

Property and Evidence Management

700.1 PROPERTY HANDLING

In the course of a probation officer's duties, it is anticipated that various types of property will be found or delivered to the probation officer. Officers may only seize property that constitutes a violation of supervision conditions, a violation of law or is in support of such a violation.

If the item(s) are obtained incident to an arrest on a new offense, the arresting agency should take custody of the evidence. When a probation officer must take custody of any property/evidence, it is essential that a clear chain of custody is maintained.

Probation officers taking possession of any property must retain such property in their possession until it is properly packaged, tagged and placed in a designated property locker or storage room, or until such time as it is turned over to WTU or another agency. Probation officers must not take any property home or leave any property unattended. All items will be impounded and booked into evidence before the officer ends the workday unless approved by a supervisor. If approved, property may be placed in a secure temporary evidence locker for booking the following workday. The following types of property have specific handling requirements detailed within these procedures:

Drugs and Paraphernalia (316.1.4)

Firearms (316.1.5)

Explosives, Flammables, and Hazardous Materials (316.1.6)

Currency (316.1.7)

Jewelry and High Value Items (316.3)

700.1.1 EVIDENCE SEIZURES

Any time a probation officer seizes any evidence (except a firearm), a copy of the Search Report and Contraband Receipt (form EVID-A1) must be filled out in its entirety. When a firearm is seized as evidence, the officer will complete the EVID-A3 form as described in 316.1.6. A copy of either receipt must be provided to the client. In the event the client is not present, the probation officer will provide a copy of the completed form to another household occupant and list that person's name on the form. In the absence of any person, a copy of the form will be left where the property was located. The original copy of the form will be retained by the probation officer. The form will be scanned into Probation Case Management System (PCMS) and placed in the offender's case file by the end of the workday unless approved by a supervisor.

700.1.2 SAFEKEEPING

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

Probation officers should make every attempt to have a client or a designee maintain custody of their personal property. In the event this is not possible and the client is taken into custody, the client's personal property may need to be retained by the Probation Department. Items are only retained for safekeeping while a client is in custody. Items kept for safekeeping will be maintained separately from evidence.

When property is retained for safekeeping, the probation officer must complete the Safekeeping Property Notification and Release Form (EVID-A2) in its entirety. Form EVID-A2 also serves as a notification that all property will only be maintained by the Probation Department for 60 days. Clients who are in custody longer than 60 days can request, in writing, for the property to be stored for up to an additional ten months while they are in custody. Thereafter, property will be destroyed per [Civil Code 2080.10](#). A client may designate a person to retrieve the property on their behalf through a written or verbal request to the probation officer of record. A verbal designation will be noted in PCMS along with the individual's name, address and other identifying information to assist with verification upon retrieval.

A copy of EVID-A2 must be provided to the client. The original copy of this receipt will be retained by the probation officer. The form will be scanned into PCMS and placed in the client's case file. The original form will be used to document the release of property to the client or authorized third party. All changes to property must be documented in PCMS and on the evidence log (EVID-B2).

When property is released to a third party, they will be required to present valid photo identification upon release. Property will not be released to a third party if they are unable to present valid photo identification.

700.1.3 FOUND PROPERTY

In the event any staff member finds property of possible future evidentiary value (e.g. – possible drugs or other contraband), it must be turned over to a probation officer. The probation officer will obtain an incident report number from dispatch, complete an incident report and book the items into evidence as outlined in these procedures. Further, the probation officer will fill out a copy of the Found Property Form (EVID-B1).

In the event a probation officer locates property with no evidentiary value (e.g. – a cell phone or US currency) or such property is turned in to the probation officer, the officer will complete form EVID-B1 and book the item(s) into the evidence storage room as outlined in these procedures. All found property will be maintained separately from evidence.

For property with no evidentiary value, attempts should be made to locate the rightful owner of the property. Should the rightful owner of the found property be determined later, the Department must notify the owner that it possesses the property and where the property can be claimed. This notification will be made by the Evidence Property Manager (EPM) or designee. If the owner appears within 90 days after the Department receives the property, can prove ownership, and provides valid photo identification, the property will be returned. If the property is not claimed after 90 days, the title will vest in the person who found the property (unless the person is a Department

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

employee). For property valued over \$250, [Civil Code § 2080.3](#) requires the Probation Department to publish notice of the found property at least once in a newspaper of general circulation. If after seven days, the owner fails to claim the property and the person who found the property pays the costs of publication, the title will vest in the person who found the property. Any property found by a Department employee in the course of their duties shall become property of the Department.

When returning found property to its rightful owner or to the finder, a copy of the Property Release Form (EVID-C1) must be completed in its entirety, and the property disposition must be updated pursuant to these procedures. If the owner of the found property is determined to be a client, the property release and disposition change shall be documented in PCMS.

700.1.4 DRUGS

Due to the dangers presented by illicit drugs, probation officers must don appropriate personal protective equipment when handling any suspected drugs. (Refer to Policy 912 Communicable Diseases.) Prior to booking any suspected drugs into evidence, probation officers will weigh the item in its original packaging and note the gross weight on the property tag. All drugs must be packaged separately from other property. Paraphernalia as defined by [Health and Safety Code § 11364](#) must also be booked separately. Drug-related property will be stored separately from other property.

700.1.5 FIREARMS

When a firearm is encountered by an officer in the course of their duties, it must be placed into "safe" condition prior to removal from the scene or transport and impound. "Safe" condition means that all ammunition is removed from the firearm and the action is secured in an open or non-firing position. Probation officers must not attempt to unload a firearm or open the firing action unless they are familiar with the firearm and its firing and unloading methods. If in doubt, officers should contact an experienced armed officer or local law enforcement agency. All ammunition, either loose or contained in magazines or clips, is to be secured in a properly marked evidence bag separately from any firearm.

After the firearm is placed in safe condition, special handling procedures apply.

