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1. GENERAL INFORMATION

- A. Evidence items will be retained by the Property Management Unit (PMU) until the case has been adjudicated in a court of law, or until it is released by the responsible investigative detail or the property purge team of PMU.
 - The responsible investigative detail will abide by the provisions of [Arizona Revised Statute \(ARS\) 13-4429](#) concerning the return of victim's property; release of evidence.
- B. The case detective must generate an "Authorize Release" in the records management system (RMS) Evidence module for items impounded as Evidence before PMU can release the items to citizens.
- C. Items impounded as Found, Prisoner Property, or Safekeeping will be returned immediately to the rightful owner/authorized person upon claim with proper identification; examples of proper identification are:
 - Valid driver license
 - Government or state-issued identification card
 - Military identification card
 - Passport


2. DISPOSITION OF IMPOUNDED EVIDENCE ITEMS

- A. The assigned case detective is responsible for:
 - The disposition of impounded Evidence items ("Authorize Release or Destroy").
 - Ensuring the owner/responsible party (if known) is notified of the availability of the items.

NOTE: In the detective's absence, their supervisor will be responsible for the above responsibilities.

B. Impounded Evidence Items Belonging to a Known Owner/Responsible Party

- (1) When impounded Evidence items are no longer needed and the owner **can** be determined, the assigned case detective will enter an "Authorize Release" for each item to be released in the RMS Evidence module.
 - Select "R" (Available for Release) for the "Disposition Type" under the "Authorize Release" tab.
- (2) The assigned case detective will also enter the name and address (if known) of the rightful owner, with the involvement code of "RT" (Release To), under the "Names" tab.
 - (a) A letter to the owner will be automatically generated and sent to the name and address as entered by the case detective.
 - If the owner's address is not known, the case detective is responsible for notifying the owner (by phone, email, etc.) of the availability of the items.
 - (b) An agent/responsible party of the rightful owner must have a signed, notarized letter from the owner, in order to retrieve the property.
- (3) **Pre-PACE:** If an item to be released was impounded pre-PACE, complete and sign a Release Authorization Form 80-14D or a Property Disposition Authorization Form 80-14DA.


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2. C. Impounded Items with an Unknown Owner

- When impounded items are no longer needed and the owner **cannot** be determined, the assigned case detective will enter an “Authorize Release” for each item to be released in the RMS Evidence module.
 - * If the item is not contraband select “R”; otherwise, select “S” (To be Destroyed) for the “Disposition Type” under the “Authorize Release” tab.

D. Disposal of Large Drug Seizures

- (1) [ARS 13-3413.D](#) allows for the destruction of drug seizures in excess of 10 pounds of marijuana, or one (1) pound of other illegal drugs, such as narcotics or dangerous drugs.
- (2) When seizures are made in excess of those amounts, the Drug Enforcement Bureau (DEB) will be contacted for assistance.
 - (a) The DEB detective will complete the [Notice of Destruction Form 80-558D](#) and deliver it to the suspect/s at the time of seizure and/or arrest.
 - (b) One copy of the form will be given to each suspect, whether or not they are booked.
 - If this is not possible, a reasonable attempt will be made to deliver the form to the suspect’s attorney.
 - (c) A copy of the form will be sent to the DEB case detective, who will ensure the form is impounded as evidence.
 - (d) The DEB case detective will send a copy to PMU and attach a copy to the related paperwork for the prosecuting attorney.
- (3) The DEB case detective will ensure the following occurs prior to the destruction of any drugs:
 - (a) The evidence will be photographed and weighed in its original condition.
 - Photographs will be processed/stored as outlined in [Operations Order 5.8.05, Photographs and Audio/Video Procedures](#)
 - (b) Employees from the Laboratory Services Bureau (LSB) will remove core samples from each individual package, and they will be retained as evidence and scientific analysis.
 - In cases over 100 pounds of marijuana, LSB or trained Bale Buddies detectives will conduct the coring process at PMU.
 - (c) If there are numerous packages involved, one of the original packages will be retained to demonstrate how the drugs were packaged.
 - (d) If there is only one package involved, the entire package will be retained as an example of drug packaging.
- (4) After 30 calendar days has elapsed, the excess drugs will be available for destruction.
- (5) The DEB case detective will enter an “Authorize Release” by selecting “S” for the “Disposition Type” under the “Authorize Release” tab in the RMS Evidence module.

