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| PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...honor, integrity, courage, respect, and compassion."</i> | | SUBJECT: "LOST-STOLEN-ABANDONED PROPERTY" | ORDER NUMBER: 37-1 |
| | | PLEAC STANDARD: 2.7.7, 3.6.1 F & G | PAGE 1 OF 6 |
| REVIEW DATE: 2/02/2017 | EFFECTIVE DATE: 7/15/2011 | ANNUAL REVIEW DATE: JULY | RESCINDS: ALL PREVIOUS |
| | | | AMENDS: N/A |

1.0 POLICY/PURPOSE

1.1 It shall be the policy of the Pittsburgh Bureau of Police (PBP) to make reasonable efforts to recover, safeguard, and return any lost or stolen property to its' rightful owner. Any property that cannot be returned to the rightful owner within a reasonable time, or within a time proscribed by law, shall be disposed of in a manner consistent with this General Order and State Law.

2.0 DEFINITIONS

- 2.1 **Property Holding Area** – This is any area at the zones that is set aside to temporarily hold property until it can be returned to its' owner or disposed of. This area will be secured and the key will be under the control of the desk officer or desk sergeant. This area may be known as the "3rd Cell" or "30 day hold" depending on the zone.
- 2.2 **Property Room** – This is the centralized area (currently located at PBP Headquarters building) that is used to store all evidence and some property collected by officers of the PBP.
- 2.3 **Property** – Any material item that has been taken by a member of the PBP for any reason other than its' potential use as evidence. This will include items belonging to an arrestee that were not accepted into the Allegheny County Jail as inmate property.
- 2.4 **High Value Property** – Any material item with an estimated value of over \$500 or any currency valued over \$100.
- 2.5 **Evidence** – Any material item that has been taken by a member of the PBP for its' potential use in the prosecution of a suspect.
- 2.6 **Abandoned Property** – Property that has been discarded by the rightful owner who has not intent to reclaim the property at a future date or time. Property is generally deemed to have been **abandoned** if it is found in a place where the true owner likely intended to leave it, but is in such a condition that it is apparent that he or she has no intention of returning to claim it.
- 2.7 **ID / Bank Card** – Any State or Federally issued identification card (driver's license, passport, military ID, etc.). This does not include employee ID cards. Any bank/credit union money access card that allows access to a bank account or a line of credit. This does not include Access Cards.
- 2.8 **Data Storage Device** – Any device designed to hold electronic data that will be transferred for use in a computer, camera, DVD player, etc. This includes memory sticks, portable hard drives, video cards, floppy disks, DVD disks, iPods, cell phones, etc.
- 2.9 **Unclaimed Tangible Property**- Tangible property is physical assets such as collectible coins, jewelry, military medals, stamps, antiques, savings bonds or other physical items.

3.0 GENERAL

3.1 Any property coming into the possession of any member of the PBP shall be processed by the end of that officer's tour of duty. The officer coming into possession of the property shall process that property at their assigned zone. Officers not assigned to a zone (i.e. assigned to Headquarters or the Academy) shall turn any found property over to the zone in which the property was recovered. The shift supervisor will decide if the desk officer or the recovering officer will complete any necessary reports.

- 3.2 It shall be the duty of the reporting officer to attempt to identify the owner of the property and make contact with the owner to arrange for them to recover their property.
- 3.3 All members of the PBP shall take efforts to maintain property in the same condition as when it was received. *See also Subsection 8.0 Special Types of Property.*
- 3.4 Property shall only be stored at the zones in a designated Property Holding Area. Property shall NOT be kept in officer's lockers, desks, on their person, in their vehicles (personal or department), or at their residences.
- 3.4.1 Property that is too large to store in the Property Holding Area or that is flammable / hazardous may be stored in other locations. *See General Order 36-1 and 36-2* for other storage location options.
- 3.5 Property shall be inventoried by the reporting officer to determine the following:
- 3.5.1 Ownership
- 3.5.2 Presence of contraband or tools of a crime
- 3.5.3 The nature of the property (i.e. if it is perishable, hazardous, or a high value item)
- 3.6 The Commander of each zone shall appoint a Sergeant from their zone to act as the Property Holding Area Custodian. The Property Holding Area Custodian will be responsible for:
- 3.6.1 ensuring the Property Holding Area log is maintained
- 3.6.2 having the Property Holding Area purged every 30-days, or at a longer time as determined by the commander
- 3.6.3 ensuring that property leaving the Property Holding Area is being documented properly

4.0 PROPERTY – EVIDENCE

- 4.1 Any property that has been seized as evidence shall be packaged and sent to the Property Room, Crime Lab, MCU, etc in accordance with General Order 36-1 Evidence Procedures. Evidence shall not be stored in the Property Holding Area at any zone except as described in General Order 36-1 Evidence Procedures.