If possession of the firearm appears to be evidence of a new crime, the agency with local jurisdiction should be contacted in accordance with the Memorandum of Understanding with San Diego County and the Police Chiefs' and Sheriff's Associations. When they respond, the firearm should be handled by the responding agency, and the officer should not take custody of the firearm. If the local agency is unavailable to respond or determines no crime has occurred, the officer will notify the Range Master or designee. The probation officer will fill out the EVID-A3. If the Range Master or designee is unavailable to assist with booking the firearm into the armory at the time of the seizure, the firearm will be packaged and booked following the regular procedures and then transferred to the Range Master at the first opportunity.

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

In circumstances in which the possession of the firearm does not appear to constitute a new crime, the officer will notify the Range Master or designee as described above. If the Range Master or designee is not available to assist with booking the firearm into the armory, the officer will package and book the firearm per regular procedures.

All firearms seized and retained by the Department require entry into the Automated Firearms System (AFS) via the firearms module of the California Law Enforcement Telecommunications System (CLETS) by the Range Master or designee. Firearms will be maintained separately from other property.

700.1.6 EXPLOSIVES, FLAMMABLES AND HAZARDOUS MATERIALS

No explosives will be seized nor will they be retained at any Probation office. If potential explosives are located, the probation officer will contact the San Diego County Sheriff's Department (SDSD) Bomb Squad Unit. SDSD will be responsible for the handling, storage, sampling and disposal of all suspected explosives. If fireworks are seized, the seizure procedures in 316.1.1 should be followed; however, the probation officer must transport the fireworks to the local fire department before the end of their shift. Fireworks shall not be retained at any Probation office.

As a general rule, probation officers will not seize any potentially hazardous or flammable materials unless they reasonably believe failure to do so will present a public safety concern (i.e. – client with known graffiti history in possession of spray paint or a client with a history of arson in possession of a blow torch). Instead, the probation officer will take photos of the items for evidentiary purposes.

When any potential flammable or hazardous materials are seized, the probation officer must notify their chain of command immediately. All potentially flammable or hazardous materials seized and retained by Probation will be packaged and booked into property as required by the [SDSD packaging guidelines](#) and must be evaluated by the next business day. The ETO or EPM will contact the Department of General Services (DGS) or the County of San Diego Department of Environmental Health (DEH) for assistance with disposal of hazardous materials.

When in doubt regarding the nature of potentially hazardous materials, the probation officer will contact the DEH Hazardous Incident Response Team (HIRT) for further guidance. For incidents involving potential exposure to fentanyl or synthetic opioids, the probation officer will contact the San Diego County Hazardous Materials Team (HAZMAT).

All oxygen tanks, CO2 cartridges, flammable liquids and hazardous materials must be stored in proper containers and stored separately from other property or evidence, in an area designated for the storage of flammable materials.

700.1.7 CURRENCY

All currency must be counted in the presence of a supervisor, and the envelope must be initialed by the booking officer and a supervisor. When any type of currency is seized, the supervisor in charge must be notified. If it is determined that the currency will not be needed as evidence, the

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

currency will be returned to the client as soon as possible. If currency is being seized as part of a new case involving drug sales, the officer will follow Policy 500 Asset Forfeiture.

700.2 CONTROL NUMBERS

In order to link property retained by the Department to a specific incident or event, a unique control number is required. Control numbers are unique to each Probation office location and follow the following format:

- Location code – Two-Digit Year – Running Three-Digit Number

Any time a probation officer takes custody of property for any reason, a unique control number must be obtained. This control number will be listed on all property tags and will be used for all property management entries.

See Procedural Guideline 316.2 for further instruction.

700.3 PACKAGING OF PROPERTY

Each Probation office is equipped with a designated evidence and property processing area located outside the evidence room. Each ETO will ensure their office is equipped with all supplies necessary to package and label property and evidence per [SDSD packaging guidelines](#).

Officers must package all property to be retained by the department, prior to booking the property into evidence or safekeeping storage. All property must be packaged pursuant to SDSD packaging guidelines, which includes securely attaching a completed property tag to each item or group of items packaged together and initialing and dating across each packaging seal.

Property tags must include the control number, client's name and ID number, officer's name and ID number, the item number, a description, and serial number (if applicable). Refer to the SDSD packaging guidelines for further guidance.

The following items must be packaged and booked separately:

- Drugs
- Firearms (ensure they are unloaded and booked separately from ammunition)
- Drug paraphernalia as described in [Health and Safety Code § 11364](#)
- Currency
- Jewelry/high value items

700.3.1 PACKAGING CONTAINER

Probation officers must package all property, except suspected drugs (See 316.3.2), in a suitable container available for its size. Knife boxes should be used to package unsheathed knives and

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

sharp objects. Syringe tubes should be used to package syringes and needles that need to be retained for evidence purposes.

700.3.2 PACKAGING SUSPECTED DRUGS

The probation officer seizing any suspected drugs must retain such property in their possession until it is properly weighed, packaged, tagged and booked into evidence. All suspected drugs must be double-bagged in heat-sealed barrier-proof evidence bags (Kapak[®] or similar). The booking officer will initial and date across the seal with a permanent marker. Any substance believed to be fentanyl or another synthetic opioid must be labeled with "Suspected Fentanyl" in red permanent marker.

A completed property tag, including the gross weight of the suspected drugs and packaging, will be affixed to the package.

700.4 RECORDING

Specific procedures regarding documenting property in PCMS can be found in Procedural Guideline 316.4. All items seized as evidence, held for safekeeping, or retained as found property must be entered into PCMS prior to being booked into evidence. Prior to entering any data into PCMS, the officer must obtain a unique control number to identify all property seized or retained during the incident (Procedural Guideline 316.2). Further, all possible drugs will need to be weighed per Section 316.3.2 prior to PCMS data entry. For firearms and currency, officers must also include all required information as detailed in sections 316.1.5 and 316.1.7 of these procedures.