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3. E. Impounded Items Contingent on Records Disposition and/or Case Status Codes

- (1) Case detectives will immediately enter an "Authorize Release" in the RMS Evidence module for impounded items in cases with the following Records Dispositions and/or Case Status codes (follow the procedures as outlined in section 2 of this order):
 - Closed – Cleared (when not needed as aides to prosecution)
 - Closed – Victim Refused/Declined
 - Turndown (with no option for re-submittal and when not needed as aides to prosecution)
 - Cases with an authorized release form issued by the Maricopa County Attorney Office (MCAO) or the City Prosecutor
- (2) Detectives can retain impounded items in any of the above situations with the review and approval of a supervisor.
- (3) Detectives will re-review cases involving impounded items with a Records Disposition code of "Reviewed-Limited Info for Prosecution" (RL) and a Case Status code of "Closed - All Leads Exhausted" (CL).
 - Any items 90 days old and no longer needed, will have an "R" selected for the "Disposition Type" under the "Authorize Release" tab of the RMS Evidence module.
- (4) Items seized from pawnshops and/or secondhand dealers will be handled as outlined in the Property Crimes Bureau (PCB) manual.
- (5) Refer to Operations Order [5.8.09, Release/Disposition of Items from Impound](#) for the statute of limitations, as outlined in [ARS 13-107](#), and more information for releasing impounded Evidence items.
- (6) Refer to the appropriate bureau manual for further impounding procedures on all cases.

4. **EVIDENCE NEEDED FOR COURT OR OTHER REASONS**


A. Employees who are required to obtain Evidence from PMU for court or other reasons: for example, needed for scientific analysis by the Department of Public Safety (DPS) Crime Lab, an internal investigation, or processing and entry in the National Integrated Ballistic Information Network (NIBIN) database, will:

- (1) Present their Department identification card and/or commission card.
- (2) Ensure the Officer Transfer form only lists the item/s received.
- (3) Sign and place their right index fingerprint on the Officer Transfer form.
- (4) If the Evidence is needed for court, bring a copy of the court order/subpoena.
- (5) If the Evidence is needed for "other reasons", see section 4.C of this order for additional information.

NOTE: PMU will only release Evidence to employees who are required to impound Evidence as part of their duties.

B. Evidence Needed for Court


- (1) Introduce the item/s into court as Evidence and notify PMU when the court has taken possession of the item/s by completing a Property Receipt Tag Form 80-520.
- (2) The Property Receipt Tag will be completed and the top portion given to the court clerk who retains the item/s.

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4. B. (3) The clerk will note on the Property Receipt Tag which items were kept, and the bottom portion of the tag (with the clerk's signature) will be returned to PMU with any items not kept by the court.
- (4) If all items are retained, this will be noted on the bottom portion of the Property Receipt Tag.
- (5) The completed, signed bottom portion of the Property Receipt Tag will be returned to PMU in person, through inter-Department mail, or left in a locker at the bureau/precinct within three working days.
 - If inter-Department mail is used, the envelope will be addressed to PMU Attention: Property Technician.
- (6) Evidence signed out for court purposes and not retained by the court **will be** re-impounded **the same day**.
 - (a) Evidence needed for court the next morning will be impounded at the Night Impound Room, located at 100 East Elwood, lockers 1 through 10.
 - The items will be available for release at 6 a.m. the next business day.
 - (b) Evidence not needed for court the next morning may be impounded at:
 - Prior to 5 p.m., the Main Property Room located at 100 East Elwood, and handed directly to a property technician.
 - After 5 p.m., the Night Impound Room located at 100 East Elwood.
 - Any precinct or the PMU Annex, located at 621 West Washington, at any time.

