



CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

EVIDENCE AND PROPERTY CONTROL

GENERAL ORDER: 07.02

CREATED: December 1, 2000

ISSUE DATE: October 28, 2020

CALEA STANDARD: 84.1.1, 84.1.2, 84.1.3, 84.1.5, 84.1.6

EFFECTIVE DATE: October 28, 2020

ACTION: Amends general order issued July 12, 2019.

07.02.0 PURPOSE

The purpose of this general order is to establish guidelines for the collection, storage, disbursement, and overall control of evidence and property that comes into the department's possession.

07.02.1 POLICY

It is the policy of the Concord Police Department to ensure that evidence and recovered property in its custody is properly secured, stored, readily retrievable, and that any changes in its custody have been properly documented.

07.02.2 DEFINITIONS

A. CHAIN OF CUSTODY

The custodial continuity of physical evidence, from the time of original collection to the final disposal that may be introduced in a judicial proceeding.

B. DIGITAL/ELECTRONIC EVIDENCE

Items that include, but not limited to personal computers, cell phones, CDs (Compact Discs), DVD (Digital Versatile Discs), external storage to include USB drives, SD cards, as well as tablets, digital cameras, tapes and other storage media.

C. EVIDENCE

Any item of property seized by a coworker that establishes that a crime has been committed, which may assist in the identification of a suspect and is intended for use in judicial proceedings.

D. EVIDENCE TECHNICIAN

Coworker accountable for controlling and maintaining all evidence accepted by, or stored in the department's evidence room.

E. FARADAY BAG

A small, windowless bag used to ensure that a mobile device remains isolated from any cellular/data connection.

F. FOUND PROPERTY

Property that has been abandoned or lost by its rightful owner.

G. INMATE PROPERTY

Personal property belonging to an arrestee that Cabarrus County Jail refuses to store. The property is not considered evidence and shall be stored by the Concord Police Department for safekeeping.

H. NARCOTICS

Items seized that are classified as controlled substances under the North Carolina Controlled Substances Act.

I. SAFE KEEPING

Property received or seized not deemed contraband (unlawful to possess) or evidence of a criminal offense, placed into storage until returned to the rightful owner.

J. VEHICLE

For the purposes of this general order a "vehicle" is, but not limited to cars, trucks, motorcycles, scooters, mopeds, golf carts, go carts, riding mowers and trailers.

07.02.3 **PROPERTY CONTROL SECTION**

The Property Control Section shall operate as a component of the Operations Bureau and under the direct oversight of the Criminal Investigations Division commander. The Forensics / Property Control Section sergeant shall be responsible for the day to day supervision of the section.

A. EVIDENCE TECHNICIANS

Civilian evidence technicians shall be responsible for:

1. Proper storage and preservation of evidence;
2. Maintaining documentation of chain of custody of items once they come into the possession of the Property Control Section;
3. Submission of evidentiary items for laboratory analysis;
4. Final disposition of evidence per North Carolina Statute;
5. Maintain and keep accurate records of all items in possession of the department;
6. Release and disposal of items in accordance to departmental policy and all applicable State and Federal laws;
7. Providing courtroom testimony as needed under subpoena;
8. Security of the evidence rooms, vaults and impounds;

9. Enter all property and evidence into the agency's computerized Records Management System (RMS) and PADtrax, barcode each item upon submission.

B. EVIDENCE / PROPERTY RECORDS

1. Evidence Technicians shall be responsible for ensuring that all items submitted to the Evidence and Property Control Section are recorded RMS / PADtrax.
2. Records systems shall be updated when any item within the custody of Evidence and Property Control is removed or returned to the property room, transferred to a different storage location, or sent outside of the agency for forensic processing or examination.
3. Evidence/Property records shall be retained for a minimum of one year following the disposition of the item(s) as mandated by The NC Municipal Records Retention and Disposition, unless otherwise dictated by general statute.

07.02.4 AUDITS AND INSPECTIONS

Audits and inventories shall be utilized as a means to ensure integrity and accountability of the Property Control Section.

A. AUDITS

1. An annual audit of the Evidence and Property Control section shall be conducted at the direction of the Chief of Police or designee. The audit shall include:
 - a. Audit of high liability evidence such as currency, precious metals and other valuables, firearms and drugs to ensure items have been properly logged and have not been misplaced, lost, or removed from evidence for an unreasonable length of time;
 - b. Examination of disposition files to ensure that all evidence/property, particularly currency and valuables, firearms and drugs have been disposed of properly within the guidelines of state statutes and department policy and procedures;

NOTE: The date and time of such audits shall not be announced in advance.

