

**EXHIBIT B**

**City of Buffalo, New York**  
**Police Department**  
**Property Unit**  
**SOP**

## PROPERTY UNIT SOP - TABLE OF CONTENTS

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Appendix A

Exhibit B – Property SOP - 2

## **PROPERTY UNIT – SOP**

### **1. Property Office Administration**

#### **a. Responsibility**

The Property Office is responsible for maintaining, preserving, and disposal of property and evidence that comes into the control and custody of the City of Buffalo Police Department. The Property office Lieutenant shall maintain responsibility for all aspects of the operations of the Property Office, including the review of all disposals to ensure that the respective entity no longer requires that the property be retained. Authorization for the release of property shall only be made by the Property Office Lieutenant or designee.

#### **b. Chain of Command**

- 1) Administrative and Communications Inspector
- 2) Property Office Lieutenant
- 3) Property Office Sworn Police Officer
- 4) Civilian Personnel

#### **c. Change of Command**

Whenever a new Property Office Lieutenant is designated, the following shall be conducted by the new and outgoing Supervisors:

- i. A full review of this document and all other documents related to the operations of the Property Office.
- ii. An inventory of guns and money/valuables shall be completed and then reviewed by the Administration and Communication Inspector.
- iii. Upon completion of the inventory; a new alarm code shall be given to the Property Office Lieutenant, all property office and room keys shall be changed and all safe codes shall be changed. The new keys and codes shall be disseminated to the appropriate personnel.

#### **d. Security Procedures**

The Property Office Lieutenant maintains ultimate responsibility for the security of the property Office storage rooms. All money, firearms and high value items will be adequately secured by or within secondary secure storage (i.e. Safes, caged areas, locked cabinets, wall mounted racks with cable/wire inside designated property storage areas).

#### **a. Access Authorization**

The Property Office Lieutenant assigns access to secure areas by the issuance of keys and alarm code information.

##### **i) Full Access**

The Property Office is a secure facility. Only members of the Property Office have "full access" to the Property Office. By the nature of the job description, members of the Crime Scene Unit have "partial access".

The Property Office Lieutenant assigns full access to the Property Office by the issuance of keys and alarm code information. Members of the Property Office have full access to all storage areas but are limited in certain areas by requirements for two person access through the use of keys and alarm codes..

Any member who is issued a key will maintain exclusive custody of the key until the member's authority to possess it is rescinded. If authority is rescinded, the member will relinquish his/her keys to the next higher person, as outlined in the Property Office's chain of command.

The Property Office will also ensure that the alarm code is voided and all keys and safe codes are changed if a member's authorization to any area(s) is rescinded.

## **ii) Partial Access**

Members of the Crime Scene Unit have partial access to the Property Office. Access will be limited to the main Office area (Room 162) and conference area (Room 164). Members of the Crime Scene Unit can be given access to other areas as directed by the Property Office Lieutenant for a specific approved reason and must adhere to all two person requirements.

## **iii) Limited Escort Access**

Limited escorted access will be allowed to those listed below while being escorted by a member with full access or partial access.

- Personnel from the Erie County District Attorney's Office.
- Officers or other law enforcement personnel conducting business with the Property Office.
- Person(s) with specific approved reason to enter the area.

## **1. Property Office Hallway**

During business hours the hallway is accessible to all BPD personnel via their employee ID card. The pass through window will be open to any employee having business with the Property Office.

During non-business hours the area is accessible via ID card for access to the overnight evidence lockers. The property hallway will be under constant video surveillance.

## **2. Property Office Area (Room 162)**

The Property Office is always a secure area. Any person gaining access to the Property

Office that is not a member of the Property Office or the Crime Scene Unit and thereby gaining Limited Escort Access, must sign in noting the date, time, and reason for gaining access to the Property Office. No one, other than Property Office Members or Crime Scene Unit Members, is allowed inside the Property Office without signing in.

The Property Office has always been considered a secure facility. With that in mind, we now have another method of proving control of the access to the secure area. If you are not a member of the Property Office or the Crime Scene Unit, you will be required to sign in and out of the Property Office as you enter or exit the door leading from the property hallway area. You will have "Limited Escort Access" for legitimate business within the Property Office. If you have legitimate business, it will only take a moment to sign in and out. If you do not wish to log in, transactions can be made through the window.

## **2. General Security Provisions**

To maintain security, all Property Office storage areas will be kept locked when not occupied by authorized personnel.

Members issued key(s) and alarm code information (full access) have authority to enter into only those areas accessed by the key(s) and alarm code information for legitimate business. Members requiring access to other areas will be on a limited escorted access basis.

Members assigned full access are responsible for maintaining security and for following security provisions specific to the area assigned.

## **3. Property Storage Areas**

### ***a. Work Area (Room 164)***

The work area is utilized for the intake, identification, sorting, and disposition of property. The work area will also be utilized for the holding of property awaiting transfer for laboratory examinations. This area may be utilized by Officers and/or Detectives, on a limited escort basis, for the identification of property.

### ***b. Gun Vault(s) and Intake Valuables Vault (money, jewelry, firearms)***

Two locks secure the vault. The vault will always be kept locked and alarmed unless Property Office members are conducting business within. If access authority is rescinded, the member will return his/her key to the next higher person as outlined in the Property Office chain of command.

### ***c. General Property Storage***

Description of general storage areas:

1. Box storage areas.
2. Free shelf areas.
3. Floor storage areas.

The general property storage areas are secure areas and access is limited to authorized personnel.

***d. Storage Lockers and Property Hallway***

- i. Temporary Property Submission Locker- Lockers used for the final submission to the Property Office after business hours. Members using the lockers will ensure they are locked after placing property in them.
- ii. Property Hallway- It's use is for non-evidentiary items too large to be placed in lockers (ex. a bicycle).