NOTE: Large items will only be impounded at the Night Impound Room.
 - (c) The impounding employee will sign their name on the copy of the Officer Transfer form provided to the employee when the items were initially checked out from PMU.
 - (d) The sealed evidence and signed Officer Transfer form will either be placed together in a locker and the information entered on the Key Sign Out/Evidence Retrieval Log Form 80-527D, or handed to a property technician (if available).
- C. Evidence Needed for Other than Court - Employees who remove Evidence from PMU for reasons other than a court order/subpoena will be responsible for the return of that property within fifteen days from the date it was removed from PMU.
 - (1) If the employee is the case detective or assigned to the Arizona Counter Terrorism Information Center (ACTIC), Crime Gun Intelligence Unit (CGIU), Forensic Imaging Unit (FIU), or LSB, the employee will be required to follow the procedures as outlined in section 4.A of this order.
 - (2) If the employee is not the case detective, but is assigned to DEB, the Professional Standards Bureau (PSB), Repeat Offender Program (ROP), Special Investigations Detail (SID), or Vehicular Crimes Unit (VCU), **prior** to obtaining the Evidence following the procedures as outlined in section 4.A of this order, the employee must:
 - Send an email to PMUOfficersCounter.PPD@phoenix.gov explaining why the Evidence is being accessed and ensure his/her immediate supervisor and the case detective are "cc'd" (carbon copied) on the email.

NOTE: If the request is the result of an investigation which could be compromised by emailing the above mentioned parties, the PMU lieutenant may be contacted to authorize the release of the Evidence.

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4. C. (3) If the employee requesting access is not the case detective or assigned to one of the bureaus/units listed in section 4.C.(2) of this order, then one of the below options may be utilized to access Evidence **prior** to obtaining the Evidence following the procedures as outlined in section 4.A of this order:

- (a) An email explaining why the Evidence is being accessed must be sent to PMUOfficersCounter.PPD@phoenix.gov from the requesting employee's supervisor ensuring the case detective is "cc'd" on the email.
- (b) An email explaining why the Evidence is being accessed must be sent to PMUOfficersCounter.PPD@phoenix.gov from the case detective ensuring the requesting employee's supervisor is "cc'd" on the email.

NOTE: Prior to sending the email, the case detective must add the employee requesting access, to the RMS Case Management module, "Access Grantees" tab.

- (4) All emails should include the Incident Report (IR) number in the "Subject" line, and in the body of the email, an explanation explaining why the Evidence is being accessed and a general description of the type of Evidence being accessed.

NOTE: The email will be attached to the Officer Transfer form and retained in accordance with the current retention policy for the Officer Transfer form.

5. **FIELD RELEASE OF PROPERTY**

- A. When an officer finds any property or a citizen turns in any property, an attempt should be made to locate the rightful owner.

- (1) If the rightful owner is located, the property will be returned to the owner following the procedures below:


- (a) If an IR **is** involved, the officer will complete an Incident Supplement listing the property as *Recovered* in the "Action" drop-down box of the Property section.
 - If an IR is not involved, officers should complete an IR/Field Interview (FI) listing the item/s in the Property section and ensuring the appropriate "Action" is selected from the drop-down box.
- (b) The PDF copy of the Property section will be printed (the draft is acceptable) and the officer will then obtain the citizen's signature on the reverse side to indicate receipt of the property by the citizen.
- (c) The signed Property section will be scanned and attached as a "Document" to the IR/Incident Supplement/FI.

- (2) If the owner cannot be located, an IR/Incident Supplement/FI should be completed listing the item/s as *Found* in the "Action" drop-down box of the **Evidence** section, and the items impounded.

- (a) If the finder is a citizen, officers will advise the citizen the item/s will be held at PMU for 30 days and, if unclaimed, the legal process for disposing of the item/s will begin.

NOTE: [Phoenix City Code 2-312](#) prohibits City employees from claiming or purchasing found property.

- (b) Officers will ensure the finder's complete name, address, and phone number are listed in the Other Person section of the IR/FI.

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5. A. (2) (b) (Continued)

NOTE: A finder cannot claim the following items:

- Credit cards
- Contraband
- Food and beverages
- Prohibited weapons (illegal firearms, nunchuks, etc.)
- Medicines and cosmetics
- Obscene materials
- Personal identification papers

(c) Officers will advise finders they will be notified by mail as to when they may pick up the unclaimed item/s and the notification process may take 90 to 120 days.

- Finders requesting information regarding impounded property will be referred to PMU.

7. **SEARCH WARRANT EVIDENCE** - In accordance with [ARS13-3920](#), property taken on a search warrant cannot be returned to the rightful owner until the magistrate who issued the search warrant orders the property to be released.