2. All documentation of the annual audit will be forwarded through the chain of command to the Chief of Police.
3. An error rate that exceeds four percent will require a full inventory of high risk items.
4. An audit shall occur upon the appointment of a new evidence technician, upon an evidence technician's transfer or termination, or as directed by the Chief of Police.

B. INSPECTIONS

1. The Forensics / Property Control Section sergeant shall conduct quarterly inspections to assess the section's compliance with department policy and procedures. The inspections shall be conducted to ensure that:
 - a. Evidence facilities are being maintained in a clean and orderly fashion;
 - b. Procedures, orders and directives concerning the Property Control Section are being followed;
 - c. Property is being protected from damage or deterioration;
 - d. Proper accountability procedures are being maintained.
2. Unannounced inspections of evidence storage areas shall be conducted at least one each calendar year and shall include random comparisons of records against physical property to ensure accuracy of records.

07.02.5 ACCESS AND SECURITY

A. HOURS OF OPERATION

1. The Property Control Section normal operating hours shall be 0800-1700 Monday through Friday. The section will close from 1200 - 1300 to allow for a lunch break.
2. Operating hours for property pick up, or other interactions with the general public, shall be 0900-1600 Monday through Friday, excluding 1200 - 1300.
3. Exceptions to these hours of operation may be made at the discretion of the Criminal Investigations Division captain, or Forensics / Property Control sergeant, as necessary to facilitate operational requirements or needs of the public.

B. KEY CONTROL/CARD ACCESS

1. Access to the Property Control Section shall be restricted to minimize any breach of security as well as to preserve the integrity of all items in storage and chain of custody.
2. Proxy card and hard key access to evidence storage areas shall be limited to evidence technicians, the Forensic / Property Control sergeant and the Chief of Police.
3. Circumstances that require the need for unauthorized personnel to access any secured area under the control of the Property Control Section (e.g. HVAC maintenance), the individual(s) shall be required to sign in and out on the Property Control Access Log (Form EV-1) and shall be accompanied by an evidence technician or the Forensic / Property Control sergeant at all times. All security logs shall remain on file for a minimum period of **five years**.

C. SECURITY

1. Coworkers with security authorization for the Property Control Section shall ensure that secured storage areas are locked and secured at all times.
2. At no time shall doors for any evidence storage area be left open or unsecured.
3. Pass through storage lockers shall remain secured except when evidence is being transferred out and into the custody of the Property Control Section.
4. Any security violations or deficiencies shall be reported to the Forensics / Property Control sergeant as soon as practicable.

07.02.6 EVIDENCE AND PROPERTY HANDLING PROCEDURES

- A. Coworkers collecting evidence, confiscated property, and found property are responsible for complying with all of the following procedures up to and including final disposition of property, except for the period during which an item is in storage.
- B. Once property is submitted and received, Property Control Section coworkers shall be responsible for the custody, control, and accountability of all evidence, confiscated property, and found property.

C. STORAGE AND SEIZURE

1. Seizure of all items shall be conducted in accordance with department policy and procedures, as well as state and federal law.
2. All items shall be safely kept in assigned and secured departmental storage areas.
 - a. All items of value, to include currency and jewelry shall be stored in the valuables vault, room L50.
 - b. All firearms shall be stored in the firearms vault, room L29.
 - c. All narcotics, to include counterfeit or suspected narcotics shall be stored in the narcotics vault.
 - d. Items not considered to be a firearm, narcotics, or of value may be stored in the general evidence room (L51), large evidence (L12) or impound bay (L04).
3. Under no circumstances shall a coworker retain any property in their possession beyond the end of their shift.

D. DOCUMENTATION AND PACKAGING

1. Coworkers shall accurately enter property information into the Records Management System via the Evidence Voucher Module. Information of all items submitted to the Property Control Section shall be thorough, precise and detailed to include make, model, serial number and caliber when applicable.