Any time there is a change to the location or disposition of any property, this change in disposition must be documented in PCMS and in the Property and Evidence Log (form EVID-B2) using protocols detailed in Procedural Guideline 316.4. Generally, this will take place any time property is returned to an owner, sent to the crime lab for analysis, transferred to the main property/evidence storage location, or destroyed.

700.5 BOOKING PROPERTY

The probation officer who comes into possession of any property must retain custody of that property until booking it into evidence or safekeeping storage, unless the property is turned over to the Weapons and Training Unit (WTU) or another law enforcement agency.

Each Probation office location is equipped with temporary storage for property and evidence. Evidence Technician Officers (ETOs) manage the temporary storage of property at their location, monitor evidence-related equipment needs, and work closely with the EPM regarding property transfers and dispositions.

When property is booked into evidence for any reason, this booking must be noted on the evidence log (EVID-B2).

For chain of custody purposes, only the EPM, ETOs and, in the EPM's and ETO's absence, designated supervisors (SPO) have clearance to enter any evidence room, evidence locker or

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

safekeeping storage unit. All persons other than those designated above, including supervisors, must sign a visitor log any time they enter evidence storage facilities. All visitors must be accompanied by another evidence and property staff member.

700.6 PROPERTY CONTROL

Once property of any kind is received by a member of the department and has been entered into PCMS and booked into evidence or safekeeping storage, the property becomes the responsibility of the EPM and ETOs. Under no circumstances will any property be disposed of at any Probation facility without the express authorization of the EPM or their designee.

700.6.1 RESPONSIBILITIES

Any employee taking custody of any property will be responsible for such property until it is returned to property and evidence storage or released to another authorized person or entity.

Every time property is received, transferred or released, the appropriate entry must be made in PCMS and on the Property and Evidence Log to maintain the chain of custody. Some property and evidence disposition changes require additional documentation, detailed below.

Requests for crime lab analysis of suspected drugs must be completed on appropriate forms and submitted as described in Procedural Guideline 316.6.1 Request for Crime Lab Analysis.

700.6.2 AUTHORITY TO RELEASE

Only the EPM or ETO may authorize the release, destruction or alternate disposition of all evidence and property coming into the care and custody of the department with the following exceptions:

- **Safekeeping Property:** The EPM, ETO or any supervisor may authorize the release of the property to the owner or approved designee.
- **Evidence:** The EPM, ETO or designated SPO may authorize the return of property seized as evidence when such property is not required for Court purposes and possession of the property would not constitute a violation of law or Court orders.
- **Transfers:** The EPM, ETO or designated SPO may authorize the transfer of property or evidence to a centralized repository, the crime lab or to Court
- **Temporary release:** The EPM, ETO or SPO

The EPM, ETO or designated SPO may authorize the release of property by appointment only. When property is not available for immediate release, efforts will be made to release property to a rightful owner as soon as possible. The EPM or ETO will respond to all property release requests within seven days.

700.6.3 RELEASE TO OWNER

All reasonable attempts will be made to identify the rightful owner of found property or evidence not needed for investigation or court purposes. Except for firearms and other property specifically regulated by statute, found property will be held for a minimum of 90 days. Property retained for safekeeping will be retained for at least 60 days, unless an extension has been granted pursuant to section 316.1.2 of this procedure. During this period, the EPM, ETO or designee will attempt

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

to contact the rightful owner by telephone or mail when sufficient information is available. Such contact attempts shall be documented in a contact note in PCMS. Property not held for any other purpose and not claimed within 90 days after notification may be disposed of per section 316.7.

Occasionally, more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property will not be released until one party has obtained a valid court order or other undisputed right to the involved property. All parties should be advised that their claims are civil, and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

Release of property will be made upon receipt of a signed, authorized release form (EVID-A2 or EVID-C1). Property should be released to the authorized recipient when they provide valid identification. Upon release, the proper documentation will be made as detailed in the chart below and all completed forms will be scanned into PCMS.

RELEASE TO OWNER		
RELEASE TYPE	AUTHORIZATION	DOCUMENTATION REQUIRED
Safekeeping (Release to owner or approved designee)	EPM, ETO, or any SPO	- Safekeeping Property Notification & Release Form (EVID-A2) - Property and Evidence Log (EVID-B2) - PCMS contact note
Found Property (Return to rightful owner or finder)	EPM, ETO or designated SPO	- Found Property Form (EVID-B1) <i>Disposition</i> - Property Release Form (EVID-C1) - PCMS contact note
Evidence (Return to client or rightful owner)	EPM or ETO	- Property Release Form (EVID-C1) - PCMS contact note

Property and evidence that is not returned to a rightful owner may be destroyed per section 316.7 upon approval of the EPM or ETO.

700.6.4 TRANSFERS

Central Repository - The EPM, ETO or designated SPO may request evidence be transferred from a Probation office to Probation's centralized repository. Upon receipt of an authorized Evidence and Property Transfer Form (EVID-C2), the transporting officer will check the evidence out of the evidence room and complete the appropriate documentation as noted in the chart below. When evidence is booked into Probation's centralized repository, the EPM or ETO will update the disposition and location of all property accordingly.

Crime Lab - An officer may request that evidence be transferred to the San Diego County Sheriff's Regional Crime Laboratory (RCL) for analysis pursuant to the conditions in Procedural Guideline 316.6.1. The EPM, ETO or designated SPO may authorize the release of the evidence for transfer to the RCL. Upon receipt of an authorized Evidence/Property Transfer Form (EVID-C2), the transporting officer will check the evidence out of the evidence room and complete the appropriate documentation as noted in the chart below. Upon delivering items to the RCL, the transporting

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

officer will complete any documentation required by the RCL, and the RCL will assume custody of the evidence.

When the RCL has completed the requested analysis, Probation may be contacted to retrieve the evidence. When retrieving the evidence, the transporting officer will complete all documentation required by the RCL, transport the evidence to its original location, and re-book the item into evidence with the same control number. The officer will also complete the appropriate documentation as noted in the chart below.

