shall:
- Maintain custody of firearm until same is transferred to Baltimore County Police.

VII. Controlled Dangerous Substance (CDS) Evidence

- A. Members recovering CDS shall:
1. NEVER sniff or taste suspected CDS in an effort to identify the substance.
 2. All CDS should be packaged in the Sergeant's Office and witnessed by a supervisor. If a supervisor is not working the acting supervisor may act as witness.
 3. When handling CDS, the member shall wear rubber gloves, if possible. Hands shall be washed immediately following the handling of CDS.
 4. Package hypodermic syringes with needles in a puncture resistant container. Do not bend or break the needle. All hypodermic syringes are to be marked as "Bio-Hazard" contaminated.
 5. Evidence shall be placed in a clear plastic CDS evidence bag, which will be sealed with evidence tape and labeled and marked (using a permanent marker) with the member's initials and an item number. CDS evidence bags and KAPAK bags will be maintained in the Desk Sergeant area.
 6. If a variety of CDS is recovered the member will separate items and utilize a CDS evidence bag for each item type. The bags are to be sealed with evidence tape and the appropriate item number written on the tape of each bag with a permanent marker. If the CDS is of a single variety, place all evidence in a single CDS evidence bag. An evidence tape seal will be affixed. Place the CDS evidence bag(s) in to a KAPAK bag. The evidence tape sealed bag(s) will be heat-sealed into the KAPAK bag. When heat-sealing, remember to leave sufficient room (approximately 3 inches) for the bag to be opened and resealed by laboratory

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personnel. The member will then place his/her signature, ID #, the date, time, and Central Complaint (CC) number across the heat seal.

NOTE: CDS evidence shall be packaged separately from other evidence, even if related to the same case. CDS evidence bags are to be used only for CDS evidence.

7. Complete and affix a Baltimore County Chain of Custody Tag on the upper left corner of the KAPAK bag.
8.
 - a. For **Evidentiary CDS**, complete a set of Property Evidence Form 15's (3 copies) and the CDS Evidence Form 98 (original only). Upon conclusion of the case and with the approval of the respective Assistant State's Attorney, the member will complete and submit Disposition Form 128 (original only) to the EMU. The Form 128 must have the signatures of both the member's Sergeant and Lieutenant prior to submitting same to the EMU. **The Form 128 authorizes the destruction of the evidence and should not be submitted until such time as the evidence is no longer needed for court proceedings.**
 - b. If the CDS has **no** evidentiary value, ie. Found Property, complete a set of Property Evidence Form 15's (3 copies). The member shall complete Form 128 immediately and include same at the time of the CDS submission. The signatures of both the member's Sergeant and Lieutenant are still required before the CDS can be destroyed. In the event the member's supervisors are not available to sign the Form 128 at the time of submission, the member will submit the CDS and Form 15's to the EMU or CDS Vault, as appropriate. The Form 128 is to be completed and submitted to the EMU as soon as practical.
9. Contact Baltimore County Emergency Communications Center either by radio or by calling 410-887-2222 and request a CC# for narcotics violation or recovered CDS. The CC# is to end in the letter S, denoting Sheriff's Office. The dispatcher will require a situation found code. The code will either be Code 6 A53, (narcotics, officer initiated) or Code 6 A29 (narcotics, citizen initiated).
10. Draw an SD number in addition to the CC number. List the SD and the CC numbers on Form 10, 11, and 72.
11. Complete charging documents if appropriate.

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12. Submit CDS and forms to the supervisor prior to the end of tour of duty.

B. CDS Vault

1. The CDS Vault is located in the Desk Sergeant area.
2. The CDS Vault shall be utilized whenever CDS is recovered and the EMU is closed or currency is recovered and the Property Custodian is not available to take custody of the currency. Prisoner currency will be handled per Sections V and VIII of this directive.
3. All CDS and currency placed in the CDS Vault must be packaged per guidelines in this directive. Each item must be logged into the CDS Vault Logbook. All relevant paper work is to be placed in the vault with the CDS or currency.