2. Incomplete or inaccurate documentation of items shall be referred to the coworker's supervisor for correction.

E. CURRENCY

1. All seized, confiscated, or found currency, including foreign and suspected counterfeit, shall be submitted to the Property Control Section.
2. All currency (domestic, foreign or counterfeit) shall be packaged separate from other items, preferably placed in sealable money evidence bags and broken down by denomination including a total amount.

NOTE: Should a sealable currency bag not be available, a regular sealable evidence bag shall suffice.

3. When packaging currency for submission to the Property Control Section, the following steps shall be followed:
 - a. Currency shall be packaged separately from other items. If currency is located within a wallet or purse, it shall be removed and packaged separately;
 - b. All currency shall be totaled by at least two officers using the department provided currency counter located in the "Bag and Tag" area. The currency counter will provide the officer a receipt. The receipt shall be placed into the currency bag with the money and sealed.
 - c. If currency is contaminated or is a biohazard, do not utilize the currency counter. The storing officers shall tally the currency in the safest manner possible and place a biohazard sticker on the outside of the package.

NOTE: During all incidents where currency is seized, coworkers directly involved shall activate their body worn cameras during the totaling process until the time where the storage bag is sealed and signed by all coworkers involved, regardless of amount. Recordings shall follow the guidelines set forth in general order 07.04 - Video Recording Equipment.

4. The completed voucher shall be printed, signed and placed within the evidence locker with the sealed package containing the currency.
5. If the currency is of evidentiary value, the officer shall indicate "Hold for Court" on the evidence voucher.
6. During regular operating hours, Property Control Section coworkers may be requested to assist with verification of currency amounts seized prior to submission.
7. No sealed currency bag shall be opened to confirm the amount unless at the direction of the Criminal Investigation Division captain, Operations Bureau commander or the Chief of Police.

8. Upon being logged into the department RMS and PadTrax systems, all currency, to include suspected counterfeit and foreign currency, shall be stored in the valuables vault, Room L50.
9. Department coworkers shall not make claim, or otherwise obtain, currency found by them and submitted to the property room.

F. FIREARMS

1. All firearms shall be unloaded when submitted to the Property Control Section. Only during extreme circumstances shall a loaded firearm be submitted.

NOTE: If a firearm is unable to be safely unloaded, the seizing coworker shall contact Property Control Section coworkers or the Forensic/ Property Control sergeant prior to storage.

2. All packages containing firearms shall not be sealed to allow Property Control Section coworkers to confirm the weapon is not loaded.
3. Make, model, serial number, and caliber of the firearm shall be indicated on the P/E Voucher.
4. All pertinent DCI/NCIC paperwork shall be included if the firearm has been reported stolen prior to recovery.
5. Any recovered firearm not directly linked to an investigation shall be entered into NCIC as a recovered firearm.
6. Upon being logged into the department RMS and PadTrax systems, all firearms shall be stored in the firearms vault, Room L29.

G. FOUND PROPERTY

1. Coworkers collecting found property shall make a reasonable effort to locate the owner of the item(s) prior to submission into the Property Control Section
2. If ownership determination is unsuccessful, the coworker shall submit the found item into the Property Control Section by the end of their shift.

H. HAZARDOUS MATERIALS

1. The only items that may be considered for storage are pyrotechnics, natural gas (propane), butane gas, or kerosene.
2. Fireworks may be stored in the main property room and shall clearly be labeled as such.
3. Items containing liquid gasoline, butane gas, natural gas (propane), or other flammable substances shall not be stored inside of any area within the department. If the need arises for liquid gasoline to be collected for evidentiary purposes, the seizing coworker shall contact the Forensic / Property Control sergeant as soon as practicable.

I. NARCOTICS

1. Narcotics and other controlled substances, with the exception of marijuana plants, shall be counted and weighed by the submitting coworker, if this process can be done safely, prior to submission. With the exception of marijuana plants, narcotics shall be placed in proper tamper proof evidence bags and sealed.
2. Narcotics seized from different subjects or locations shall be packaged and submitted in separate packaging.
3. Due to residual moisture, fresh cut marijuana plants, leaves, stems, and/or seeds shall be packaged in breathable materials (e.g. manila envelope, paper bag or brown box) with identifiable information attached to packaging.
4. A North Carolina Department of Revenue Report of Arrest and/or Seizure Involving Non-tax paid (Unstamped) Controlled Substances (Form BD-4) must be completed if an arrest and/or seizure involving one or more of the following quantities of a non-tax paid (unstamped) controlled substance occurs:
 - a. Suspected Marijuana in an amount that exceeds 42.5 grams;
 - b. Seven grams or more of any other controlled substance that is sold by weight;
 - c. Ten or more dosage units of any other controlled substance that is not sold by weight.
5. BD-4 forms can be located on the department shared drive or intranet page.
6. Upon being logged into the department RMS and PadTrax systems, all narcotics, to include counterfeit or suspected narcotics shall be stored in the narcotics vault.