Court – The San Diego Superior Court may order evidence be released for presentation at a court hearing. Any such requests will be accompanied by a court order. An officer may also request the release of evidence for court purposes. In this instance, the officer must complete an EVID-C2 and receive approval of the EPM, ETO or designated SPO prior to the release of the evidence.

Upon receipt of a valid court order or authorized EVID-C2, the EPM or ETO will release the requested evidence to the transporting officer. The transporting officer will deliver the requested evidence to the department listed on the court order or retain for presentation during a court hearing. If the evidence is released to a court department for an upcoming hearing, the receiving court clerk will sign the EVID-C2 and take custody of the property.

When the evidence is no longer needed for court purposes, the officer will take custody of the property (if not already in custody). The officer will re-book the item into evidence with the same control number. The officer will also complete the appropriate documentation as noted in the chart below.

PROPERTY TRANSFERS		
TRANSFER TYPE	AUTHORIZATION	DOCUMENTATION REQUIRED
Probation office to Central Repository	EPM or ETO	- Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note
Probation to Regional Crime Lab (RCL)	EPM, ETO or designated SPO	- SDSD Property & Evidence Form EVID-1A - Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note
RCL to Probation (Return evidence released to RCL)	RCL	- Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note
Probation to Court	Court (via order) or EPM or ETO (or Range Master for any firearm)	- Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note
Court to Probation (Return evidence released to court)	Court or Any officer	- Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

700.6.5 ALTERNATE RELEASE TYPES

Temporary release for investigation - The EPM, ETO or designated SPO may authorize temporary release of property to a probation officer for investigative purposes.

Upon receipt of an authorized EVID-C2 form, the officer may check the item out of evidence for investigation, completing the documentation noted in the chart below. When the investigation is complete, the officer will re-book the property into the evidence room using the same control number and will complete the documentation noted in the chart below.

Viewing requests – Law enforcement agencies may request to view property or evidence under control of Probation by completing an Evidence Viewing Request Form (EVID-C3). Such requests will be reviewed by the EPM or ETO. Upon approval, the item may be released from property and evidence for viewing at the agreed upon time, date and location. The EPM, ETO or designated officer will accompany outside agency personal during the viewing requests. All outside agency personnel present during viewing will be listed on the EVID-C3 form. When the viewing is complete, the EPM, ETO or authorized officer will re-book the item into the property and evidence room using the same control number and will complete the documentation noted in the chart below.

ALTERNATE RELEASE TYPES		
RELEASE TYPE	AUTHORIZATION	DOCUMENTATION REQUIRED
Temporary release for investigation	EPM, ETO or designated SPO	- Evidence/Property Transfer Form (EVID-C2) - Property and Evidence Log (EVID-B2) - PCMS contact note
Viewing requests	EPM or ETO	- Evidence Viewing Request Form (EVID-C3) - Property and Evidence Log (EVID-B2) - PCMS contact note

700.6.6 CONTROL OF DRUGS

The EPM or their designee will be responsible for the storage, control and destruction of all drugs coming into the custody of this department. This includes all paraphernalia described in [Health & Safety Code § 11364](#).

700.6.7 CONTROL AND RELEASE OF FIREARMS

The Range Master or their designee will be responsible for the storage, control, release and destruction of all firearms coming into custody of this department.

Firearms in the custody of the Department shall only be released as authorized and directed by the Rangemaster or designee. The WTU will maintain and update a separate Procedural Guideline related to release of firearms from Department custody to conform with applicable law.

700.7 DISPOSITION OF PROPERTY

All property not held for evidence and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon proper authorization by the EPM or ETO and designated SPO.

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

Upon approval, property may be maintained for Department use. A memo from the Chief Probation Officer or designee will document the approval of the transfer of property for Department use. The EPM, ETO, or designee will request a disposition or status on all property held in excess of 120 days, and for which the disposition has not been received.

The Department will provide the EPM and all ETOs with specialized training regarding disposition and destruction, methods, applicable laws, procedures and documentation. Any time property is destroyed or dispositioned via any method, the EPM, ETO or designee will make the appropriate entry on the Property and Evidence log and in PCMS.

700.7.1 DISPOSITION AUTHORIZATION

A probation officer may request special dispositions for property sized as evidence, held for safekeeping or found during official duties. In the absence of a disposition authorization form, property will be dispositioned or disposed of in the manner prescribed by law and as detailed in these procedures. Property disposition requests are detailed further in the chart below.

DISPOSITION AUTHORIZATION		
DISPOSITION TYPE	AUTHORIZATION	REQUEST FORM
Disposal – <i>Okay to dispose of property according to law</i>	EPM or ETO and designated SPO	Property Disposition - Disposal (EVID-D1)
Retention – <i>Retain property for specific purpose</i>	EPM or ETO and designated SPO	Property Disposition – Retention (EVID-D2)
Return to Owner – <i>Request return of property held as evidence, etc.</i>	EPM or ETO and designated SPO	Property Disposition – Return to Owner (EVID-D3)

700.7.2 EXCEPTIONAL DISPOSITIONS

The following types of property will be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court:

- Weapons declared by law to be nuisances ([Penal Code § 29300](#); [18010](#); [32750](#))
- Counterfeiting equipment ([Penal Code § 480](#))
- Gaming devices ([Penal Code § 335a](#))
- Obscene matter ordered to be destroyed by the court ([Penal Code § 312](#))
- Altered vehicles or component parts ([Vehicle Code § 10751](#))
- Drugs ([Health & Safety Code § 11474](#), etc.)
- Unclaimed, stolen or embezzled property ([Penal Code § 1411](#))
- Destructive devices ([Penal Code § 19000](#))

San Diego County Probation Department

Field Operations Procedures Manual

Property and Evidence Management

700.7.3 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed, it is the responsibility of the EPM to ensure the funds are disposed of in accordance with applicable law.

700.8 REFERENCES

[316.2 Procedural Guidelines - Control Numbers](#)

[316.4 Procedural Guidelines - Documenting Property](#)

[316.6.1 Procedural Guidelines - Crime Lab Requests](#)

Memorandum of Understanding with the San Diego County Police Chiefs' and Sheriff's Association

700.9 ATTACHMENTS

[EVID-A1 Search Report and Evidence Receipt](#)

[EVID-A2 Safekeeping Property Notification and Release Form](#)

[EVID-A3 Weapons Confiscation](#)

[EVID-B1 Found Property](#)

[EVID-B2 Evidence Log_07172019](#)

[EVID-C1 Property Release Form_07172019](#)

[EVID-C2 Evidence Transfer Form_07172019](#)

[EVID-C3 Evidence Viewing Request](#)

[EVID-D1 Property Disposition - Disposal](#)

[EVID-D2 Property Disposition - Retention](#)

[EVID-D3 Property Disposition - Return to Owner](#)

Attachments

316.2 Procedural Guidelines - Control Numbers.pdf

PROCEDURAL GUIDELINE FOR 316.2 – CONTROL NUMBERS

Every time property is booked into evidence for any reason (i.e. – evidence, safekeeping or found property), a unique control number must be obtained. Each office maintains records of all property booked into evidence, including the associated control numbers, on the Evidence Log (EVID-B2).

The San Diego County Probation Department utilizes the following format for control numbers:

Location code – Two Digit Year – Running Three Digit Number

Location Code:

In order for control numbers to be unique, each Probation office location has its own location code. The location code is incorporated into each control number. Select your appropriate location code from the list below.

Community Transition Center	CTC
East Command – ECPD	ECE
East Command – JUV	ECJ
East Command – SUP/INV	ECS
East Mesa Juvenile Detention Facility	EMJ
Hall of Justice	HOJ
Juvenile Probation Center (main evidence holding)	JPC
Juvenile Probation Center – Low/Med Risk	JPM
Kearny Mesa Juvenile Detention Facility	KMJ
North Command – Escondido	NCE
North Command – Vista	NCV
Probation Training Center	PTC
South Command – CVPD	SCC
South Command – Investigations	SCI
South Command – Supervision	SCS
Urban Camp	URC

Two digit year:

Select the last two digits of the current year (i.e. – for year 2018, use “18”)

Running Three Digit Number:

Each office will maintain its own running three digit number. At the beginning of the calendar year, the running number will begin at 001. For example, the first control number for the Hall of Justice in year 2018 will be: HOJ-18-001. The second control number for the same office that year will be HOJ-18-002.

The following calendar year, the running number will start over. For example, the first control number for the Hall of Justice for the year 2019 will be HOJ-19-001, and so on.

316.4 Procedural Guidelines - Documenting Property.pdf

PROCEDURAL GUIDELINE FOR 316.4 – RECORDING LOGGING EVIDENCE/PROPERTY BOOKINGS, EVIDENCE/PROPERTY DISPOSITION CHANGES, AND EVIDENCE RELATED LAB DATA INTO PCMS

I. PROPERTY BOOKING (EVIDENCE and SAFEKEEPING)

All property associated with a client shall be documented in PCMS prior to booking. This includes property seized as evidence and personal property held for safekeeping. Collect all necessary information prior to data entry, including unique control number, weight of any drugs, descriptions, serial numbers, and all information on the EVID-A1, EVID-A2 or EVID-A3 form.

The following steps should be followed to log evidence/property into PCMS:

- a. Locate the adult or juvenile record of the client associated with the property and create a new contact note
- b. In the **Contact Information** section:
 - In the “Type” field, select “**EVIDENCE/PROPERTY**”
 - In the “Location” field, select the location where the property is being booked
 - In the “Describe” field, type the control number
 - “Date” will reflect the current date (the date items are being booked)
 - “Start Time” will reflect the current time
- c. Under the **Contact With** section:
 - Select the box next to “Probationer”, unless the property was seized from another person within the client’s residence/vehicle.
 - If the property was seized from an individual other than the client, select the box next to “Other” and input the name of person from whom the property was seized. You may select the appropriate person from the “others” list if his or her name is listed.
- d. Under the **Contact Events** section
 - Select the appropriate response under “List of Possible Events”
 - For evidence bookings, select “**EPM - Evidence Booking**”
 - For safekeeping property bookings, select “**EPM – Safekeeping Booking**”
- e. Under the **Contact Notes** section under “Notes”, use the following template for all

evidence/property booking entries. Information entered in this section should match the information written on the evidence/property receipt forms. Type "N/A" for any sections that do not apply (do not leave fields blank):

"Control # _____

Date Booked into Evidence: _____(Today's date)

Officer Name/Badge#: _____(Officer completing booking)

Packaged and Sealed per Policy? _____(Type "Yes" to confirm)

Property Type: _____(Type Evidence or Safekeeping)

Total Number of Items Seized: _____(List number of items seized)

Location found if not address of record:

Date Found: _____

Time Found: _____

Name/DOB of subject property was seized from if NOT client:

Property receipt provided? _____ (Response should be yes. If no, provide reason)

Repeat the same sequence below for each item number. Description shall include unique identifiers for all property as well as the make, model, and serial number for any serialized property, and ID card or creditcard.

Item # _____

Description:

Gross Weight:

Serial Number:

Location Found: _____(Specific location where item was found)

Found By: _____(Name and badge# of officer who found item)"

II. PROPERTY DISPOSITION CHANGES

All property disposition changes (i.e. – Returned to owner or destroyed) shall be documented in PCMS. Safekeeping property releases shall also be documented on the associated Safekeeping Property Notification and Release Form (EVID-A2). Other types of evidence or property seizure releases shall be documented on a Property Release Form (EVID-C1).

PCMS entries for disposition changes shall be made as follows:

- a. Locate the adult or juvenile record of the client associated with the property and create a new contact note
- b. In the **Contact Information** section:
 - In the “Type” field, select “**EVIDENCE/PROPERTY**”
 - In the “Location” field, select the location where the property is currently being housed
 - In the “Describe” field, type the control number
 - “Date” will reflect the current date (the date items are being dispositioned)
 - “Start Time” will reflect the current time

Select from the options below:

A. PROPERTY RELEASED TO OWNER

- a. Under the **Contact With** section, select the appropriate option:
 - Property returned to client: Select the box next to “Probationer”
 - Property returned to someone other than client: Select the box next to “Other” and type the name of the person taking possession of the property (a valid ID is required):
- b. Under the **Contact Events** section, select “**EPM - Evidence/Property Release**”
- c. Under the **Contact Notes** section under “Notes”, use the following template:

“On (Date)/(time) I returned the following property to (First Name)(Last Name) ID # (valid ID):

Control #: _____

Item #s: _____

Reason for property release: _____

(Indicate if returned to client or true owner, safekeeping property return, etc.)

A copy of the property receipt was provided to the recipient.”

B. PROPERTY TRANSFERRED TO CENTRAL REPOSITORY

- a. Under the **Contact Events** section, select “**EPM - Evidence Transfer - Central**”
- b. Under the **Contact Notes** section under “Notes”, use the following template:

“The following property was retrieved from (office location) on (date) at (time) by (Officer Name and ID#) for transfer to Probation’s Central Property Repository:

Control #: _____

Item #s: _____

All items were booked into the central repository on (date) at (time) and received by (Officer Name and ID#)”

C. PROPERTY TRANSFERRED TO/FROM CRIME LAB

- a. Under the **Contact Events** section, select “**EPM - Evidence Transfer - Lab**”
- b. Under the **Contact Notes** section under “Notes”, use the following template:

“The following property was retrieved from (office location or Crime Lab) on (date) at (time) by (Officer Name and ID#) for transfer to the (San Diego Sheriff’s Regional Crime Laboratory or storage destination):

Control #:

Item #s:

All items were transferred on (date) at (time) and received by (Officer Name and ID#).”

D. PROPERTY DESTROYED

- a. Under the **Contact With** section, select the box next to “Other” and type “Destruction”
- b. Under the **Contact Events section**, select “**EPM - Evidence/Property Destruction**”
- c. Under the **Contact Notes** section under “Notes”, select the appropriate template (destroyed via Crime Lab or via trash)
 - o *Use the following template for items destroyed via **San Diego County Sheriff’s Regional Crime Lab**:*

“The following property was transported to the Sheriff’s Regional Crime lab for destruction:

Control #: _____

Item #s: _____

Date/Time Delivered: _____

Reason for Destruction:

Property Transported by (Name/ID):

- *Use the following template for items destroyed via **placing in secure trash**:*

“The following property was destroyed via Department trash:

Control #: _____

Item #s: _____

Date/Time Destroyed:

Reason for Destruction:

Property Destroyed By (Name/ID): _____”

E. PROPERTY DONATED

- Under the **Contact With** section, select the box next to “Other” and type “Donation”
- Under the **Contact Events** section, select “**EPM - Evidence/Property Donated**”
- Under the **Contact Notes** section under “Notes”, use the following template for items that are donated pursuant to state statutes:

“The following property was donated to (name) at (organization) on (Date/Time).

Control #: _____

Item #s: _____”

E. PROPERTY DISPOSITION – OTHER

Use this section for property transfers for property retained for department use, transferred to court, approved viewing requests (EVID-C3), or other unusual

dispositions. Most often, these dispositions will only be used by property and evidence officers or technicians.

- a. Under the **Contact With** section, select the box next to “Other” and type “Donation”
- b. Under the **Contact Events** section, select “**EPM - Evidence/Property Dispo - Other**”
- c. Under the **Contact Notes** section under “Notes”, select the appropriate template:
 - *Use the following template for items **retained for department use**:*

“The following property was transferred to department use on (Date/Time).

Control #: _____

Item #s: _____

Officer/Unit Responsible for Property: _____”

- *Use the following template for items transferred to or from court:*

“The following property was transferred TO/FROM (Court Department) on (Date/Time).

Control #:

Item #s:

Transfer authorized by: (Name/ID)

Transported by: (Name/ID) _____”

- *Use the following template for items for **viewing requests**:*

“The following property moved TO/FROM _____ for viewing.

Control #: _____

Item #s: _____

Accompanied By (Name/ID): _____”

- *Use the following template for items for **alternate dispositions**:*

“The following property was (select one): Transferred / Deposited / Other _____

Control #: _____

Item #s: _____

Disposition change approved by: (Name/ID) _____”

III. **EVIDENCE – LAB:**

All crime lab related evidence dispositions, including lab test results, must be entered into PCMS. This includes requests for crime lab service.

- a. Locate the adult or juvenile record of the client associated with the property
- b. Create a new contact note
- c. In the **Contact Information** section:
 - In the “Type” field, select “**EVIDENCE/PROPERTY**”
 - In the “Describe” field, type the control number
 - “Date” will reflect the current date (the date items are being booked)
 - “Start Time” will reflect the current time

Select from the options below:

- LAB TEST NEEDED (REQUEST FOR CRIME LAB SERVICE)
See procedural guideline 316.6.1 for additional information regarding requests for crime lab service.

- a. Under the **Contact Events** section, select “**EPM – Lab Test Needed**”
- b. Under the **Contact Notes** section under “Notes”, use the following template:

“Crime lab analysis is requested for:

Control # _____

Item #s _____

Reason for request (select one):

_____ Suspected Fentanyl or synthetic opioid

_____ Client has upcoming court date on _____

_____ Probation is pending arrest or release from custody

The sample is suspected to be: _____

(Provide any information regarding the controlled substance needing testing. If no information is available from client, observations, etc. write "unknown")

- LAB RESULTS

- a. Under the **Contact Events** section, select "**EPM – Lab Results**"
- b. Under the **Contact Notes** section under "Notes", use the following template:

"On (DATE) the SDSD Regional Crime Lab provided results regarding

Control #: _____

Item #s: _____

Test results were positive for:

If inconclusive, list "N/A" and provide reason.

Full test results were uploaded into PCMS."

316.6.1 Procedural Guidelines - Crime Lab Requests.pdf

PROCEDURAL GUIDELINE FOR 316.6.1 – REQUEST FOR CRIME LAB ANALYSIS

As of the writing of this procedure, all presumptive testing of controlled substances has ceased. Absent this presumptive test, officers are currently unable to sanction clients for illegally possessing controlled substances without the addition of an admission and/or a positive urine or saliva drug test. Further, there are currently no in-house means to properly identify possible controlled substances. This gap presents a challenge, as officers may be unaware of the true identity of the controlled substance being used and possessed by the client. This presents safety concerns, as well as an intelligence gap that may impede appropriate corrective action or referrals.

To address these concerns, the San Diego County Sheriff's Department Regional Crime Lab has agreed to assist the Department with lab analysis in the following circumstances:

- 1) We submit no more than FIVE requests per month (Department wide)

-AND-

- 2) The reason for the request meets one of the following:
 - a. There is reason to suspect the substance is fentanyl or a synthetic opioid - **OR-**
 - b. We can provide the San Diego County Sheriff's Department with an upcoming court date for the associated client (need proof of violation for court) - **OR-**
 - c. We can articulate the client is pending arrest or release from custody, and a test is necessary to support the arrest or retention in custody

In order to ensure we do not exceed our allotted number of requests each month, an officer must submit requests for drug testing to the Continuous Quality Improvement (CQI) unit for review and authorization. The CQI unit is currently supporting with evidence and property management functions.

To request laboratory analysis of a controlled substance:

See attached SDCS EVID-1A example

- 1) Complete San Diego County Sheriff's Department form EVID-1A (Property & Evidence Form)
- 2) Complete an Evidence/Property Transfer Form (EVID-C2)
- 3) Send completed forms to the CQI senior probation officer(s) and supervising probation officer via email along with a short explanation as to why the lab request is being submitted. Please provide the information requested in the appropriate subsection of item #2 above. If your request needs to be expedited for any reason, it is imperative the reason for the expedited request be included or it cannot be processed accordingly.
- 4) You will be notified of the outcome of your request.
- 5) If approved, your evidence will be picked up by the CQI unit and transferred to the San Diego County Crime Lab. Our Department's drop off date/time slot is Fridays between 0800-1200 HRS.
- 6) Once results are available, they will be forwarded to the requester via email immediately.

** Rush requests MAY be processed as needed and as required. Contact CQI as soon as possible for any rush requests, as they must be approved by the SDCS crime lab.

EVID-D1 Property Disposition - Disposal.pdf



San Diego County PROBATION DEPARTMENT PROPERTY DISPOSITION FORM

DISPOSAL:

Control #: _____

Dispose of all items immediately according to law: (indicate reason)

- Owner Unknown Unclaimed property Contraband
- Item(s) prohibited per court order Not feasible to return to owner By request of the owner
- Other: _____

Dispose of ONLY the following items: (use separate sheet for additional items)

Item #	Description

REQUESTOR:

Name/ID: _____

Date: _____

Authorized by:

Name (Print): _____ ID#: _____

Signature: _____ Date: _____

EVID-B1 Found Property.pdf



San Diego County PROBATION DEPARTMENT FOUND PROPERTY

Date/Time Found: _____ Control #: _____

Location Found: _____ City/State/Zip: _____

Probation office: _____ Contraband? YES (to be destroyed) NO

The items listed below were found or delivered to Probation by (if a member of the public):

First/Last Name: _____ DOB: _____

Phone Number: _____ Contact if not claimed? YES NO N/A

Finder: If requested, you will be notified if the owner does not come forward and the property is not claimed within 90 days. At that time, you may take ownership of the found property. Pursuant to Civil Code §2080.3, for any property valued over \$250, additional attempts must be made to locate the owner of such property prior to the finder claiming ownership. Probation's property and evidence staff will assist with this process.

Copy of receipt provided to finder Incident report required (attach copy to report) # _____

Item #	Description (Include quantity, made/model, serial #/OAN)	LOCATION WHERE FOUND	FINDER (Include badge# if officer)

Seizing Officer's Name/Badge # _____ Seizing Officer's Signature _____

Witness Officer's Name/Badge # _____ Witness Officer's Signature _____

PROBATION USE - DISPOSITION

Attempt(s) made to contact owner/finder on _____ by _____

Owner located. Ok to release to: _____ Phone: _____

Owner remains unknown after 90 days. Property to be: Destroyed Released to Finder _____

Name/Badge: _____ Title: _____ Date: _____

EVID-A1 Search Report and Evidence Receipt.pdf

EVID-B2 Evidence Log_07172019.pdf

EVID-C1 Property Release Form_07172019.pdf



San Diego County

PROBATION DEPARTMENT

PROPERTY RELEASE FORM

Date: _____ Time: _____ Control #: _____

The items listed below were seized from the possession of or from the premises controlled by:

First/Last Name: _____ Probation ID#: _____

N/A FOUND PROPERTY

Item #	Description (Include quantity, made/model, serial #/OAN)

By signing this release, I acknowledge the above items (list) _____ were released to me on the date listed above.