C. Member's Immediate Supervisor shall:

1. Inspect CDS packaging and ensure that all Sheriff's Office reporting and Baltimore County Police Forms (including the 15, 98, and 128, if required) are complete, and proper copies are included.
2. Ensure that CDS is transported to the Baltimore County Evidence Management Unit as soon as possible. The EMU is open Monday through Friday 0800-1600 hours.
3. If the EMU is closed, log CDS into the CDS Vault Logbook and secure CDS in the CDS Vault.
4. Supervisors must ensure that the entire chain of custody is recorded on the Form 11.
5. Place **original** reporting in the vault.
6. Notify the Property Custodian.

D. Property Custodian shall:

1. Check CDS Vault daily.
2. In the event the Property Custodian is unavailable for a period greater than 1 working day he/she shall ensure that a supervisor is assigned to check the CDS Vault and submit CDS if necessary.

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3. Take custody of all CDS and ensure it is submitted to EMU within 72 hours.
4. Make appropriate notations in logbook.
5. Maintain chain of custody on Form 11.
6. Ensure reporting is forwarded to Administrative Lieutenant.

VIII. Currency

- A. All members' recovering/seizing currency shall:
 1. All currency recovered, found or seized will be properly inventoried.
 2. All currency recovered, found or seized will be counted in front of a witness member.
 3. The money will be listed on Form 72 and Form 10, if applicable. Completion of Form 10 is not required for the inventory of prisoner currency but will be completed for all other inventories of currency. The currency will be listed by denomination from largest to smallest and will include the quantity of each denomination. Coins need not listed by denomination. Simply list the total value of all coins as the last item in the inventory. List the total amount of currency inventoried at the bottom of the inventory.
 4. All currency will be placed in an envelope and sealed. If the currency is the property of a prisoner, the prisoner will witness the inventory and sign across the envelope seal. The member and witness will place his/her initials and ID numbers on the envelope. In all other currency inventories the member will place his/her initials and ID number across the envelope seal. The witness will place his/her initials and ID number on the envelope. Write the name of the claimant, if known, on the envelope and the SD number if applicable.
 5. If Form 10 is required place the names of the witnessing member and the supervisor that received the currency in the report.
 6. Turn in currency and all reporting to Desk Sergeant/supervisor.

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- B.** Member's immediate supervisor shall:
1. Inspect currency envelope ensuring it is properly secured and all required signatures and initials are present. Ensure claimant's name and SD number are present if applicable. Place initials and ID number on the envelope.
 2. Ensure Form 72 is properly completed and sign for receipt of the currency.
 3. If the currency belongs to a prisoner, record currency in the Temporary Storage Logbook and secure the currency in the Temporary Storage Locker. All other currency recovered is to be logged into the CDS Vault Logbook and placed into the CDS Vault.
 4. Notify the Property Custodian if appropriate.
- C.** Property Custodian shall:
1. Upon recovering currency from the CDS Vault, make notation in CDS Logbook.
 2. Recover appropriate reporting.
 3. Record the currency in the Long-term Storage Logbook and maintain custody of the currency per Section IX. E, of this directive.

IX. Disposition Of Property

- A.** All property going to Baltimore County Police Department must include a Form 128 to determine the final disposition of the property. A Form 128 is not to be submitted for **evidence** until conclusion of any court proceedings.
- B.** A supervisor may release found property from the Temporary Storage Locker, once proper identification has been obtained.
- C.** The Property Custodian will be in charge of releasing property in secured storage (property kept for more than 72 hours). Property will only be released after sufficient effort is made to verify the property's owner. The disposition of released property, including claimant's/owner's information, will be recorded on the Form 11 and in the Long-term Storage Logbook.