J. PERISHABLES

1. Perishables, such as food items, shall not be submitted into evidence.
2. A pass through refrigerator is available within the department's bag and tag area to property secure perishable items such as blood kits and urine specimens.
3. Such items are to be clearly marked as a biohazard prior to being stored.

K. SYRINGES/NEEDLES

Syringes/needles shall be placed in a puncture-resistant container when being collected for evidentiary or disposal purposes. The submission of syringes/needles as evidence shall be limited to those cases wherein the items are clearly needed for its evidentiary value in an investigation.

L. VEHICLES / TRAILERS

Vehicles shall only be towed to and stored at the department if forensic processing is necessary and has been approved by a supervisor. Otherwise the vehicle shall be towed and stored by a rotation wrecker service.

07.02.7 DIGITAL/ELECTRONIC EVIDENCE

Digital/electronic evidence collected as part of an investigation may contain vital evidence and shall be examined by a trained Forensic Examiner. Coworkers shall use caution when seizing digital/electronic devices as improperly accessing data stored on electronic devices may violate federal and/or state laws. Computer data and other digital evidence are fragile and can easily be altered.

Coworkers not properly trained in the handling of electronic evidence shall contact department personnel authorized to process digital devices through their chain of command for assistance related to the recovery of any computer / electronic evidence.

A. FIRST RESPONDER RESPONSIBILITIES AND PRECAUTIONS

1. Coworkers shall ensure that no unauthorized person(s) have access to any electronic devices seized as part of a criminal investigation, and shall refuse all offers of help or technical assistance from any unauthorized persons.
2. Coworkers shall ensure that the condition of any electronic device is not altered.
3. Coworkers shall leave a computer or electronic device off if it is already turned off. Coworkers shall photograph computer screens if the computer is already on. Coworkers shall not attempt to access any computer files if the computer is on.
4. Coworkers shall document the scene prior to securing electronic evidence and have photographs taken as necessary. Coworkers shall document the entire location, including the type, location, and position of computers, their components and peripheral equipment, and other electronic devices.

B. COLLECTION OF DIGITAL/ELECTRONIC EVIDENCE

1. Coworkers shall ensure that all digital evidence is documented and photographed (if necessary) before it is packaged and inventoried.
2. Coworkers shall package all digital evidence in antistatic packaging (e.g. paper bags, envelopes, cardboard boxes, and antistatic containers). These containers shall be left UNSEALED. Plastic materials (i.e. Ziploc bags) shall not be used when collecting and storing digital evidence.
3. Coworkers shall ensure all digital/electronic evidence is packaged in a manner that shall prevent it from being bent, scratched, or otherwise deformed.
4. Coworkers shall remove the power source from electronic devices that are in an "on" state.
 - a. Desktop computers shall have the power cord pulled from the back of the computer. Laptops and mobile computers shall also have the battery removed and then the power cords removed (if applicable).
 - b. Cell phones shall be placed into "airplane mode" prior to removing the battery.

NOTE: If a cell phone or device capable of receiving a cellular data connection cannot be disconnected from the cellular network by either placing the phone into "airplane mode" or by removing

the power source, then a Faraday bag shall be used. If a Faraday bag is used, Coworkers shall notify a member of the Criminal Investigations Division responsible for electronic evidence.

5. Coworkers shall collect all power supplies and adapters for all digital/electronic devices being seized.

C. SUBMISSION FOR ANALYSIS

1. Digital/electronic evidence requiring analysis shall be submitted to Property Control Section. Requests for service shall include the following:
 - a. Coworkers shall complete the Forensic Examination Requests (Form EV-2) located on the Intranet;
 - b. A copy of the evidence voucher listing the item number and OCA;
 - c. Paperwork authorizing the search of the device (i.e. search Warrant, consent to search form, court order).
 - d. The completed Forensic Examination Request (EV-2) shall be forwarded to a Forensics / Evidence sergeant for assignment.

