

**ARRESTEE PERSONAL PROPERTY CONTROL- FIELD
“SAFEKEEPING PROPERTY”**

- AUTHORITY:** California Codes Civil Code Section 2080-2080.10
Government Code Sections 50050 through 50057
Administrative Directive
- RESCINDS:** Procedure Manual Item 2-1-018, dated 12/04/18 (Major Revision)
- FORMS:** Personal Property Form (F057-10065)
Request for Disposal of Arrestee’s Personal Property (F057-10064)
- PURPOSE:** To provide Deputy Probation Officers (DPOs) guidelines for the handling, recording, warehousing and disposal of personal property.

I. GENERAL INFORMATION

- A. The personal property of an arrestee should be delivered into the jail, juvenile hall, or other facility where the individual is booked.
- B. On occasion, an arrestee has personal property that cannot be booked into jail, juvenile hall, or other facility. Generally, this includes oversized items (e.g. bike) or too great a volume of personal property (e.g. arrestee is homeless and has excess property). If the property of the arrestee is not accepted into the booking facility, efforts shall be made to release the property to an individual authorized by the arrestee. The DPO shall obtain permission from the arrestee in writing, if possible, authorizing the release of the property including the name of the individual and the items to be released.
- C. If the property is not accepted by the facility and no authorized individual is available to pick-up the personal property, the property will be inventoried and stored in the property room of the nearest area office.
- D. Perishable items such as food and gum are not considered personal property and are to be discarded.
- E. Tobacco, matches/strikers, and disposable lighters will be discarded. Liquor and other intoxicants will be discarded. Please refer to PMI 2-1-010 Disposition of Evidence and Contraband.
- F. Handling, recording, storing, and disposal of an arrestee’s personal property are the responsibility of the arresting (DPO).

II. COLLECTING AND RECORDING OF ARRESTEE PERSONAL PROPERTY

- A. The Personal Property Form and instructions shall notify the arrestee that the property must be claimed within 90 days upon their release from custody or the property will be disposed of in accordance with the disposal provisions of Civil Code Sections 2080-2080.10.

- B. All property should be thoroughly searched for contraband prior to storage. Thoroughly inspect the contents of suitcases, boxes, duffle bags, backpacks, shopping carts and itemize each item separately on the Personal Property Form in the presence of the arrestee. The arrestee is to be given a copy of the Personal Property Form.
- C. Secure all searched property with a copy of the Personal Property Form signed by the arrestee and label/tag all loose items (e.g. bike) with a property tag with the arrestee's name, A/L#, and the date.
- D. Count all money upon receipt. Two staff shall count the money in the presence of the arrestee and place it in an envelope. The envelope will be labeled with the arrestee's name, A/L#, total amount enclosed, and the date. Both staff will initial the sealed envelope prior to it being stored in the area office's safe. The total amount of money will also be documented on the Personal Property Form.
- E. Keep the original signed Personal Property Form in the arrestee's file.

III. DUTIES OF THE PERSONAL PROPERTY ROOM OFFICER AND WAREHOUSING OF PROPERTY

- A. After the property is thoroughly searched and documented on a Personal Property Form, said property will be stored in the designated area at each area office. Each item must be tagged and labeled appropriately with a copy of the Personal Property Form attached.
- B. The designated Personal Property Room Officer will check monthly to ensure the item(s) are labeled correctly. If the items are not labeled correctly, the assigned DPO will make the necessary corrections on the Personal Property Form.
- C. The Personal Property Room Officer will log the items into the Personal Property Log, noting date of entry, arrestee's name, A/L#, DPO name and officer ID #. A sequential property number will be assigned to the property that is placed on the Personal Property Log and the Personal Property Form. A copy of the Personal Property Form is maintained as the administrative copy in the Personal Property Room.
- D. The designated Personal Property Room is to be secured at all times. The Personal Property Room Officer will quarterly, or as often as necessary, check to ensure the room is maintained in an organized manner. It is the assigned DPO's responsibility to keep track of the arrestee's release date and/or authorization to donate/dispose of personal property to assist with the maintenance of the Personal Property Room via the Personal Property Log.

IV. RELEASING PROPERTY

Return personal property of arrestee upon their release from custody or as quickly thereafter. Arrangements to release property will be made through the assigned DPO.

- A. If personal property is to be released to an authorized representative, the assigned DPO will contact them via telephone or mail and notify them they have 30 days to obtain the property. If the authorized representative claims said property, the DPO will go through the itemized form and have them sign and date the form. The DPO

will also sign and date the Personal Property Form. A copy of the authorized representative's photo identification card will be taken and attached to the Personal Property Form and placed in the arrestee's file. After 30 days of notification, if the authorized representative has not claimed the personal property, the property will be held for the arrestee until they are released from custody.

- B. Any DPO who needs to retrieve arrestee personal property that has been booked into the Personal Property Room should contact the Personal Property Room Officer. The Personal Property Room Officer will make a notation on the Personal Property Form detailing which property was released to the DPO with the date and name of the officer receiving the property. The Personal Property Room Officer will sign and date the entry in the Personal Property Log.
- C. When releasing property to an arrestee, the assigned DPO will go through the itemized form and personal property with the arrestee. The arrestee will sign and date the Personal Property Form, stating said property has been released to him/her. The DPO will make an ECR entry that the personal property was returned to the arrestee.

V. DISPOSAL OF UNCLAIMED ARRESTEE PERSONAL PROPERTY

- A. In instances where the arrestee chooses to relinquish any rights to their personal property and requests the Orange County Probation Department to dispose of it accordingly, the DPO will ensure it is properly documented on the Personal Property Form and forward a copy to the designated Assistant Division Director (ADD) or Division Director (DD) via the unit supervisor. At the direction of the ADD or DD, the personal property will be released for disposal. The original copies of these forms shall be placed in arrestee's file.
- B. If there is no response 90 days after their release from custody and the DPO has attempted to contact the arrestee to no avail, the DPO will provide the ADD or DD, via the unit supervisor, copies of the Personal Property Form and all ECR entries made regarding said personal property and attempts on trying to contact the arrestee. The personal property will be released for disposal at the direction of the ADD or DD.
- C. Once property has been approved for disposal, the DPO will contact the Personal Property Room Officer and notify them of the decision to dispose of items. The Personal Property Room Officer will make a notation on the Personal Property Form detailing which property was released to donate or dispose with the date the determination was made. The DPO will document on the Personal Property Form that the property was not called for and was turned over for disposal. The DPO will date, sign, and file the form in the arrestee's file.
- D. If the personal property includes money, the DPO will attach a copy of the Personal Property Form to the envelope holding the money.
- E. The Personal Property Form and money will be given to the cashier at the Accounting office. The DPO will document on the Personal Property Form that the unclaimed money was turned over to accounting.
- F. Quarterly, the Personal Property Room Officer will coordinate the disposal of items with the ADD or DD. The Personal Property Room Officer will note the date the

items were disposed of on the Personal Property Form detailing which property was disposed of and will also sign and date the entry in the Personal Property Log.

REFERENCES:

Procedures:	2-1-010	Disposition of Evidence and Contraband
	2-1-009	Probation Search and Seizure
	3-1-011	Personal Property
	3-1-032	Handling of Unclaimed Personal Property in Facilities

Policy:	D-7	Search and Seizures
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