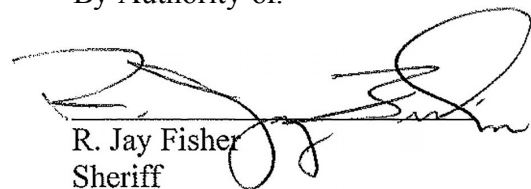
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- D. The Sheriff or the Undersheriff may allow another member of the Sheriff's Office to release property from secured storage in the absence of the Property Custodian. This member must record the property disposition on the Form 11, and update the Long-term Storage Logbook.
- E. When retaining currency, every attempt will be made to contact the currency's owner. After 45 days, the Property Custodian will submit the currency to the Cashier's Office, and obtain a voucher for it. He/She will retain the voucher in the Long-term Storage Logbook.
- F. Any property in dispute will not be released to any claimant unless the other claimants renounce all claims in writing, or upon order of the Sheriff.
- G. If a property owner is deceased, the Property Custodian may release property to the personal representative for the estate. The personal representatives must present "Letters of Administration," from the Orphans Court prior to the release of the property.
- H. The Property Custodian will make every reasonable attempt to locate and contact the owner of found or recovered property to include a notice by registered mail before disposing of the property.

Rescissions

Remove from manuals/files and rescind:
G.O. B-2, Property and Evidence, dated 11/02/09

By Authority of:


R. Jay Fisher
Sheriff

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Appendix 1

BALTIMORE COUNTY SHERIFF'S OFFICE
PROPERTY INVENTORY FORM #72 (Rev. 04/01/99)

DATE _____ SD# _____
 TIME _____ PAGE.# _____ OF _____
 TYPE: OF INCIDENT _____

PRISONER'S LAST NAME _____ FIRST _____ M.I. _____
 PRISONER'S ADDRESS _____
 PRISONER'S RACE _____ SEX _____ DOB _____ AGE _____

INVENTORY

ITEM #	QUANTITY	ARTICLE	DESCRIPTION		
1		U.S. CURRENCY:	S	DOLLARS AND	CENTS
2					
3					
4					
6					
7					
8					
9					
10					
11					
12					

THE ABOVE-LISTED PROPERTY WAS SEIZED FROM ME DURING MY DETAINMENT BY THE BALTIMORE COUNTY SHERIFF'S OFFICE. THIS IS A COMPLETE AND ACCURATE LISTING OF MY PROPERTY:

PRISONER'S SIGNATURE: _____ DATE _____

CHAIN OF CUSTODY

DEPUTY WHO SEIZED PROPERTY:

SIGNATURE: _____ I.D. # _____ AGENCY: BALTO. CO. SHERIFF'S OFFICE

PROPERTY TURNED OVER TO:

SIGNATURE: _____ I.D. # _____ AGENCY: _____
 SIGNATURE: _____ I.D. # _____ AGENCY: _____

RELEASE OF PROPERTY

ALL OF THE PROPERTY LISTED ABOVE HAS BEEN RETURNED TO ME:

PRISONER'S SIGNATURE: _____ DATE _____

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**Baltimore County Sheriff's Office
Disposition of Prisoner Property**

SD# __ _

Date: __ _

I, _____, acknowledge that I have 45 days from the date of storage:

- to appear in person at the Baltimore County Sheriffs Office and claim any personal property not given to me upon my release from custody; or
- to provide in writing below, the name of another person authorized to claim my personal property.

MY PROPERTY MAY BE RELEASED TO:

Print Name

Relationship

Print Address

City, State, Zip Code

Area Code and Phone Number

D In lieu of claiming my personal property, I authorize the Baltimore County Sheriffs Office to immediately dispose of my personal property.

(Prisoner's Initials)

ALL PROPERTY REMAINING AFTER 45 DAYS WILL BE CONSIDERED UNCLAIMED AND WILL BE DISPOSED OF.

Prisoner's Signature

Date of Storage

Address

City, State Zip Code

Processing Deputy's Signature

ID Number

Date

All inquiries must be submitted in writing and sent to:
Baltimore County Sheriffs Office Property Room
401 Bosley Avenue, Towson, MD 21204

(Form 999) 6/5/07