5.0 PROPERTY – STOLEN / RECOVERED

- 5.1 Any property taken into the possession of the PBP that had been reported stolen shall be treated as evidence unless/until the reporting officer or detective handling the criminal case has approved its' return to the rightful owner. Officers should attempt to return a victim's property unless the property can be used as Evidence or the return of the property will materially hinder the officer's case.
- 5.2 Found property that is later determined to be Evidence shall be packaged and sent to the Property Room in accordance with General Order 36-1 Evidence Procedures only if it is determined that the evidence doesn't need to be processed by the MCU or the Crime Lab.

*Only under exceptional circumstances shall evidence be stored in the property holding area at any zone. *See General Order 36-1 Evidence Procedures.*

- 5.3 Recovering officer shall complete a Supplemental Report PBP Form 8.11 and include the following:
- 5.3.1 Description of the property
- 5.3.2 Condition of the property
- 5.3.3 Original CCR number
- 5.3.4 Name of the recovering officer or person
- 5.3.5 Circumstances surrounding the recovery
- 5.3.6 CCR number of the found property report (if a separate report was made)

6.0 PROPERTY – SEIZED THROUGH CIVIL PROCESS

- 6.1 Under normal circumstances the Sheriff's Department will be tasked with the seizure of Civil Property by law or court order.

6.2 In limited circumstances, when the PBP is directed to seize property by law or court order, all property seized will be handled as if it were Evidence.

7.0 PROPERTY – LOST OR ABANDONED

7.1 All lost or abandoned property coming into possession of any member of the PBP shall be recorded on an Offense/Incident Report PBP Form 2.0 and an Investigative Report PBP Form 3.0. Officers shall also include the following, if possible;

- 7.1.1 Any attempts to find the owner
- 7.1.2 Where/how the property was found
- 7.1.3 Name and phone number of the person recovering the property
- 7.1.4 Description of the property to include – make/brand, color, size
- 7.1.5 Condition of the property

7.2 In instances where a large number of smaller items of limited/no value are contained in a large item such as a backpack or suitcase, officers do not need to list each item but must describe the bag and it's contents. (For example: one black Nike gym bag with white carry straps, 2' x 1', in good condition containing; various articles of clothing and one blank membership card to Gold's Gym.)

7.3 All property to be placed in the Property Holding Area shall have a copy of the Property Room Receipt and Record PBP Form 209 attached to it.

7.4 Desk officer shall be responsible for updating the Property Holding Area Log. This Log shall contain the following:

- 7.4.1 Date and time property came into the possession of the PBP
- 7.4.2 Reporting officer
- 7.4.3 CCR #
- 7.4.4 Owner (if known or suspected)
- 7.4.5 Printed name of person receiving property
- 7.4.6 Signature of person receiving property

7.5 Property leaving the Property Holding Area shall be signed out even if it is to be destroyed or discarded by PBP personnel. Officers signing property out for destruction or discard shall list the disposition of the property in the Property Holding Area Log.

7.6 Abandoned property may be held for the same period as lost property if there is a reasonable belief that the owner of the property will attempt to reclaim their property. This decision will be at the discretion of the shift supervisor and will be noted in the officer's report.

8.0 SPECIAL TYPES OF PROPERTY

8.1 Perishable property

8.1.1 Shall, if possible, be placed under refrigeration promptly or otherwise cared for and full particulars reported to the commanding officer of the zone or unit. It shall be the shift supervisor's discretion if this property will be retained or discarded.

8.1.2 Any discarded property shall be noted in the Investigative Report PBP Form 3.0.

8.2 Explosive or dangerously flammable property

8.2.1 Shall be promptly reported to the shift supervisor who shall notify the Arson squad or the Explosive Ordinance Disposal (EOD) unit of such property who shall dispose of it in an approved manner. In such cases, members shall, if possible, contact their shift supervisor before moving the article(s).

8.2.2 Arson or EOD personnel shall include in their report at least the following information;

- 8.2.2.1 Description of the property
- 8.2.2.2 Date and time property was disposed of
- 8.2.2.3 Manner of destruction
- 8.2.2.4 Location property was taken from

8.3 Animals

- 8.3.1 The shift supervisor will determine if PBP personnel are permitted to transport an animal in a PBP vehicle. Officers shall only transport animals to the zone as a last resort after they have exhausted all other methods, to include;
 - 8.3.1.1 Contact the owner or relative of owner
 - 8.3.1.2 Contact animal control to pick up the animal
 - 8.3.1.3 Contact a shelter to pick up the animal
 - 8.3.1.4 Contact a neighbor to care for the animal (animal may remain in the owner's yard if the neighbor has access)
- 8.3.2 Any animal that appears to pose a bite risk WILL NOT be transported or handled by PBP personnel.
- 8.3.3 If the lawful owner of such property cannot be located in a reasonable length of time, the matter shall be referred to the commanding officer.
- 8.3.4 The preferred method of dealing with animals as lost or abandoned property is to shelter them in place until trained animal rescue personnel can arrive on scene to take the animal into their care. If this cannot be done due to humanitarian, health, or safety reasons, officers will exercise due care when handling any animal.

