



# Colorado Springs Police Department Standard Operating Procedure

## 1400-10 Personal Property/Found Items

### Section 1400 – Evidence

Active Date: 5/6/2024

Supersedes Date: N/A

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#### **.01 Purpose**

The purpose of this directive is to establish policies for the handling, packaging, and submission of personal property and found items to the Evidence Unit (EU).

#### **.02 Cross Reference**

[GO 1400 Collection of Physical Evidence](#)

[DL-1400-08 Hazards, Flammables and Liquids Evidence](#)

[DL-1400-14 Weapons and Ammunition Evidence](#)

[AIRP-24 Airport Lost & Found](#)

[EV-07 Handling of Personal Property](#)

#### **.03 Definitions**

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#### **.04 Procedure**

This directive applies to the department's handling of personal property items which are not considered evidentiary. This includes items given a Property Type of *property* in EoQ, as well as items originally categorized as *evidence* for which all valid written release authorizations have been received and all required legal holding periods are expired/released. CSPD may come into custody of items that are not evidentiary to a case. These may include items of property which CJC will not accept in an arrestee's property and other found items. The Evidence Unit (EU) will hold and dispose of all property items per city Ordinance 9.1.201 – 9.1.208.

#### **General**

All items submitted to the EU, whether *evidence*, *property*, *destruction*, or *admin hold* must be entered into EvidenceOnQ (EoQ).

Property too large for the substation lockers, or that would fill up many lockers, shall be transported to the POC, Annex or the Impound facility (for very large items and items including gas, oil, etc.). If personnel are unable to transport, please notify the evidence supervisor/manager (during business hours) for further coordination. After hours, personnel may submit at their division with approval of their chain but will email the group evidence email to alert them of the nature of the items.

Items submitted to the EU will be packaged and submitted per directives based on the type of item (e.g., backpacks, digital devices, etc.) regardless of whether they are *evidence* or *property*.

Items with a Property Type of *property* in EoQ may be returned immediately to the owner upon proof of identification and ownership. Property items are held up to 60 days to provide owners time to claim items. Items with a Property Type of *destruction* in EoQ may be immediately disposed of by the EU per directives regarding property disposal with no additional holding period or authorization required.

Officers should not advise persons to show up at the EU to claim items. Persons should contact the EU at the main officer number (719-444-7744), or via email at [evidence@coloradosprings.gov](mailto:evidence@coloradosprings.gov) to make an appointment. This ensures items are in the EU and are available for release.

## **Owners**

Officers should attempt to determine the identity of the rightful owner and return the property (if applicable) and complete a Receipt for Return of Property.

If property cannot be returned to a rightful owner during the officer's initial attempts, officers will indicate in the comments section of EoQ the attempts made, and pertinent owner/contact information known (e.g., "The items were taken from the storage unit of Jane Doe".) In the event the individual is not charged, or charges are dismissed, items may have to be returned to the person listed as the suspect if the items were taken from them.

CSPD is typically **not** the owner of items. Officers will refrain from using CSPD as the property owner unless the item is CSPD generated, or CSPD property.

If the ET identifies any suspicious or incorrect owner information (e.g., suspect listed as owner of stolen/recovered items, CSPD listed as owner of property items), the submitting officer will be contacted for confirmation or correction.

## **Property Returns**

- ETs must review all submitted personal property items for owner information and to ensure they are appropriate for return. Some items may not be returnable or may require additional preparation or review prior to return (e.g., digital items, illegal knives/weapons, contraband, etc.).
- If property is returned by an officer after entry into EoQ, a Receipt for Return of Property must be completed, signed by the officer, and delivered to the EU by hand or email (do not submit as an evidence/property item).
- If property is returned **prior** to entry into EoQ, the Receipt for Return of Property may be submitted as an item of *property*. The EU will scan this into EoQ as a permanent record of the return.

## **EoQ Entry**

The following applies to items of personal property entered into EoQ:

- Personal property with no evidentiary value will be designated as *property* in the Property Type field.
- Property may be associated with a Case #, but one is not required (except firearms).

An officer or CSO must check wants in NCIC/CCIC for all property items bearing a serial number at the time of submission.

- The NCIC/CCIC fields shall be correctly notated in EoQ.
- Correct owner information, as well as associated case information for recovered stolen property shall be included in EoQ as this information will no longer be accessible once the want is cleared.

### *Incorrect EoQ Entry*

- If an item entered as *property* is deemed to be evidentiary, a Request for Data Change will be submitted in EoQ requesting the item be changed to *evidence*.
- If an item entered as *evidence* should have been *property*, a Request for Data Change will be submitted requesting the item be changed to *property*. This may require additional authorizations depending on the length of time elapsed and the Occurred Incident Type.

## **Property/Relinquished Firearms**

See [DL-1400-14 Weapons and Ammunition Evidence](#) for additional details on submission of property Firearms.

All firearms **require** a Case, Accident or Summons number, whether *evidence* or *property*.

Correct owner information, as well as all associated case information for a recovered stolen firearm will be included in EoQ. The officer will ensure all firearm accessories submitted also include correct owner information as these items are often submitted as separate items with different barcodes (mag, holsters, cases, etc.).

## **Bicycles**

Property and evidence bicycles will be placed in a bicycle rack at a division, the POC Annex, or taken directly to the Impound Facility. All bicycles must be entered into EoQ. A property or evidence tag will be attached to the bicycle and the barcode label affixed to the tag. All bicycles will be held at the Impound Facility unless there is a reason to store them in the evidence warehouse.

Bicycles that are significant evidence in serious crimes may, at the discretion of the submitting employee, be handled in the same manner as other large items of evidence and submitted in a locker at the Annex. Officers must notify the EU if a bicycle involved in a serious crime should be stored indoors long-term.