A. Once impounded items from a search warrant are no longer needed, the case detective will obtain such an order so the property may be returned to the rightful owner as expeditiously as possible, by following the below procedures:

- (1) Two copies of a Request for Release of Seized Property Form 80-387D will be completed and submitted to the magistrate who issued the search warrant.
 - The magistrate will sign both copies, retain one copy, and return the other copy to the requesting officer/case detective.
 - To comply with [ARS 13-3941](#), the signed copy will be scanned and inserted into the RMS Evidence module using the “Doc” (document) viewer.
- (2) The requesting officer/case detective will then enter an “Authorize Release” for the items following the procedures as outlined in section 2.B of this order.

8. **VEHICLES**

A. Vehicles impounded at 100 East Elwood will be released through PMU after the case detective has entered an “Authorize Release” following the procedures as outlined in section 2.B of this order.


B. Vehicles are released by **appointment only**.

9. **SHIPMENT OF RECOVERED STOLEN PROPERTY FROM OTHER JURISDICTIONS (FOJ)**


A. PMU will be responsible for shipping all recovered stolen property to other jurisdictions and owners outside the Phoenix metropolitan area.

B. Case detectives who wish to have recovered stolen property returned to other law enforcement agencies will enter an “Authorize Release” by selecting “R” for the “Disposition Type” and completing the “FOJ Information” section within the “Authorize Release” tab of the Evidence module with the below information:

- The complete agency’s name
- The originating case agency report number (OCA)
- Contact name (if applicable)
- A complete address

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9. C. Case detectives who wish to have property courtesy shipped to a next of kin will indicate such by providing instructions in the Special Instructions field and providing the next of kin's name and complete address (including the zip code) in the "FOJ Information" section within the "Authorize Release" tab of the Evidence module.
 - Provide an area code and phone number so the appropriate arrangements can be made by PMU.
 - D. The automated letter routinely sent to property owners when the "Authorize Release" and "Names" tabs in the RMS Evidence module are completed, contains directions for arranging shipping.
 - (1) Cash on delivery (COD) shipments cannot be sent to post office boxes.
 - (2) Guns can only be shipped to another police agency or to a licensed gun dealer after the owner or responsible party has completed prior arrangements for the shipment.
11. **CANCELLATION OF ITEMS LISTED IN THE NATIONAL CRIME INFORMATION CENTER (NCIC)**
- A. Items listed in NCIC may include:
 - Firearms
 - Vehicles
 - Televisions
 - Business machines
 - Items with a \$500 value
 - Items with a total value of \$5,000 or more
 - B. When an employee recovers any items listed in NCIC as stolen, the following procedures apply:
 - (1) The employee will complete an Incident Supplement for a Phoenix original jurisdiction case.
 - For recovered stolen guns FOJ and recovered stolen vehicles, an Easy Form will be also completed and sent to the Centralized Automated Records Support (CARS) Unit (see [Operations Order 5.7.00](#) for more information).
 - (2) Employees will ensure the appropriate Property (correct property type, brand, serial number, etc.) is selected from the "Associated Property Search Window" and *Recovered* is selected from the "Action" drop-down box.
 - (3) If the item recovered is from another jurisdiction, the employee will contact the CARS Unit at 602-262-7101 to have the items canceled from NCIC by providing the below information:
 - Incident number
 - Officer name, serial number, and call sign
 - Recovery location, date, and time
 - FOJ originating agency identification (ORI) and originating case agency (OCA) numbers
 - NCIC (NIC) number
 - (4) The employee will impound the item after following the proper procedures, as listed in section 5 of this order, if not able to immediately release the item to the rightful owner.

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12. **RELEASE/CONVERSION OF UNCLAIMED OR FORFEITED GLOCK .45 CALIBER HANDGUNS**

- A. PMU will verify the weapon is not stolen and is an unclaimed or forfeited weapon.
- B. CGIU will test the weapon and verify it is not needed as evidence in another crime.
- C. The PMU Warehouse supervisor will ensure the proper documentation is completed, and the weapon is removed from Evidence and entered into inventory at Police Supply (see [Operations Orders 6.2.00, Firearm Regulations](#), for additional procedures).

Last Organizational Review: