

	<b>STANDARD OPERATING PROCEDURE</b> State Form 39870(R/S-06)	Reference Number <b>LAB-010</b>
	Subject <b>Money Submission and Disposition Requirements</b>	
	Special Instructions Replaces LAB-005 (IV, H, 4-5) dated January 19, 2016	Effective Date <b>August 28, 2018</b>

**I. PURPOSE**

Establishes a formal procedure for the proper submission and disposition of money seized in furtherance of a criminal matter, as well as for money which is found, recovered or held for safe-keeping which is not in furtherance of a criminal matter.

**II. POLICY**

Department employees who seize or recover money shall properly secure the items, complete a Property Record and Receipt Form (PRR), and if not contemporaneously transferred as part of a seizure action to a federal authority for forfeiture shall submit the items to the Laboratory Division for proper evidence storage, where the items shall remain until ordered to be forfeited or released by the assigned investigating officer, or otherwise ordered for disposal by a court having venue for the cause, all in a manner outlined in this procedure.

**III. DEFINITIONS**

**“Money”** – shall (for the purposes of this procedure) include any article or substance used as a circulating medium of exchange or as a means of payment having a measure of accepted value – which may include paper, metal, or coins in pieces of convenient form stamped by public authority, as well as virtual and/or cryptocurrencies.

**“Property Officer”** – shall (for the purposes of this procedure) include Crime Scene Investigators, Laboratory Evidence Clerks, District Evidence Clerks, Laboratory Region Field Supervisors, Laboratory Managers, or other laboratory personnel as designated by the Laboratory Division Commander having the necessary permissions to manage items of evidence.

**“Laboratory Temporary Evidence Storage Location”** – shall (for the purposes of this procedure) be evidence storage locations managed by the Laboratory Division (lockers, cabinets, rooms, refrigerators, etc.) at approved Department or non-Department facilities and used for the purpose of temporarily storing items of evidence in a safe and secure manner until the items can be entered into LIMS and placed into district storage locations by property officers. Locked Laboratory Temporary Evidence Storage Locations shall be unlocked and accessed only by a property officer.

**“Temporary Evidence Holding Area”** – shall (for the purposes of this procedure) be defined as the trunk or other secure area of the officer’s issued Department vehicle, or a cabinet, safe, room, etc. specifically located at a Department facility that can be locked where the items may be safely and securely stored in a temporary fashion. A temporary holding area is not managed by the Laboratory Division and shall be accessible only to the affected officer.

#### IV. PROCEDURE

A. When an employee seizes or recovers money and does not contemporaneously transfer it as part of the seizure action to a federal authority for forfeiture, the employee shall properly package, seal, label and submit the item to the Laboratory Division for proper evidence storage, meeting the submission requirements noted in SOP LAB-001 "Evidence Submission Requirements - Use of Property Record and Receipt Form", as well as to the requirements noted in this procedure.

B. Money contemporaneously transferred as part of a seizure action to a federal authority for forfeiture that does not require submission to the Laboratory Division for evidence storage shall be processed according to the procedures noted in SOP INV-013 "Property Seized for Forfeiture".

C. Money, less than \$1,000.00 that is not part of a contemporaneous forfeiture transfer to a federal authority, shall be counted and submitted directly to a property officer when possible; however, if the property officer is not readily available, the money shall be counted, properly sealed in preferably a plastic evidence bag, and labeled with the initials of the submitting officer and a witnessing officer, and may be placed in a Laboratory Temporary Evidence Storage Location.

1. The money may be placed in a Laboratory Temporary Evidence Storage Location without supervisor authorization and does not have to be recounted by the submitting officer and witness.
2. The money shall be recorded on the PRR form by the submitting officer listing the number of bills and/or coinage in each denomination as subtotals to the final total, and the witnessing officer shall also be legibly documented on the PRR form.
3. The submitting officer shall document the counting process and witness information in the associated incident report in the Records Management System (RMS).

D. Money, \$1,000.00 or greater that is not part of a contemporaneous forfeiture transfer to a federal authority, shall be submitted directly to a property officer.

1. At the time of submission, the money shall be counted by the property officer and the submitting officer in the presence of each other and a witnessing third party officer before the PRR form is signed by the property officer and before the money is sealed in an appropriate evidence container, preferably in a plastic evidence bag.
2. The seals shall be marked by the property officer as well as the submitting officer and observed by the third party officer witness.
3. All money shall be recorded on the PRR form by listing the number of bills and/or coinage in each denomination as subtotals to the final total, and the witnessing officer shall be legibly documented on the PRR form.

4. The submitting officer shall document the counting process and witness information in the associated incident report in the Records Management System (RMS).
5. A bank count of the money is acceptable in lieu of a hand count if the procedures noted above are followed and the property officer, submitting officer and witnessing third party officer are present at the bank when the money is counted.
6. If a property officer is unavailable, a supervisor may authorize the money to be placed in a Laboratory Temporary Evidence Storage Location without counting for up to three (3) calendar days by adhering to the following:
  - a. The container in which the money is placed, preferably a plastic evidence bag, shall be properly sealed, the submitting officer and a witnessing officer shall both initial the temporary seal, and both officers must be available to be present and participate in the counting of the money when received by the property officer; and
  - b. The incident report and the PRR reflect the money is stored with supervisor approval in a Laboratory Temporary Evidence Storage Location prior to counting by the two initialing officers; and
  - c. The submitting officer shall send an e-mail message to the authorizing supervisor detailing the storage need and associated incident number, and the supervisor shall immediately forward the email to the appropriate property officer using the dedicated email address assigned to the District facility associated with the submission (noted in SOP LAB-001) to document the approval of storing uncounted money and to prompt actions for required counting to be completed.
- E. Money which has been previously submitted in evidence storage may be released pursuant to the requirements noted in SOP LAB-002 "Evidence and Property Disposal" or SOP INV-013 "Property Seized for Forfeiture" by adhering to the following:
  1. All release of money transactions shall be documented in the chain-of-custody on the PRR and witnessed by a second officer, who shall legibly sign and print their name on the PRR; and
  2. Money shall be recounted upon release from evidence storage in the presence of a witnessing officer to verify the amount released and if the receiving person is an officer, that officer shall also conduct an independent count; and
  3. If a property officer or officer, who has received money as noted above, is subsequently releasing the money to the owner or a third party, the money shall be counted in the presence of the receiving individual and the receiving individual shall be asked to independently count the money to verify the amount released; and
  4. If the money is being converted into a check for release, the count by the bank will be accepted in lieu of counting the money in the presence of the individual receiving the money.

However, at least two Department employees shall be present at the bank when the counting is done.

F. Virtual and/or cryptocurrencies seized or recovered pursuant to the requirements noted in SOP INV-026 “Seizure of Cryptocurrency and Virtual Currencies” shall be submitted for evidence storage per the requirements in SOP LAB-001 “Evidence Submission Requirements- Use of Property Record and Receipt Form”, as well as to the requirements noted in this procedure specific to money.

1. These currencies shall be submitted on a CD or DVD as money, along with a paper hard copy of the cold storage wallet, after having been properly packaged, sealed and labeled consistent to Laboratory Division Policies.
2. The CD or DVD, as well as the paper hard copy of the cold storage wallet, shall be submitted for evidence storage as money in accordance to the procedures noted above and will not be converted to United States Currency until a forfeiture order is issued.
3. The CD or DVD which has been previously submitted in evidence storage may be released pursuant to the requirements noted in SOP LAB-002 “Evidence and Property Disposal” or SOP INV-013 “Property Seized for Forfeiture”, and shall include the requirements noted in this procedure specific to money.

G. All money shall be secured in a Temporary Evidence Holding Area by the seizing or recovering officer for safekeeping until the money is either contemporaneously transferred as part of a seizure action to a federal authority for forfeiture as noted in SOP INV-013 “Property Seized for Forfeiture”, or submitted to the Laboratory Division for evidence storage as required in this procedure and in SOP LAB-001 “Evidence Submission Requirements - Use of Property Record and Receipt Form”.

H. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies and procedures.