

Oakland County Sheriff's Office
GENERAL ORDERS # 4.7



SUBJECT: Storage of Evidence and Property		NUMBER: 4.7
EFFECTIVE DATE: 5/5/2026	MACP Standard Impact: 4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5	
REVIEW DATE: Annually		
REPLACES AND RESCINDS: GO 4.7 Storage of Evidence and Property dated 2/25/2025	DISTRIBUTION: All Personnel	NUMBER OF PAGES: 16

This order replaces and rescinds all previously issued orders, procedures, rules and regulations, notices and/or practices in conflict with this General Order.

I. PURPOSE

The purpose of this order is to set forth the procedures for the logging and processing of items confiscated or seized by members of the Oakland County Sheriff's Office. This includes meeting all legal requirements for the storage, handling and disposal of property in a safe and efficient manner, to safeguard and maintain the integrity of all property seized, found or recovered and to meet administrative requirements of the inventory and audit of property control operations.

II. POLICY

It is the policy of the Oakland County Sheriff's Office that each item of property coming into the custody of the Oakland County Sheriff's Office bears a complaint number and is documented in a written report. Property items must be listed on the property page of the report. The Evidence & Property Technician will ensure that all evidence confiscated, found or held for safekeeping is to be properly disposed of following established departmental guidelines. All state and federal laws must be followed regarding the handling of property.

III. DEFINITIONS

- A. Contraband – Property which is prohibited by Federal or State law to be owned, carried, concealed or possessed.
- B. Confiscated Property – Property that is legally seized from its custodian.
- C. Evidence – Property which furnishes or tends to furnish proof in a legal matter, including contraband. Property shall be considered evidence if the property is reasonably believed to be evidence which could be used in a legal action, either civil or criminal. Evidence is collected to establish the elements of the crime, to connect the offender with the victim, to connect the offender with the scene and to connect the offender with the fruits or instrumentalities of the crime.

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- D. Finder – A person who finds property and delivers the property to a law enforcement agency in the jurisdiction where the property was found. The finder who is named in the found property report will have the opportunity to claim the found property upon expiration of the limited timeframe.
- E. Found Property – Property which is not evidence and is in no way connected to a criminal case. The item(s) has/have been found by a deputy, other personnel or citizen, and efforts are made to identify the owner and return the property.
- F. Junk – Property which does not have any fair market value or worth.
- G. Legal Owner – Any person, organization, partnership, company, corporation or governmental agency that has care, custody or control over the property and can establish ownership to the satisfaction of the Sheriff's Office by description, title, sales receipt, bill of goods or other means. Any person who represents the legal owner or an organization, partnership, company, corporation or governmental agency by affidavit, power of attorney, bill of goods or title may be considered the legal owner for purposes of recovering the property.
- H. Property of Major Value – Property that is not collectible currency, contraband, currency, evidence, hazardous material, junk, perishable property or property of minor value.
- I. Property of Minor Value – Property which has a fair market value less than the total cost of preparing a property report, plus the costs of storage and disposition, and which is not collectible currency, contraband, currency, evidence, hazardous material, junk, perishable property or property of major value.
- J. Recovered Property – Property that has been reported stolen or missing by an identified owner and recovered by a deputy or citizen.
- K. Safekeeping – Property that is not evidence and is not connected to a criminal case, held by the Sheriff's Office for return to the owner once authorized by the Officer in Charge.

IV. Maintaining Security and Restriction Access to Property Rooms

- A. Primary Property Custodian (MACP Standard 4.3.2 a)
 - 1. The Primary Property Custodian for the Oakland County Sheriff's Office Evidence Storage Facility shall be the Senior Property & Evidence Technician. The Senior Property & Evidence Technician is responsible for ensuring the property control system meets all federal, state and local laws and ordinances that include the procedures for handling, storage and disposal of property.
 - 2. The Senior Property & Evidence Technician shall ensure the property control function meets administrative requirements of property control, property audit and efficient handling and storage of property.
 - 3. The Senior Property & Evidence Technician shall plan, assign, direct, review and coordinate the work of each Property & Evidence Technician assigned to both the Main Evidence Room and the Narcotics Enforcement Team Property Room, as well as other personnel assigned to the Evidence Room.

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- B. Secondary Property Custodian (MACP Standard 4.3.2 b)
 - 1. The Secondary Property Custodians for the Main Evidence Room are part-time Property & Evidence Technicians. The Secondary Property Custodians are responsible for the daily processing of property and for maintaining the integrity and security of property in the possession of this agency.

- C. Primary NET (Narcotic Enforcement Team) Property Custodian (MACP Standard 4.3.2 a)
 - 1. The Primary Property Custodian for the Oakland County Sheriff's Office NET Property Room shall be the Full-time Property & Evidence Technician. The Primary Property Custodian is responsible for the daily processing of property and for maintaining the integrity and security of property in the possession of the NET Unit.

