



## MAINE STATE POLICE GENERAL ORDER

**E-84**

**SUBJECT:** MAINE STATE POLICE POLICY REGARDING ISSUANCE OF PROPERTY RECEIPT FORMS AND COMPLETION OF PROPERTY RELEASE FORMS

**EFFECTIVE DATE:** 07.27.2021

**EXPIRATION DATE:** 07.27.2028

**RECENT HISTORY:** AMENDED (07.27.2021); AMENDED (08.01.2020); REVISED (03.10.2014); TECHNICAL CHANGE (10.04.2011); CONVERTED TO WEB FORMAT (01.07.2009); FORMERLY GO 107

**DISTRIBUTION CODE:** 2 (MAY BE DISCLOSED PUBLICLY)

**APPLICABILITY CODE:** C, S, Z

**MLEAP:** 12.06

**SIGNATURE OF COLONEL:**

### I. PURPOSE

1. The purpose of this General Order is to establish the requirement:
  - A. For the completion and issuance of a copy of a Property Receipt Form for any property that is taken into custody from any person by an employee of the Maine State Police; and
  - B. For the completion of a Property Release Form when property that by law can be returned to the owner of the property is returned to her or him.

### II. POLICY

1. The policy of the Maine State Police is for its employees:
  - A. To complete and issue a copy of a Property Receipt Form for any property that is taken into custody from any person by an employee of the Maine State Police; and
  - B. To complete a Property Release Form when property that by law can be returned to the owner of the property is returned to her or him.

### **III. DEFINITIONS**

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
  - A. Property. "Property" means a tangible item, including, but not limited to:
    1. Evidence;
    2. Contraband;
    3. Abandoned, lost, or stolen items;
    4. Items seized during a search;
    5. Currency.

### **IV. PROCEDURE**

1. ISSUANCE OF PROPERTY RECEIPT FORMS **MLEAP 12.06**
  - A. A Maine State Police employee who takes custody of property from a person shall complete and issue a copy of a Property Receipt Form to that person.
  - B. The Property Receipt Form must include a reasonably detailed description of the property, including, but not limited to, and as applicable and available:
    1. The name of the manufacturer of the property;
    2. The model number of the property;
    3. The serial number of the property;
    4. The amount of currency received;
    5. A description of any unique identifying marks on the property.
  - C. The original version of the Property Receipt Form must be retained by the Maine State Police.
  - D. Multiple properties may be included in one Property Receipt Form.
2. COMPLETION OF PROPERTY RELEASE FORMS **MLEAP 12.06**

- A. Except as expressly provided by any other Maine State Police General Order, property that has been taken into the custody of the Maine State Police may be released to the owner of the property only if –
1. The person **EITHER** furnishes a copy of a Maine State Police-issued Property Receipt Form for the property **OR** reasonably identifies/describes the property of which the person is claiming ownership;
  2. A Property Release Form pertaining to the property is completed and signed by the person **AND** he or she has provided reasonable proof of her or his identity, such as by producing a driver's license or identification card for inspection;
  3. The property by law can be returned to the person; and
  4. The release the property will not compromise an ongoing investigation or pending criminal prosecution.
- B. The completed and signed Property Release Form (or a scanned copy thereof) must be retained by the Maine State Police for at least seven (7) years.

## ATTACHMENTS



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### NOTICE

**THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.**