



<i>WRITTEN DIRECTIVE</i>	No. AD 16-1201(2)	Page 1 of 4
Storage and Final Disposition of Property and Evidence	Effective Date:	03/21/2016
	Supercedes/Amends:	AD 16-1201
	Reference:	84.1.1, 84.1.7



I. Purpose

The purpose of this directive is to establish guidelines for the proper security and disposal of evidence, recovered, or found property stored in the Property & Evidence Section of the Lynchburg Police Department.

II. Policy

It shall be the policy of the Lynchburg Police Department to ensure the security of all items entered into the system, and dispose of evidence, recovered, or found property in compliance with the Code of Virginia and other required guidelines. Extra measures will be provided to items deemed to be exceptional, high in value, or sensitive.

III. Procedure

A. General

1. All items entered into the system will be properly documented and stored to ensure safekeeping and to maintain the chain of custody of evidence for successful prosecution through the criminal justice system. Items will be placed in the property/evidence area based on the value and type of each item. Only designated personnel are allowed in the property/evidence area without escort. Other than transferring custody for court proceedings, all items will remain in the designated location until:
 - a. it is returned to the owner, (non-evidentiary personal property), or
 - b. the court orders a specific action for the item. If drugs or firearms are ordered to be destroyed, an audit will be conducted prior to the item being destroyed, or
 - c. the assigned officer/detective or Commonwealth's Attorney orders a specific action for the item.
2. Any property held in the property room will remain in the custody of this department until all legal requirements have been fulfilled.
3. Once all legal requirements have been satisfied, the final disposition of such property will be:
 - a. accomplished within a reasonable time

b. contingent upon approval by the Commonwealth's Attorney or any court ordered disposal

4. Inventories, audits, and inspections will be conducted in compliance with the guidelines provided in PD-1201: *Evidence, Recovered and Found Property*.

84.1.1 F & G

B. Recovered or Found Property

1. Known lawful owner:

- a. It is the responsibility of the Property & Evidence Coordinator to attempt to notify the owner.
- b. When possible, such notification will be made by letter.
- c. The Property & Evidence Coordinator will make appropriate computer entries regarding efforts made to contact the owner.
- d. Owners will be given thirty calendar days to claim their property and will be required to present a picture ID prior to release.

2. If a lawful owner's identity is unknown, or if property remains unclaimed for more than sixty calendar days, the disposal process will begin in compliance with the Code of Virginia and other requirements. The disposal process will be conducted by the Property & Evidence Coordinator in the following manner:

- a. Items having no value will be considered trash and disposed of.
- b. Items of value will be designated for PropertyRoom.com auction site. PropertyRoom.com personnel will pick up any designated items for auction with the agreed upon proceeds to be sent to the agency.
- c. Proceeds from PropertyRoom.com will be deposited into the proper account using the appropriate City budget code.
- d. Bicycles will be donated to a non-profit agency in accordance with Section 10-28(d) of the Lynchburg City Code.
- e. Each step of this process will be documented.

C. Exceptional, High Value, and Sensitive Items

1. Currency

- a. When money is entered into the system it will be placed in a safe located in the property/evidence area. The money will remain in the safe until it is deposited into the Property & Evidence bank account.

2. Firearms
 - a. All firearms accepted into the system will be placed in a locked, secured area.
 3. Controlled Substances
 - a. All controlled substances are accepted sealed, and initialed, with evidence tape and are locked in a secured, designated location.
 4. High Value Items
 - a. Any item considered to have a high monetary value (i.e. jewelry) will be secured in the Property and Evidence Section safe.
- D. Court Ordered Disposals
1. Controlled Drugs and Paraphernalia
 - a. Court orders must be signed by a judge.
 - b. The LPD PISTOL records system will be used to prepare and manage a list of court-ordered drugs designated for destruction
 - c. The drug destruction list will minimally include the case number, the assigned officer, and the person from whom the drugs were seized.
 2. Upon receipt of the court orders, two employees, at least one of which is a Lieutenant or higher rank and not directly involved in the property management function, will conduct an inventory of all items to be destroyed.
 3. The inventory will be conducted in the presence of the Property & Evidence Coordinator and any other person deemed necessary by the Chief of Police.
 4. Items to be destroyed will then be:
 - 1) packaged in a common container
 - 2) sealed with tape
 - 3) initialed along the edges of the tape by all those present
 5. The sealed box will remain secured in the drug room until removed for destruction.
 6. On the day the items are to be destroyed, the same employees who conducted the inventory and packaging will witness the destruction.
 7. The destruction of drugs will be accomplished by means of burning.

8. Weapons

- a. Weapons will be classified as “ non-returnable” to the owner or any other person in any of the following instances:
 - 1) disposal has been ordered by a court
 - 2) possession by the owner would be illegal
 - 3) the owner cannot be contacted
 - 4) the owner cannot be determined
- b. All witnesses present will have personally inventoried each weapon and observed it being placed in a common container.
 - 1) After the inventory, the container will be sealed with tape.
 - 2) The witnesses present will initial the edges of the tape sealing the container.
- c. The weapons will be transported in the sealed container for melting to a designated location.
- d. Weapons deemed non-returnable will be destroyed by melting at a designated location.
- e. Persons witnessing the destruction will be:
 - 1) the Property & Evidence Coordinator
 - 2) the same personnel who conducted the inventory and packaging
 - 3) any other person deemed necessary by the Chief of Police
- f. Documentation of all destroyed weapons will be maintained by the Property & Evidence Coordinator.

Original Signed

Major J.P. Stokes, Deputy Chief
Investigations and Administration Bureau

March 21, 2016

Date