- D. Secondary NET Property Custodian (MACP Standard 4.3.2 b)
 - 1. In the event the NET Property & Evidence Technician is unavailable, the Senior Property & Evidence Technician will assign another Property & Evidence Technician to assist with NET property duties.

- E. Restricted Access (MACP Standard 4.3.2 c)
 - 1. Only the Primary and Secondary Property Custodians will have unrestricted access to the Evidence Storage Room. The Evidence Room doors shall always remain secured when not occupied and access will be tracked by swiping the County issued proximity and access card.

 - 2. If an unauthorized person requires access inside the property room (e.g., maintenance worker, contractors, or any other Sheriff's Office personnel), Primary and Secondary Property Custodians may grant supervised access. Access of all unauthorized persons shall be recorded on an entry log that shall document the person's name, date of entry, the reason for the entry, time in, time out and the name of the Evidence Room personnel who escorted the individual.

- F. Levels of security
 - 1. The Oakland County Sheriff's Office's Main Evidence Room includes three specialized rooms available to store weapons, currency and drugs. Each room is equipped with card reader access and has at least three layers of security for entry.

V. REPORT WRITING REQUIREMENTS

- A. All property taken into custody for evidence, contraband, safekeeping, and found property, must have a report number issued. A CLEAR report shall be submitted in compliance with the Report Writing General Order, "Incident reports will include all required information for prosecution, including all identifying of suspects, victims, and witnesses, and full descriptions of property involved". (MACP Standard 4.3.1 b)

- B. Each item of property retained must be described individually in the CLEAR report with a thorough description (e.g., dents, decals, markings, any visible damage, etc.). The report shall also include any serial numbers, model numbers or other identifying numbers. General descriptions of a group of similar items (e.g., "miscellaneous jewelry") are to be avoided. However, if describing similar items individually would be impractical, Property Room personnel may permit the deputy to take a picture of the items and scan the picture into the report. Property comprising a set or collection (e.g., "tool wrench set") may be described in that term.

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- C. The locker number and property tag number must be included in the report.
- D. Currency must have the specific denominations and subtotals of each, as well as the total amount of currency, listed in the report.

VI. PROPERTY INTAKE (MACP Standard 4.3.1 f)

- A. All evidence seized or otherwise coming into the custody of the Sheriff's Office must be transported by sworn personnel. All evidence must be issued a report number, entered into the CLEAR property system and be properly packaged with the deputy's initials across the seal to ensure the package is tamper-proof. In addition, it must be issued a property tag and secured in a property locker or other authorized storage location as indicated in this General Order.
 - 1. Property must not be stored in a desk, cabinet, vehicle, deputy's locker, deputy's case file or any other unauthorized storage area.
 - 2. All evidence must be entered into the CLEAR property system before the deputy ends his/her shift. **(MACP Standard 4.3.1 a)**
 - 3. Sheriff's Office personnel shall not take for their own use, conceal, store, destroy, remove or tamper with any evidence, contraband, safekeeping, unclaimed or found property, except as expressly authorized by the Sheriff or designee (Major or Undersheriff).
- B. Packaging of evidence (MACP Standard 4.3.1 c)
 - 1. All evidence must be placed in appropriately sized containers, with care taken to maintain the item as close to its original condition as possible and to prevent the inadvertent loss of evidence.
 - 2. Any item requiring laboratory analysis must be packaged separately from other items that do not require analysis.
 - 3. Biohazard stickers must be placed on the outside of any packages that contain biohazard items (i.e., items believed to have been exposed to blood/body fluids or other harmful substances).
 - 4. When packaging property in a heat-seal plastic bag, the deputy's initials and badge number must be placed across the sealed part of the bag to create a tamper-proof seal.
 - 5. When packaging property in a paper bag, envelope or gun/knife box, the deputy must seal the container using evidence tape and mark his/her initials and badge number across the evidence tape and packaging so that the writing begins on the tape and continues onto the packaging, thus creating a tamper-proof seal.
 - 6. Large items (e.g., heavy safes, generators, large power tools, bicycles, etc.) require a property tag affixed to the item but are not required to be packaged unless lab analysis is necessary.
 - 7. Property tags must be affixed in the least intrusive manner possible to avoid damaging the property.

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8. Items to be packaged and tagged separately: **(MACP Standard 4.3.1 d)**
 - a. Drugs, weapons and currency must always be packaged and tagged separately from any other property.
 - b. If property is recovered from multiple locations, it must be bagged and packaged according to its owner if known.
 - c. Compact discs, hard drives, thumb drives or any other electronic storage device must be packaged in a CD envelope, then placed inside a manila envelope. The manila envelope must be sealed and initialed by the deputy and the barcode label must be affixed to the outside of the manilla envelope. The envelope must not to be folded down.
 - d. Items that will be analyzed by a crime lab or Computer Crimes Unit at a future date.
 9. Packaging currency
 - a. Currency shall be separated from any other property.
 - b. Currency shall be counted and recorded by denomination.
 - c. For amounts of \$100 or more, independent counts of currency must be conducted by two deputies. Upon verification by the two deputies, the currency must be placed inside a currency pouch, the integrity tape of the pouch sealed and both deputies' initials and badge numbers marked across the integrity tape.
 - d. Currency must be counted while in view of a video camera or a body-worn camera.
 - e. NET specific: Forfeiture money that will be deposited into a forfeiture account will be subject to a re-count by the NET Auditor. Currency must be itemized by denomination and by grand total.
- C. Tagging and Recording
1. Except when using the NET secured temporary storage lockers and prior to submitting to the official NET property locker, all property taken into custody shall be entered into the CLEAR Property System and identified with a property tag number.
 2. Deputies must issue one tag number for each package.
 - a. At no time shall two or more tags be placed on one package.
 3. The quantity of items within the packaging must be specifically noted in the CLEAR Property System in the Description area.
 4. The deputy must affix the barcode sticker on the outside of all packaged items (or on the item if too large for packaging).
- D. Secured Storage in Intake area. (MACP Standard 4.3.3 a,b)
1. Except when using the NET temporary lockers, all property submitted must be secured in a property locker located in the intake area of the Property Room.
 2. The deputy must ensure the door of the locker containing the property is securely closed and locked before exiting the intake room.
 3. If property does not fit inside of a property locker, the deputy must contact the Primary Property & Evidence Technician at 248-462-0143 for further instructions.

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4. Temporary NET Lockers
 - a. NET deputies must use the designated temporary NET secured lockers located in the NET Unit Intake Room only when circumstances require the deputy to quickly secure the confiscated property due to an immediate callout.
 - b. An "Occupied Temporary Locker" form must be completed by the NET deputy and include the deputy's name and the date/time the property was placed inside the temporary locker. The form must be taped to the outside of the temporary locker by the NET deputy. At no time shall a NET deputy place property into the temporary lockers without completing the "Occupied Temporary Locker" form.
 - c. The temporary locker must be securely closed, and the locker key must remain with the NET deputy until the items are tagged and placed into the secured pass-through lockers.
 - d. At no time shall the temporary NET locker be used for an extended length of time or as permanent storage.
 - e. The NET deputy shall ensure the property is submitted into the CLEAR Property System as soon as possible and taken from the temporary locker to the official pass-through locker.
 - f. The NET deputy must return the temporary locker key to the key drop after removing the property from the temporary locker.
 - g. The NET Property & Evidence Technician must check the temporary locker forms on a daily basis to ensure the property has not exceeded an extensive amount of time.

- E. Storage of property
 1. The Property Room personnel must remove the items from the lockers each workday.
 2. The evidence staff must verify that the property has been entered into the CLEAR property system and the appropriate barcode matches the tag number entered in the CLEAR property system.
 3. The Property Room personnel must place the property on an appropriate shelf, document that location on the tag card and enter the location in the CLEAR property system.
 4. The Oakland County Sheriff's Office's evidence rooms are equipped with at least three levels of security that includes card reader access, separate locks and camera observation. An additional level of security in the main evidence room is in place for currency, narcotics and weapons, which are stored and contained in specialized rooms.
(MACP Standard 4.3.2 d)

- F. Special Procedures for Specific types of property
 1. Trace evidence
 - a. Hair samples, fibers, etc., shall be packaged in a small envelope. Plastic bags or containers are NOT to be used for the packaging of trace evidence.
 - b. Trace evidence shall be tagged and, after analysis, shall be stored in the Property Room.
 - c. Any biohazardous trace evidence shall be clearly marked with a biohazard sticker.
 2. Wet evidence
 - a. Blood, semen-stained items, and wet soil from plants must be fully dried before packaging.