## **Lost and Found Items – Businesses**

CSPD occasionally receives inquiries about submitting lost-and-found items from various locations within the city (e.g., stores, library, transit, etc.). It is not feasible for the EU to take in and store lost-and-found from all over the city; however, in the interest of safety and identification and deterrence of criminal activity, some items may be appropriate for submission to the EU. Personnel contacted by a local business or entity in possession of lost-and-found property should use the following guidance to determine what should be accepted and how to properly submit.

### *Hazardous Items*

Items that can be safely disposed of by the citizen/business should **not** be submitted to the EU (e.g., vape pens, paint, batteries, fire extinguishers, etc.).

If disposal direction is needed, when no hazardous discharge to the environment has occurred or is imminent, CSPD personnel should instruct the owner to call the El Paso County Health Department, Environmental Protection Agency, or the State Health Department for advice on disposal. CSFD can also provide businesses with a list of remediation/disposal contractors.

CSPD will respond to anything we typically would for citizen safety. CSFD and/or CSPD should be notified per current directives to address any found hazardous items that cannot be readily disposed of or made safe by the citizen/business.

See [DL-1400-08 Hazards, Flammables and Liquids Evidence](#) for further information on what is accepted. Once acceptable items are made safe by the responding agency, they may be submitted for proper destruction.

Examples include but are not limited to:

- Suspected bombs/explosives: CSPD REU must be notified to make items safe.
- Suspected hazardous chemicals with no other readily available disposal method to the business:
  - Refer to current policy for submission of unknown chemicals.
  - VNI and/or HazMat should be contacted for anything more than a 100mL sample (suspected meth chemicals, large amounts of hazardous materials, etc.).
  - **NOT ACCEPTED:** Vape Pens, paint, batteries, fire extinguishers, propane tanks, etc. are not acceptable for submission to the EU as these can be properly disposed of by the business.

#### *Drugs*

- Pharmaceuticals may be disposed of by Persons at the semi-annual DEA national drug take-back events. If the individual is not comfortable keeping or disposing of them on their own, personnel may submit to the EU for proper disposal.
- Controlled substances: Personnel should collect and submit to the EU for proper disposal.
- See applicable directives regarding Safe Station drug disposal.
- Marijuana: Personnel should collect and submit to the EU for proper disposal per applicable directives.

#### *Identity Theft*

Items that may be related to criminal activity, or are susceptible to identity theft (e.g., DLs/IDs, credit cards, mail, etc.):

- Business can address on their own:
  - **DLs/IDs** – should be returned by the business to the Colorado Department of Revenue (DOR) at the Executive Director’s Office location (main office):
    - 1881 Pierce Street, Lakewood Colorado 80214
  - **Mail** – should be delivered by the business to any post office.

- **EU Submission:** The below items which can increase the risk of criminal activity if not disposed of properly may be submitted to the EU. CSOs may be available to research victim files prior to submission. Items identified as related to a crime should be submitted as *evidence* or *property* under the identified Case, Accident or Summons number. All items submitted as **evidence** require either a Case, Accident or Summons number. Items not considered evidentiary and/or not identified as related to a crime should be submitted as *property*.
  - **Purses/Wallets containing IDs/Credit Cards** – submit each purse/wallet as one item of property. All cards may be left in purse/wallet and submitted per current directives.
  - **Multiple Credit Cards** – In most instances, lost-and-found items have been held by the business for an extended time. Because of the difficulty in identifying ownership for credit cards, multiple credit cards may be submitted in one bag as one entry in EoQ. The name on each credit card should be documented in the comment section of EoQ (e.g., 25 credit cards belonging to: John Smith, Bob Jones, etc.). The comment section is a searchable field.
  - **Passports** – submit as property in the same manner as Credit Cards. They will be returned to the US Department of State by the EU.
  - **Mail** –non-evidentiary mail does not need to be submitted to the EU. Personnel can deliver mail to the Main P.O. located at 201 E Pikes Peak Ave. Instruct any Post Office supervisor to hold the mail for the US Postal Inspector if it was potentially used in criminal activity. Alternatively, officers can submit mail as one property item and the EU will transfer all to the Post Office.

### *Illegal Items*

Items that are illegal to possess should be submitted as *destruction* if they are not evidentiary (e.g., illegal knives, brass knuckles, narcotics paraphernalia, etc.) per directives for these items.

### *Airport Lost and Found*

See [AIRP-24 Airport Lost & Found](#) for guidance.

## **Release of Property**

The EU may release personal property to an owner without additional written authorization from the submitting officer. It is imperative that officers include all relevant owner and/or finder information in EoQ for all items submitted to allow return to the rightful owner. Generally, property items will be released to the owner listed in EoQ. If there is a question as to rightful ownership, submitting personnel will be contacted for further direction.

Personal property may be claimed by persons other than the owner (3<sup>rd</sup> party), upon presentation of a notarized letter or power of attorney authorizing the release of the property. Written authorization from the investigating officer may also be accepted to release property to someone other than the owner, as necessary. The evidence/impound supervisor/manager may accept/approve other documentation as authorization for 3<sup>rd</sup> party release that would convince a reasonable person it is legitimate.

If no owner is listed/identified, claimants must present evidence to convince a reasonable person they are the rightful owner of the property in question. Examples include receipts, photographs of the item, detailed descriptions, detailed information about the circumstances surrounding the loss/recovery, etc. Vehicles require different documentation requirements and are covered in impound facility SOPs.

Unclaimed property may be released to the finder in accordance with the Code of the city of Colorado Springs, Section 9.1.204. Unclaimed found weapons and digital devices will be disposed of or put to city use and will not be released to finder. On-duty city employees are not eligible to claim items found while on duty; however, they do have a duty to turn in found items.