8.4 High Value Property

- 8.4.1 All high value property will be packaged and sent to the Property Room in the same manner as with Evidence.
- 8.4.2 Owners of high value property will go to the zone where the property was recovered and obtain a Police Release Form from the Commander of that zone. The Property Room will then release the high value property to the person named in the Release.
- 8.4.3 Other than with a Police Release Form, the Property Room shall determine the disposition of any high value property according to Property Room Standard Operating Procedures (SOP) and Commonwealth Statutes.

8.5 Data storage devices

- 8.5.1 Data storage devices will not be viewed on a PBP computer unless that computer has been specifically designated by Computer Crimes or the Mobile Crime Unit as being sufficiently protected from potential viruses or other harmful software that could be present on the data storage device.
- 8.5.2 Officers may forward found data storage devices to the MCU to determine if ownership information is contained within the device. MCU personnel will conduct this search on an as-available basis and return the device to the zone with their findings when complete.
- 8.5.3 Officers will not make copies of any data found on computer data storage devices or cause any data to be posted either digitally or by hard copy for their own personal use.
- 8.5.4 Data storage devices will be packaged the same as evidence except that it shall be noted on the Property Room Receipt and Record PBP Form 209 that it is found property.

8.6 ID/Bank cards

- 8.6.1 Shall be listed as individual items on the Investigative Report PBP Form 3.0.

8.6.2 May be logged and stored with any other property except that all ID/Bank cards shall be placed in a white envelope, sealed, and marked "ID/Bank Card(s)" so as to ensure proper identification if these items are to be destroyed.

8.6.3 Do not include the entire bank card number in the report. Officers may use the last 4 numbers to differentiate between multiple bank cards.

9.0 RELEASE OF PROPERTY

9.1 Any property, the ownership of which is not disputed and which is not required as evidence, may be turned over to the rightful or lawful owner by the desk officer with the approval of the shift supervisor.

9.2 Property owners that are unable to recover their property in person may have the property recovered by a third person. Desk officers and supervisors shall use their discretion when authorizing a third party to take possession of property under the control of the PBP.

9.3 When property is returned, the desk officer shall complete a Supplemental Report PBP Form 8.11 which will include the following information:

9.3.1 Name, address, and phone number of the person to whom the property is released to

9.3.2 Type of ID and number (i.e. driver's license number, passport number)

9.3.3 Condition of the property

9.4 There may be an occasion where property could be released to the general public (i.e. bike give-away). This will only be done at the discretion of the Chief of Police via a Chief's Memorandum.

9.5 Disputed ownership

9.5.1 Any property, the ownership of which is in dispute, shall not be released or destroyed until such time that the person claiming ownership can provide enough proof to convince a reasonably prudent officer that they are the true owner of the property.

9.5.2 Any property whose ownership is in dispute shall remain at the zone until the dispute is resolved or until a reasonable time has passed (30 days) since the person claiming ownership first attempted to reclaim the property and during which time no other action has been taken by the person claiming ownership (i.e. attempt to speak to other officers who collected the property, attempt to obtain a court order).

9.5.3 It shall be the responsibility of the person claiming ownership to prove ownership.

9.5.4 Any instance where the ownership is disputed shall be noted on a Supplemental Report PBP Form 8.11.

10.0 DESTRUCTION/DISCARDING OF HELD PROPERTY

10.1 Any property that is marked for destruction **SHALL NOT** be taken by members of the PBP for their personal use or the personal use of a friend or family member.

10.2 When there is property of a personal nature (such as photos, bank card, etc) to be destroyed, the assigned officer shall ensure that this property is destroyed in such a manner that its' recovery by a third party cannot link the property to the owner. This property is not to be disposed of by placing it in the trash or the dumpster.

10.3 Any property that is not of a personal nature may be discarded by placing it in the trash or donation to an approved non-profit organization such as Good Will or the Salvation Army. Zone Commander's may approve an organization to received lost/abandoned property. This approval should be in the form of a command memo listing all approved organizations.

10.4 Property must be held for a minimum of 30 days before it may be disposed of at the direction of the Zone Commander.

10.5 Officers completing the destruction/discarding of PBP help property shall complete a Supplemental Report PBP Form 8.11 and include:

- 10.5.1 Officer's name
- 10.5.2 Date of destruction/discarding
- 10.5.3 Manner property was destroyed/discarded

10.6 Any property that can not be destroyed by zone personnel in compliance with this order shall coordinate with the Property Room for assistance in that property's destruction.

Approved By:

A handwritten signature in blue ink, appearing to read "Scott Schubert", written over a horizontal line.

Scott Schubert
Chief of Police