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- b. Wet evidence shall be placed in the secured drying machine for the required time to completely dry. If the dryer is occupied, the deputy may contact the Forensic Lab to request to use their drying machine. If the Forensic Lab drying machine is not available, the deputy shall contact the Primary Property & Evidence Technician for further instructions.
 - c. The assigned barcode sticker/tag number shall be placed on a brown paper bag and placed on the table outside the dryer area so that the packaging is available when drying is complete.
 - d. At no time shall a deputy place wet evidence in the drying machine without first entering the item in the CLEAR Property System. The OIC (or designee) is responsible for packaging the evidence, once the drying process is completed, and for wiping down the drying machine after use.
3. Firearms
 - a. All weapons must be submitted UNLOADED, and the "Rendered Safe" sticker must be completed.
 - b. Firearms must be packaged separately from any other property. Magazines shall be removed from the weapon and packaged with the weapon.
 - c. The barcode sticker/tag number shall be affixed to the outside of the package. The barcode sticker/tag number **should not** be affixed directly to the weapon.
 - d. Handguns submitted without their own cases must be packaged in a cardboard gun box and both the handgun and empty magazine secured in the box with zip ties.
 - e. Handguns submitted with their own gun cases must remain inside the gun case. The "Rendered safe" sticker must be completed and fastened to the handle of the case with a zip tie.
 - f. Long guns submitted without a gun case do not need to be packaged unless lab analysis is required. If lab analysis is required, then the long gun must be packaged and zip tied in a long gun cardboard box, and the "Rendered Safe" sticker completed.
 - g. Long guns submitted with its own gun cases shall remain inside the gun case. The "Rendered safe" sticker shall be fastened to the handle of the case with a zip tie.
 - h. A forensic lab form and an 'eTrace' sticker shall be completed for **all** weapons, whether safekeeping, found or evidence.
4. Lab analysis
 - a. Items for print processing shall be packaged in paper (i.e., brown envelope) and secured with evidence tape. The Deputy shall mark his/her initials and badge number across the evidence tape and packaging so the writing begins on the tape and continues onto the packaging, thus creating a tamper-proof seal.
5. Currency
 - a. Currency shall be counted and verified by two deputies. This verification must be documented in a supplement to the CLEAR report. Once the two deputies count the currency, the currency shall be placed in a pouch and sealed. Both deputies shall sign/initial on the sealed part of the envelope. Both deputies shall sign/initial on the integrity seal. Once the transporting deputy arrives at the evidence room, he/she shall place the currency pouch in a heat-seal evidence bag, seal the bag and initial the sealed evidence bag. The denominations shall be listed in the description area of the CLEAR Property System, along with the grand total. Currency retrieved from multiple suspects involved in one case shall be submitted using separate property tags for each suspect.

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6. Hazardous Property
 - a. Deputies must ensure the closed/locked containers (e.g., lock box, safe, etc.) do not contain explosives or hazardous materials before submittal to the Evidence Room.
 - b. Suspected hazardous property shall be brought to the attention of the deputy's immediate command officer (If NET Unit, inform the NET Lieutenant) prior to transport.
 - c. Hazardous property shall be clearly marked as such by the submitting deputy.
 - d. Biohazard: This includes blood, bodily fluids, feces, body matter, needles or any unknown substance. The outside of the packaging shall be clearly marked with a biohazard sticker.
 - e. Flammables or Explosives: Hazardous property which is explosive or flammable WILL NOT be transported to the property room. Property will be stored as directed by Senior Property & Evidence Technician after contacting the ATF for a recommendation regarding storage and handling.
 - f. Extraordinary Property: Deputies taking custody of extraordinary property (e.g., large plant material, construction material, perishables, property subject to leakage, etc.) which cannot be practically transported to or stored in the Property Room shall contact the Primary Property & Evidence Technician or immediate Command for instructions.

G. Marijuana Plants (NET-specific)

1. Deputies shall immediately notify the Crime Lab so that it may examine and process the marijuana plants as soon as possible. The property entry must include the total amount of plants submitted.
2. Deputies shall make a reasonable effort to dry plants and plant material before packaging them.
3. Once the marijuana plants are dried and have been photographed and tested by the Crime Lab, the marijuana shall be stored in evidence containers determined by the NET Property & Evidence Technician. The evidence shall be sealed and initialed and an evidence tag will be affixed to the outside of the container by the Officer in Charge.
4. Once the defendant has been arraigned, the Officer in Charge of the investigation shall notify the Prosecutor's Office when the plants have been pictured and analyzed by the Crime Lab. The Deputy will ask the Prosecutor's Office to submit an order to the court permitting destruction of the marijuana plants.
5. Marijuana that is not evidence must be weighed by the arresting deputy. It shall then be entered into the CLEAR Property System and immediately marked for destruction.

H. Found Property

1. The Primary Property & Evidence Technician shall maintain a list containing a general description of any found property to provide persons who may be the legal owners with enough information to aid in determining ownership. This list must be posted on the Sheriff's website and updated within 48 hours.

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2. All found property must be entered into the CLEAR property system, be properly packaged, have deputy's initials across the sealed part of the package and have a barcode (tag number sticker) attached to the outside of the package. If the owner of the property is readily known but the deputy cannot contact the owner before his/her shift has ended, the deputy must immediately electronically authorize the release of the property after the deputy enters the property into the CLEAR property system.
3. If the item can be returned to the owner prior to the end of the deputy's shift, the deputy may release the property to the owner and ensure the documentation of the release is written in the narrative report. The narrative report must include the release date and the owner's name and current address. The item need not be entered into the CLEAR Property system.
4. Upon proper proof of ownership, found property may be returned to its owner after the deputy completes an electronic authorization in the CLEAR property system. If the found property is not claimed by its legitimate owner, the finder of the property, who is listed on the report, may claim the property. If the property is of Major Value (\$100.00 or greater), it may be claimed or disposed of (auctioned) after 180 days; if the property is of Minor Value (less than \$100) it may be claimed or disposed of (auctioned) after 90 days.