D. ANALYSIS OF DIGITAL/ELECTRONIC EVIDENCE

Analysis of digital/electronic evidence shall only be conducted by coworkers trained in the respective area of expertise. No coworker shall use any method of evidence extraction that they are not properly trained to use.

07.02.8 PROPERTY INTAKE

- A. Property collected during both regular operating hours and after hours, shall be logged and stored in the evidence storage lockers located in the "Bag and Tag" area at police headquarters or within lockers located at the David District office.
- B. Coworkers placing items into evidence storage lockers shall make the appropriate entry into the evidence log book. Log book entries shall contain the locker number, case number, coworker's name, date, and time of storage.
- C. Items such as blood kits and DWI blood kits shall be secured in the refrigerated lockers located in "Bag and Tag" area at police headquarters. Log book entry shall be required for items placed into a refrigerated locker.
- D. Evidence lockers shall remain locked until items submitted into evidence are removed and then unlocked by a Property Control Section coworkers or the Forensics / Property Control sergeant.
- E. Items too large for storage in an evidence locker (e.g. televisions, bicycles, large tools) shall be stored in the "Bag and Tag" area. A tag shall be affixed to the item containing the item number, case number, date and time of seizure and seizing coworker's name. The associated evidence voucher shall also be attached.

- F. If all evidence lockers and/or refrigerated lockers become full, coworkers shall inform the watch commander who shall contact the Forensics / Property Control sergeant.
- G. Once property is considered received, a Property Control Section Coworker shall:
 - 1. Verify the item(s) submitted with the information on the voucher to ensure the accuracy of the description, type and amount of property;
 - 2. Initial and date the entry in the evidence log;
 - 3. Assign storage for the item(s) via RMS and print chain of custody forms and corresponding bar codes to be affixed to the item(s) packaging;
 - 4. Maintain chain of custody form and location updates in RMS documenting all activity associated with each item from the time of storage to final disposition;
 - 5. Ensure proper routing of lab test results and other relevant paperwork involving departmental personnel.
- H. RIGHT OF REFUSAL
 - 1. Property that is not properly packaged, sealed, or documented may be refused by the Property Control Section. Property found to be unsuitable for acceptance shall remain in an evidence locker until the storing coworker is available to make the necessary changes.
 - 2. The submitting coworker shall be notified of the issue pertaining to the item not being accepted into evidence.
 - 3. Property shall not be considered received until removal from an evidence locker and assigned storage within the evidence room.

07.02.9 REMOVAL OF PROPERTY

- A. Coworkers may remove property from the Property Control Section for court or other investigative purposes. Coworkers shall be required to sign the necessary chain of custody report associated with the item and the purpose for the removal.
- B. Unless hindered by size, coworkers are responsible for retrieving property for court proceedings.
- C. The coworker removing property from the Property Control Section shall be the one responsible for returning the property to storage.
- D. Upon removing property, the coworker assumes responsibility for maintaining the security and integrity of the property.
- E. In the event property is submitted as evidence and retained by the clerk of court during a judicial proceeding, the coworker shall provide a signed receipt from the clerk to the Property Control Section. The receipt shall be submitted to the Property Control Section at the end of that day's judicial proceedings.
- F. Upon returning property to the Property Control Section:

1. The coworker shall place property in an evidence locker located in the "Bag and Tag" area of police headquarters;
2. The coworker shall make the appropriate entry into the evidence log book;

NOTE: The coworker shall not complete another evidence submission voucher.

3. During normal operating hours, the coworker shall meet with a Property Control Section coworker to complete the appropriate annotations for chain of custody.

07.02.10 DISPOSITION

Disposition of all property shall be in accordance with state statutes and orders of the court issued pursuant to these statutes.

- A. Coworkers have the responsibility of obtaining legal authorization for disposal of the property submitted in their cases. A Court Order takes precedence over any other authorization.
 1. Property seized as part of an arrest, coworkers are responsible for requesting court dispositions on item(s) seized upon the completion of court proceedings. Court dispositions shall take precedence over any other authorization.
 2. In cases that do not reach judicial authority, the coworker may authorize disposition of property with the approval of the Property Control Section and in accordance with state and federal law.
 3. Coworkers shall keep their property file updated. Coworkers shall routinely review their file and dispose of items that have no further value and check the status of evidence where the disposition is unknown.
 4. When a coworker is no longer employed with the Concord Police Department, it shall be the responsibility of the Forensics / Property Control sergeant to determine the necessity for retention.