Property Released to: (Print Name) _____ I.D. Number (must present valid photo ID) _____

Signature _____ Date _____

PROBATION USE: For Safekeeping property releases, use original safekeeping notification and release form (EVID-A2)

Reason for release: _____

Releasing Officer's Name/Badge # _____ Releasing Officer's Signature _____

Witness Officer's Name/Badge # _____ Witness Officer's Signature _____

Chain of custody updated by: _____	Date: _____
------------------------------------	-------------

EVID-D2 Property Disposition - Retention.pdf



San Diego County
PROBATION DEPARTMENT
PROPERTY DISPOSITION FORM

RETENTION:

Control #: _____

- Retain all items until further notice
- Retain ONLY the following items: (use separate sheet for additional items)

Item #	Description

REASONFORRETENTION:

- In custody on new charges (estimated release date: _____)
- Other reason: _____

REQUESTOR:

Name/ID: _____ Date: _____

Authorized by:	
Name (Print): _____	ID#: _____
Signature: _____	Date: _____

EVID-C2 Evidence Transfer Form_07172019.pdf

EVID-A2 Safekeeping Property Notification and Release Form.pdf



San Diego County

PROBATION DEPARTMENT

SAFEKEEPING PROPERTY NOTIFICATION & RELEASE FORM

Date: _____ Control #: _____

First/Last Name: _____ Probation ID: _____

Address: _____ City/State/Zip: _____

Your property is being held for safekeeping. To have it returned, you must contact the probation officer listed below, Monday through Friday 8 AM through 4 PM, to schedule an appointment for release. The property will only be released to the above named individual with this form and valid photo identification. If you are in custody and need to send someone on your behalf, you can contact the probation officer listed below with the name of the individual authorized to retrieve your property. The party retrieving property on your behalf must present valid photo identification to retrieve the property. Failure to claim this property within 60 days will result in disposal according to law per Civil Code 2080.10. If you are in custody, you may write to the probation officer listed below to request additional time in safekeeping. This request must be received within 60 days from the date of this notice.

Item #	Description (Include quantity, made/model, serial #/OAN)

Probation Officer	Probation Office - Address	Phone Number

I have read this notice and understand how to claim my property. Signature: _____ Date: _____

Signature of officer authorizing release: _____ Badge: _____ Date: _____

For Property Release:

Property received by: Signature: _____	Property released by: Signature: _____ Badge: _____
---	--

Identification: _____ Date: _____ Time: _____

EVID-C3 Evidence Viewing Request.pdf



San Diego County PROBATION DEPARTMENT EVIDENCE VIEWING REQUEST

CONTROL NUMBER: _____

Viewing Date: _____ Viewing Time: _____ Viewing Location: _____

View all items

View only the following items (include item # if available): _____

Viewing Reason: _____

VIEWING AUTHORIZATION

Name (Print): _____ Title: _____ Badge: _____

Signature: _____ Date: _____

OUTSIDE AGENCY PERSONNEL

Agency/Business:
Name/Title (print):
Signature:
Agency/Business:
Name/Title (print):
Signature:
Agency/Business:
Name/Title (print):
Signature:

EVID-A3 Weapons Confiscation.pdf



San Diego County PROBATION DEPARTMENT RECEIPT AND NOTICE OF CONFISCATION OF WEAPONS

Date: _____ Time: _____ Control #: _____

Address: _____ City/State/Zip: _____

The items listed below were seized from the possession of or from the premises controlled by:

First/Last Name: _____ Probation ID#: _____

The weapon(s) below were confiscated pursuant to Penal Code § 18250(a), for the safety of all parties concerned. Unless the weapons are used as evidence in a criminal proceeding, they shall be made available to you 48 hours after the seizure, or as soon as possible thereafter, but not more than five business days after you have demonstrated compliance with Penal Code § 26590 and § 33855. You may contact the Weapons and Training Unit at 858-267-5930 or 858-267-5909.

The weapon(s) below were relinquished pursuant to Penal Code § 29825(d), and will be retained by the San Diego County Probation Department until turned over to the San Diego County Sheriff's Department or until the protective order is no longer in effect. You may contact the Weapons and Training Unit at 858-267-5930 or 858-267-5909 with any questions.

The weapon(s) below were confiscated pursuant to Welfare and Institutions Code § 8102(a), and will be retained by the San Diego County Probation Department. If you are not prohibited by law from possessing this weapon, the weapon(s) will be made available to you within 30 days of your release. The San Diego County Probation Department reserves the right to petition the court for an order prohibiting the return of the weapon pursuant to Welfare and Institutions Code § 8102(c). Please contact the Weapons and Training Unit at 858-267-5930 or 858-267-5909 with any questions.

The weapon(s) listed below were confiscated pursuant to Welfare and Institutions Code § 8103(f). The weapon will not be returned unless the court grants a petition pursuant to Welfare and Institutions Code § 8103(f).

Other: _____

The following weapon(s) was seized:

	<u>MAKE</u>	<u>MODEL</u>	<u>CAL</u>	<u>SERIALNUMBER</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

(Complete a new form for additional weapons)

Note: Prior to return of any firearm, the owner must submit a Law Enforcement Gun Release Application to the California Department of Justice Firearms Division. Pursuant to Penal Code § 12021.3(j)(1), any law enforcement agency may charge a fee relative to seizure, storage and release of firearms.

PROBATION USE:

SURRENDERING PARTY:

OFFICER (Print Name): _____

NAME (Print): _____

SIGNATURE: _____

SIGNATURE: _____

BADGE #:

DIVISION/UNIT:

PHONE:

EVID-D3 Property Disposition - Return to Owner.pdf



San Diego County
PROBATION DEPARTMENT
PROPERTY DISPOSITION FORM

RETURN TO OWNER:

Control #: _____

- Return all seized items: (indicate reason)
 - Case/violation adjudicated and possession does not constitute a violation of court order
 - No longer needed for evidentiary purposes
 - Other reason: _____

- Return ONLY the following items: (use separate sheet for additional items)

Item #	Description

REQUESTOR:

Name/ID: _____

Date: _____

Authorized by:

Name (Print): _____

ID#: _____

Signature: _____

Date: _____

This form is for release authorization ONLY. A completed EVID-C1 Property Release Form must accompany all releases.