I. Storage

1. Detection of improper property processing
 - a. The evidence room staff shall immediately notify the deputy to return to the evidence room to correct the following, but not limited to:
 - i. Incorrect packaging
 - ii. No initials on the sealed part of the bag to ensure tamper-proofing.
 - iii. No lab form completed for analysis.
 - iv. Item not entered in the Property System.
 - v. "Rendered safe" sticker not completed on gun box.
 - b. Property needing corrections shall not be stored in the Evidence Room and shall remain in the property locker until the corrections are made by the deputy.
 - c. If the deputy does not respond to the correction notification within a reasonable amount of time, the Primary Property & Evidence Technician will contact the deputy's immediate supervisor for assistance with receiving a response from the deputy.
2. Retrieval of property from the lockers
 - a. Except for the NET temporary secured storage lockers, Evidence Room personnel shall retrieve property from the secured storage lockers, ensure accuracy of deputy's computer entry information, ensure accuracy of the packaging requirements and assign a storage location within the Evidence Room.
 - b. Evidence room personnel shall document the assigned location of each item on the appropriate tag card and enter that location in the CLEAR Property System.
3. Main Property Room Safe Vault – The Primary Property & Evidence Technician shall be the only Evidence Room personnel who has access to the evidence room safe vault. The Secondary Property & Evidence Technician shall contact the Primary Property & Evidence Technician as soon as possible to make them aware of currency that has been submitted and requires storage in the safe vault.
 - a. In the event the Primary Property & Evidence Technician is not available, the currency shall be placed in a designated locker and an update of the changed location shall be made in the Property System.

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J. Transfers and Lab Analysis of Property

1. Transfer requests

- a. Deputies must contact the Evidence Room Personnel ahead of time for a request to transfer property to court, the Forensic Lab, the Computer Crimes Unit, etc. Upon notification, Evidence Room Personnel shall conduct a "Pending Transfer" for each item that will be transferred out of the evidence room.
- b. To accurately reflect chain of custody, the Deputy picking up the property shall log into the CLEAR Property System and electronically acknowledge he/she has received the property items from the Evidence Room personnel.
 - i. The Deputy shall click on the 'Pending Transfer' area highlighted in red on his/her homepage within the CLEAR Property System.
 - ii. At no time shall a deputy accept evidence or gain custody of property without completing the Transfer Acknowledgement.
 - iii. This form of electronic transfer is for chain of custody purposes and is necessary to ensure uniformity in the handling, transferring and returning of evidence.

2. Lab Analysis

- a. When evidence is submitted for lab analysis, the Deputy shall complete a lab form for services requested.
- b. The part-time court deputy assigned to the Main Property Room, or the Officer in Charge of the case, will be responsible for the transport of items to the Crime Lab, after electronically responding to the Transfer Acknowledgement in the Property system. The Property transport deputy will also transport the evidence back from the Lab once analysis is completed. The electronic 'Return' shall be completed.
- c. The NET deputies are responsible for the transfer of property to the Crime Lab for analysis, after electronically responding to the Transfer Acknowledgement in the Property system. The NET Primary Property & Evidence Technician will transport the evidence back from the Lab once analysis is completed. The electronic 'Return' shall be completed.

K. Disposal of property (MACP Standard 4.3.1 g)

1. Evidence Room Personnel must receive written/electronic authorization from the Officer in Charge (OIC) of the case before disposal of any property.
 - a. It is the responsibility of the OIC of the case (or Sergeant and above) to research the court disposition of the case and determine if property can be released or destroyed.
 - b. NET Property & Evidence Technician must receive written authorization from command staff (Sergeant or higher) before disposing of any NET property. If authorization is not electronically made in the CLEAR Property System, then the written authorization must be scanned into the CLEAR Property System as an attachment for each tag for auditing purposes.
2. All property must promptly be authorized to be returned to the owner, unless it is being held for evidence, forfeiture, auction or destruction as provided in this General Order. If the owner cannot be located, then the procedure for disposing shall be followed:
 - a. Notice must be sent to any known legal owner of the property (including firearms) to the last known address of record at least 6 months before disposing of the firearm.
 - b. If there was a finder who turned in the property, the property is to be returned to the finder unless he/she cannot be located, does not want the property or there is reasonable cause to believe that the finder should not lawfully possess a firearm.