07.02.11 RELEASE AND DISPOSAL

- A. North Carolina Statutes, court orders, and/or department policy shall govern the release and disposal of property.
- B. During the destruction of narcotics/controlled substances, a combination of two Concord Police coworkers shall be present to witness the process and make an accurate record of the destruction. The combination will be of either evidence technician, Forensic / Property sergeant, Criminal Investigations captain or bureau commander.
- C. Individuals claiming ownership of property in the possession of the Concord Police Department must present proper identification prior to any property release. Until ownership is verified, the property in question shall not be released.
- D. Prior to the release or destruction of property written authorization must be on file for property release/destruction, executed by:

1. The submitting coworkers;
 2. The case officer;
 3. The district attorney or an assistant district attorney;
 4. An order issued by a court of competent jurisdiction.
- E. Found or recovered property to be released without the seizing coworker present, the following must be documented on the chain of custody form:
1. The number of the item which may be released;
 2. The name of individual who the item may be released to (e.g. "release to John Smith);
 3. Special conditions of the release (e.g. "release with proof of ownership").
- F. All serial numbers shall be verified on property before releasing any item.
- G. Unless otherwise directed by a court of competent jurisdiction:
1. Property of no evidentiary value and unlawful items shall be destroyed as soon as practicable upon receipt of coworker's signature;
 2. Property with no evidentiary value shall be returned to the rightful owner, if known, as soon as practicable upon receipt of submitting coworker's signature;
 3. Property of value for which rightful ownership cannot be established shall be held for a period mandated by NCGS 15-12 (180 days) and shall then be sold at public auction with the profits of the sales going to the Cabarrus County School System.
- H. All firearm returns, including those seized for safekeeping, shall be forwarded through the chain of command for authorization by the Chief of Police.
1. Prior to submitting firearm return requests through the chain of command, the Property Control Section shall:
 - a. Obtain DCI/NCIC and AOC criminal histories to determine if the requesting individual is authorized to legally possess a firearm in accordance with state law;
 - b. Review RMS for instances involving involuntary commitment to a mental institution of the individual requesting the return of the firearm;
 - c. Obtain proof of ownership of the firearm. This may be in the form of a receipt or the result of an E-trace inquiry through the ATF.
 - d. Draft a memo summarizing the details of the seizure, based on narratives from incident reports and/or evidence submission vouchers, and a summary of the results of the criminal history response, proof of ownership, and any pertinent information discovered in RMS.

I. PERIODIC DISPOSAL

1. Property obtained through the course of a felony investigation shall remain in the possession of the Property Control Section indefinitely or until the case is unfounded or disposed of by prosecution at the mandate of court order.
2. Found contraband (e.g. alcoholic beverages and controlled substances) where no arrest has been or can be made shall be disposed.

J. UNCLAIMED PROPERTY

1. Unclaimed property that has been found, recovered, or otherwise received, shall be disposed of according to NCGS 15-12 through 15-16, to include:

- a. Waiting period of at least 180 days (60 days for bicycles) from the date of receipt.
- b. Notice of Unclaimed Property

After 180-days a notice of unclaimed property shall be advertised in a newspaper published within Cabarrus County containing:

- i. A brief description of the property;
 - ii. Specify that the property is in the custody of the Concord Police Department;
 - iii. Indicate that any person who may have or claim any interest in the property must report that claim to the department within 30 days of the publication of the notice;
 - iv. Statement that any unclaimed property shall be sold or otherwise disposed.
- c. Notice of Sale

In addition to the notice of unclaimed property, the department shall advertise and post the sale of unclaimed property. This may be combined with the notice of unclaimed property. The notice of sale must:

- i. Be advertised at least one time in a newspaper published in the county;
- ii. Be posted at the courthouse;
- iii. Be posted at three other public places in the county;
- iv. Be posted at least 10 days prior to the sale;
- v. Specify the time and place of the sale;
- vi. Contain a sufficient description of the property to be sold;

d. Sale of Property

If property remains unclaimed for 30 days after both notices of unclaimed property and sale have been properly published, the property may then be sold at public auction.

e. Bicycles

May be donated to a charitable organization exempt under section 501(c)(3) of the Internal Revenue Code or sold at public auction. This shall be stated in the notice of unclaimed property.

f. Proceeds of Sale

The proceeds from the sale shall pay the costs and expenses of the sale and the remaining balance is to be paid to the Cabarrus County School System.

g. On duty police department personnel are not considered "finders" and may not stake claim to items found while on duty.