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- c. If there was no finder (or finder cannot be located, may not lawfully possess or does not want the property), the property may be disposed of or sold at auction. (excluding firearms).
 3. Evidence shall be held throughout a pending court action (civil, criminal or appeals). Once the Officer in Charge receives the final court disposition, he/she will determine whether the property should be destroyed or released to an owner.
 4. Exception for Marijuana Plants needed as evidence (NET specific): Marijuana plants which are evidence for a pending court action may be authorized for destruction upon receipt of a signed court order authorizing the destruction of the plants and notification from the Prosecuting Attorney handling the case. The Officer in Charge shall make an accurate photographic record of the marijuana plants. The Officer in Charge shall also ensure that any additional records are made, if required by court order. The OIC shall then notify his/her Sergeant that the marijuana plants are ready for destruction. The Sergeant shall review the court order and shall authorize destruction of the plants if the Sergeant is satisfied that the terms of the court order have been met.
 5. 180-Day Notification: Except as otherwise indicated for NET property, Evidence Room personnel shall send Deputies, on at least a semi-annual basis, notice to review any cases older than 180 days with active property. The OIC of the case shall respond within 30 days, advising the disposition of the property (Retain, Destroy, or Release). Failure to respond within 30 days of notification will result in an email reminder to the OIC. If he/she continues to fail to respond, the Primary Property & Evidence Technician will contact the OIC's Command Sergeant to assist in receiving a response.
 - a. Each deputy is responsible for researching his/her own report, contacting the Court, and determining the final disposition of the property (i.e., person to whom property should be released, destroy the property or retain the property for further court litigations).
- L. Release of Property
1. Property must promptly be returned to the owner unless it is contraband, evidence in a pending court action or has been forfeited in accordance with the Forfeiture Order.
 2. The authorization to release property must be authorized by the deputy or investigator assigned to that case, after such evidence is no longer required for use in the case.
 3. The written/electronic authorization from the OIC for return of the property must include the owner's full name, address, date of birth and phone number.
 4. When informing the owner that property will be returned, the OIC should instruct the owner to wait for a letter in the mail, or other notification from the Evidence Room personnel, which will indicate when the property is ready to be scheduled for pick up.
 5. After receiving the written/electronic authorization from the OIC, Evidence Room personnel will notify the owner as follows: **(MACP Standard 4.3.1 e)**
 - a. Weapon-specific: A criminal history will be conducted on the person to whom the weapon is authorized to be released. Each weapon will be verified to ensure the weapon is not reported stolen and the weapon is legally registered to that person.
 - b. A letter of notification will be sent to the citizen's last known address via first class mail. The letter must notify the owner to pick up the property within six months from the date on the letter or the property will be considered abandoned.

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- c. If the written notice is returned as undeliverable, Evidence Room personnel will attempt to look for an updated address with Secretary of State or attempt to call the owner if there is a known phone number.
 - d. During the owner's appointment to pick up property and to acknowledge receipt of the property, Evidence Room personnel will verify the owner's identity and have them complete the back of the property tag card with their signature and date of release.
 - e. Ammunition shall not be released at the same time as a weapon. The owner shall schedule a separate appointment to retrieve the ammunition, or he/she can request the Sheriff's Office destroy the ammunition for him/her.
6. Owner dispute
- a. If a dispute concerning the ownership results in a court action, the property shall be maintained until the outcome of that court action.

M. Return of Firearms

- 1. A firearm may not be returned to the owner if the firearm was forfeited in accordance with Forfeiture Order or if the owner should not lawfully possess a firearm. Persons who may not lawfully possess a firearm include:
 - a. Those with a felony conviction (unless certain statutory requirements are met).
 - b. Those who have been adjudicated mentally ill or incompetent.
 - c. Those who have been involuntarily committed to a mental institution.
 - d. Those subject to a personal protection order.
 - e. Those adjudicated not guilty by reason of insanity.
 - f. Users of illegal drugs or persons addicted to illegal drugs.
 - g. Those who have been convicted of a misdemeanor crime of domestic violence.
 - h. If there is reason to believe that a firearm may not be returned to the owner, the Investigative and Forensic Services Lieutenant shall be contacted for further guidance.

N. Disposing of Found Property (MCL 434.21 thru MCL 434.29)

- 1. If the legal owner cannot be determined or he/she does not claim the property within six months of sending a written notice, the finder may claim the property (unless junk, contraband or hazardous material). If the finder cannot be located or does not want the property, the property can be sold at County auction.
- 2. If the legal owner of found hazardous material cannot be located or established, or the hazardous material poses an imminent danger to life or other property, the hazardous material may be released to any agency, business or person that can safely keep or is licensed to dispose of the hazardous material.
- 3. Electronics that cannot be forensically digitally cleaned cannot be released for auction or to a finder and must be destroyed.
- 4. Disposing of Abandoned Property (MCL 434.181 thru MCL 434.184)
 - a. If the owner has not responded within six months from the date of the written notice to pick up the property, then the property shall be considered abandoned. Abandoned property shall be destroyed (if junk or contraband) or sold at County auction (if it is of value).
- 5. Destruction of Property
 - a. Contraband and junk no longer needed as evidence for an ongoing case shall be electronically authorized for destruction by the OIC of the case.

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- b. After receiving the electronic authorization for any other property, the property shall be inspected by the Primary Property & Evidence Technician to determine what items may be sent for auction.
 - c. Each tag card shall be signed by the property room personnel who physically destroys each item, and the CLEAR Property System shall be updated to document the final disposition.
- O. Illegal controlled substances authorized for destruction shall be destroyed by incineration. The designated Property Room personnel shall witness the incineration and sign his/her name on the back of each tag card, along with the date of the incineration. The CLEAR Property System shall be updated to reflect the final disposition of the property.
- P. Illegal Firearms authorized for destruction shall be transported to the Michigan State Police (MSP) Forfeited Weapons Unit. All firearms, weapons or devices carried or used contrary to Chapter 37 (Firearms) of the Michigan Penal Code (MCL 750.222 – 750.239a) are automatically forfeited. A conviction under MCL 750.227d shall result in an automatic forfeiture under MCL 750.239a.
- Q. Weapons designated for destruction shall be transported to the MSP Forfeited Weapons Unit by two armed deputies.
1. The Primary Property & Evidence Technician shall ensure that the TD-006 MSP form is completed with the required information, all MSP Forfeited weapons guidelines are met and the TD-006 and cover letter emailed to MSP prior to transport. The transporting deputy or Primary Property & Evidence Technician shall sign each tag card for each weapon destroyed and document in the CLEAR Property System that the firearms have been turned over to the MSP Forfeited Weapons Unit.
- R. Property to be sold at County Auction or online auction.
1. No later than April 1 of each year, the Property Personnel shall prepare a list of property items that may be sold at the County auction (NET shall prepare a separate list).
 2. The Sheriff's Fiscal Officer shall ensure the County Board of Commissioners has approved sale of the property before the property is submitted to auction. Sale of forfeited vehicles shall comply with the procedures set forth in the Forfeiture Policy.
- S. Special Destruction instructions
1. Sexual Assault Kits - The destruction of sexual assault kits shall not be disposed of prior to the expiration of the limitation period applicable under section 24 of chapter VII of the code of criminal procedure, 1927 PA 175, MCL 767.24 In the event a disposal is requested **prior to** this limitation period, we shall notify the victim of that intention in writing at least 60 days before the evidence is destroyed or otherwise disposed of.
 2. OWI Blood Kits (3-year retention) - The destruction of OWI Blood Kits shall follow the MSP Retention Policy.
 3. Taser (4-year retention) – The destruction of Tasers shall be approved by the Lieutenant of Homeland Security, Wellness and Professional Development.
 4. CET DVDs/thumb drives (Minimum of 3-year retention) - The destruction of Cell Extraction DVDs/USBs or Use of Force video shall be approved by the Lieutenant of Corrective Services Division.

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5. Shell Casings – If related to a general felony (NOT a CSC or homicide) retain until case is closed and no open warrant plus 20 years. If CSC or homicide retain until case is closed and no open warrants plus 110 years.
 6. Forfeiture: The OIC shall update the CLEAR Property System and the Case Report if property has been forfeited. The procedures set forth in the Forfeiture Policy shall be followed.
- T. Quality Control: Inspection / Audit / Inventory
1. Semi-annual Inspection: The Senior Evidence & Property Technician shall conduct an inspection of the main and NET Unit Evidence Room on a semi-annual basis. This inspection shall document that the storage areas are maintained in a neat and organized manner, are clear from damage or deterioration, the adherence to procedures and integrity of property are being maintained, and the purging of property in a timely manner is enforced. **(MACP Standard 4.3.5 a)**
 2. Audit: A designee who is not associated with the property management function of the main property room or NET Property room shall conduct an annual audit. The annual audit shall include a sampling of high-risk items such as currency, jewelry, firearms and drugs. The results of this audit shall be reported to the Sheriff. **(MACP Standard 4.3.5 d)**
 3. Inventory: The Senior Evidence & Property Technician and staff shall conduct a physical inventory of all property on an annual basis. For the NET Unit, this inventory shall be performed by the NET Property Room Technician and a deputized NET staff member. This shall include individually checking all property items against the property system's records and ensure all items of property are accounted for. An inventory of all property shall also be conducted whenever there is a change/reassignment of Evidence Room personnel, a change of Sheriff or if there is any indication or suspicion of a breach of the Evidence Room. A written inventory summary shall be completed and submitted to the Lieutenant of each Unit. For the NET Unit, an inventory summary shall be sent to the Lieutenant and the Senior Property Room Technician for each inventory. **(MACP Standard 4.3.5 b,c)**
 4. Annual Unannounced Inspection: On an annual basis, a representative of the Sheriff's Office shall conduct an unannounced inspection of property storage areas to determine adherence to the procedures used for the control of custodial property. The representative shall examine the electronic authorizations of releases to ensure the required notifications and release authorizations have been properly received. **(MACP Standard 4.3.5 e)**
- U. Appropriation for Agency Use
- No property is to be kept for agency use without the written permission of the Sheriff, or designee (Major or Undersheriff).
1. Firearms Unit Reference Collection: The OCSO Forensic Science Laboratory maintains a firearm reference collection. The firearms reference collection aids in training, determining design and determining function.
 - a. A written request from Lab personnel must be sent to the Primary Custodian of the specific weapons that are needed for the reference collection. This request is to include the property tag number and the report number. The Primary Custodian will forward the written request through the chain of command for written approval by the Sheriff – the Chief Executive Officer (CEO). **(MACP Standard 4.3.4 a)**