2. Inmate Property collected shall be submitted with an Inmate Property Storage Release (Form EV-3) which shall be available on the department's intranet page. Inmate Property submitted for safekeeping shall be kept for a minimum of thirty (30) days then disposed of, with the following exceptions:

a. Inmate currency shall be packaged and submitted as required by General Order 07.02.6. Inmate currency shall be disposed of via court order.

b. Inmate firearms shall be packaged and submitted as required in section 07.02.6. Inmate firearms shall be disposed of via court order or returned to the rightful owner at the approval of the Chief of Police.

07.02.12 PROCESSING AND ANALYSIS

A. PROCESSING REQUESTS

1. Evidence requiring laboratory analysis for processing shall be handled to avoid contamination.
2. The submitting coworker shall complete the voucher in RMS and indicate their desire for the property to be processed, and the type of processing in the notes field.
3. A copy of the voucher requesting forensic processing shall be forwarded to the Forensics / Property Control sergeant.
4. Processing that cannot be performed by department personnel shall be submitted to the State Crime Lab.

B. PROCESSING RESULTS

1. Results for items processed shall be forwarded to the requesting coworker and their supervising Captain via email. A copy of the processing report shall be attached to the incident report in the RMS system.
2. Results for items processed by the North Carolina State Crime Lab shall be forwarded to the requesting coworker via email. A copy of the processing report from the State Crime Lab shall also be attached to the item in the evidence module of the department's RMS system.

07.02.13 PROJECT LAZARUS DRUG BOX

It shall be the policy of the Concord Police Department to provide citizens with a safe, environmentally responsible way to dispose of unwanted and unused over the counter and prescription medications.

- A. A secured drug collection receptacle, or "Drop Box", shall be maintained by the Concord Police Department in a public location for citizens to deposit unwanted or unused over the counter and prescription medications.
- B. DRUG COLLECTION PROCEDURES
 1. The Drop Box shall only be utilized by private citizens. The department shall not accept prescription drugs from commercial entities for destruction.
 2. Unwanted, unused and expired medications brought in by citizens shall be deposited into the drug collection receptacle located in the lobby of the Concord Police Department.
 3. Citizens turning in medications shall remain anonymous.
- C. DISPOSAL PROCEDURES
 1. The Concord Police Department shall possess three keys to the Drop Box. The Criminal Investigations Division captain shall possess a key, with the remaining two keys remaining in the possession of the Chief of Police.
 2. The Drop Box shall be checked at least two times each month, unless it becomes apparent that it has been filled to capacity.
 3. When the Drop Box is being emptied of its contents, a least two people shall be present to include the key holder and personnel from Property Control Section.
 4. During collection, the contents shall be placed into an appropriate container and then weighed to establish a gross weight.
 5. Restricted items located during collection (e.g. needles, thermometers, aerosol containers, etc.) shall be collected and disposed of in an appropriate manner.
 6. After collection, items contained in plastic, glass bottles, or other materials that could damage the department's destruction device shall be emptied. Such containers shall then be disposed of in a proper manner. Any personal information on containers shall be removed or otherwise made illegible.

7. The container holding the medications for disposal shall be weighed, sealed and placed into secure storage until destruction.
8. Destruction of collected medications shall be done conducted a reasonable amount of time. Frequency of the destruction shall be based on the volume of material left in the department's possession and the amount of space available for storage. In no case shall the department retain such property for more than six months.
9. The Property Control Section shall maintain a log that shall include:
 - a) Dates of collection;
 - b) Coworkers present during collection;
 - c) Gross weight of contents removed;
 - d) Net weight of contents to be destroyed after all packaging has been emptied;
 - e) Date of destruction.
10. Following each collection, a report shall be submitted to the Chief of Police summarizing the information. After review of the report by the Chief of Police, a copy shall be forwarded to the Cabarrus Health Alliance for statistical purposes.



GARY J. GACEK
CHIEF OF POLICE