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- b. Along with the request for approval, the Primary Custodian will include a copy of proof that the case has been adjudicated for that item. **(MACP Standard 4.3.4 b)**
 - c. Along with the request for approval, the Primary Custodian will include a copy of proof that the property has exceeded the required retention period or that the owner has received notification that the property will be destroyed. **(MACP Standard 4.3.4 c)**
 - d. Once a firearm is ready for destruction, the Property staff must verify that the firearm is clear in NCIC to confirm that the weapon is not reported stolen. This additional verification must be conducted in addition to the NCIC check conducted when the firearm first came into the possession of the Property and Evidence Room to ensure the firearm was not reported stolen after the time it was originally entered into the property system.
 - e. The property staff must notify the Forensic Lab when the written request has been approved and the firearms have been approved and are available for pickup.
 - f. The Forensic Lab Specialist must sign the back of the property tag card with his/her name and date to confirm the firearm has been released to the Forensic Lab for the Firearms Reference Collection.
 - g. The Property System must be updated by the Property staff to document the release of each firearm. The final computer disposition must be changed to "Released for Firearm Reference Collection".
2. Drugs for Canine Training
- a. Drugs used for Canine (K-9) Training, assist the OCSO dog handlers to train the work dogs in tracking narcotics. Drugs are not to be distributed to outside agencies.
 - b. A written request shall be forwarded to the Forensic Science Chemist with notification that narcotics are needed for Canine Training. The Forensic Science Chemist will forward the written request through the chain of command for written approval by the Sheriff – the Chief Executive Officer (CEO). **(MACP Standard 4.3.4 d)**
 - c. The Chemist shall email the NET Primary Property & Evidence Technician, and the NET Primary Property & Evidence Technician shall inventory the Property System to determine what types of narcotics are ready for destruction due to cases that have been adjudicated. **(MACP Standard 4.3.4 b)**
 - d. The NET Primary Property & Evidence Technician will email the Chemist a of the types of narcotics available. The list should include the tag numbers, NET numbers, and types of narcotics.
 - e. The Chemist will determine what types of narcotics and amounts are needed and respond to the NET Primary Property & Evidence Technician via email.
 - f. The NET Primary Property & Evidence Technician will complete a 'Pending Transfer' in the Property System, pull the tag cards and prepare the narcotics for transfer to the Lab. The Chemist will electronically acknowledge receipt of the narcotics in the Property System.
 - g. Once the Chemist takes custody of the drugs, the Chemist shall weigh the drugs received and keep documentation in the Chemist file.
 - h. The Chemist will contact the Canine Deputy and schedule a time for the pickup of their training narcotics. The Canine Deputy will electronically acknowledge receipt of the narcotics in the Property System.
 - i. The Chemist will be responsible for inspecting the Canine Officer's drugs on a semi-annual basis, which is outlined in the Canine policy.
 - j. Upon returning narcotics that are no longer needed, the Canine Officer shall contact the Chemist to arrange a time to come in for the return.

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- k. Once the drugs are returned, the Forensic Lab will contact the NET Primary Property & Evidence Technician. The Forensic Lab will complete the electronic 'Return' in the Property System. The Chemist will also make all necessary documentation in the Chemist file.

V. NET-Specific Procedures

1. When submitting currency, the NET Detective shall double-count the currency, complete a receipt, place the receipt inside the heat seal bag and affix a currency sticker to the heat seal.
2. Seized Motor Vehicles and Conveyances: NET Deputies shall ensure all motor vehicles and conveyances seized shall be entered into the CLEAR Property System before a vehicle is retained as evidence, returned to the owner or forfeited. Vehicles shall be stored in an authorized secured area.
3. Transfer and Lab Analysis of Property in NET Property Room
 - a. NET Deputies are responsible for transferring property to the Forensic Lab for analysis.
 - b. If property has already been stored in the NET property room, the NET Deputy shall contact the NET Primary Property & Evidence Technician with the request to transfer evidence to the Lab, court, etc.
 - c. The NET Primary Property & Evidence Technician shall complete a 'Pending Transfer' in the Property System for items requested to be transferred.
 - d. To accurately reflect chain of custody, the NET Deputy shall acknowledge receipt of property by logging into the Property System, clicking on the 'Pending Transfer' highlighted area on the Property home page, and acknowledging that he/she has received the items from the NET Property staff. This electronic feature documents the date, time, location, deputy picking up the property and reason for the transfer.
 - e. When property is submitted for analysis, a Forensic Lab form must be completed.
4. Disposal and Returning Property
 - a. NET Property room personnel must receive written authorization from a NET Lieutenant or Sergeant before disposing of any property. If property is to be released to an owner, the release authorization must include the owner's full name, address and phone number.
 - b. The NET Primary Property & Evidence Technician shall scan the written authorization into the Property System for each tag OR keep a file of a copy of the Case Supervision sheet (scanned copy in electronic file or hard copy in file).
5. Drying Wet Evidence (Hashish, Oil, etc.)
 - a. NET Deputies shall dry wet property as much as possible in a designated secured authorized area before packaging.



ISSUED BY: Sheriff Michael J. Bouchard