**4. Receiving**

***a. Provisions***

All property submitted to and received at the Property Unit will be in accordance with the current MOP (Chapter 5)

All property submitted to and received at the Property Office will be examined to ensure proper packaging. A P-10, P-10a or P-10ccb is included and is consistent with the property being submitted and that there is a correct and intact seal.

- i. The Property Office member receiving property will enter the property into the CHARMS system, to include:
  - a. Incident number
  - b. Location
  - c. Type of incident
  - d. Submitting officer
  - e. Date of seizure
  - f. Description of item
  - g. Source/Owner of item
  - h. Reason for collection (e.g. evidence, safe keeping, found, destroy)
  - i. Storage location of item
- ii. Place the corresponding barcode on the property bag, envelope or box and onto the corresponding P-10 or P-10a.
- iii. Write storage location on corresponding P-10 or P-10a

Property will not be left unattended in unsecure areas.

***b. Right of Refusal***

It is the policy of the Property Office not to accept property not in accord with the established City of Buffalo Police Department Property Office Written Directive.

If a member of the Property Office finds an error when retrieving property from a Property Submission Locker, a correction form should be completed and emailed to the responsible officer. The correction form will be copied to the Officer's Supervisor and the Property Office Lieutenant. The property should remain in a property submission locker and secured with a combination lock. If there is further problem and/or the correction is not made by the end of tour of the officer's next work day, the Property Office Lieutenant will be notified.

The Property Office Lieutenant will notify, via email, the Officer, immediate Supervisor and Chief of said district/unit.

***c. Opening Sealed Evidence***

It will be the policy of the Property Office not to open any package secured by a legal seal. If an unusual circumstance exists, which will likely cause the destruction or an alteration of the property submitted unless immediate corrections are made, a sworn member may, at the direction of the Crime Scene Unit, intrude into the package to make the necessary corrections.

The initials, DID number, date and time of the sworn member opening the package will be placed at the point of intrusion into the package.

Upon resealing the package, the sworn member will place a proper legal seal on the package.

The chain of custody within CHARMS should reflect custody by the sworn member.

***d. Locked Storage Items***

Locked storage items, such as safes, shall not be accepted in to the Property Office.

If an item is collected by Patrol, they should contact the Crime Scene Unit to take possession.

The original Officer must make every effort to identify the owner. However, if the owner is not identified in 7 days, the Property Lieutenant will be responsible for having the safe opened anyway deemed appropriate. If expenses will be incurred, the Administrative and Communications Inspector will need to be notified for approval.

Once the storage item is unlocked/open, if there is information that can be used as a lead to determining the owner, the information should be forwarded to the case responsible Officer for follow-up. The items can then be turned over to the Property Unit.

**5. Record Keeping, Tracking and Reviewing Cases**

- A. The name and signature of each person taking possession of an item of evidence along with the location the item was taken to. It shall also detail the date of receipt, transfer, destruction and the description or unique identifier of the evidence The Buffalo Police Department used the Erie County CHARMS system for all record keeping in regards to Evidence and Non-Agency Property. Through the CHARMS system a record will be kept of the Chain of Custody for all evidence taken in to the department from collection to final disposition.

The security and maintenance of the Property Office records as well as all property reports (P-10, P-10a, P-10ccb2) for property held by the Property Office, are the responsibility of all members of the Property Office.

Timeliness of computer entries: computer data entries of property received and all updates will be kept current.

Custody of the Property Report (P-10, P-10a, P-10ccb2):

It will be the policy of the Property Office that all property reports will remain within the Property Office until the property is released or disposed of, at which time the property reports will be forwarded to River Rock (records management).

- B. The Buffalo Police Department will use the CHARMS BARCODE system for the labeling of all evidence and non-agency property taken into the property room. The information contained in the bar code will be the incident number, property number, time and date of seizure, source or owner of item, character of incident, type or description of item, storage location of the item. The incident number will also be printed on the label in alphanumeric format.

The Charms system shall also be used to document property number, incident numbers, the time and date of seizure, the source or owner of item, incident type, type of item, (e.g. evidence, found property, safekeeping), the name of the person who collected the item, the investigating officer, the storage location and the purge review date.

The CHARMS system will be used to document all records pertaining to all evidence and non-agency transfers from and returns to the Property Room. Each record of transfer will include descriptive information for the item, date and time of transfer, the persons identity who receives the item(s), the reason for the transfer, the name and location to which the item was transferred and a list of examinations performed.

- C. The tracking process starts at the time the property is received at the Property Office.

The case status for property being held, other than prisoner property, will begin six months after the case is initiated. The property being held by the Property Office will be examined on a systematic and continuous schedule. Each case will be examined for current status and have any changes to the status noted on the property report. A date for the approximate next review will be noted in CHARMS.

Depending upon the type of case and the reason property is being held, releases may be requested and/or letters may be sent to owners, victims, defendants, or finders.

- D. The review process includes an examination of computer files in the CHARMS reporting system, arrest system and DCJS.

## **6. Release Process**

### ***a. Release Policy***

It is the policy of the Property Office that property will be released in accordance with the Buffalo Police Department's MOP, City of Buffalo Police Department's Property Office Standard Operating Procedure and applicable New York State and Federal laws.

### ***b. Property Category Definitions***

**Found Property** - Non-evidentiary property that comes into the control and custody of The City of Buffalo Police Department, in which the rightful owner is not known at the time of collection.



**Safekeeping** - Non-evidentiary property that comes into the control and custody of The City of Buffalo Police Department where the rightful owner is known and the property is being held temporarily until it may be returned or disposed of.

- General
- Firearms
- Property of Deceased

**Destruction.** Non-evidentiary property obtained by The City of Buffalo Police Department from the rightful owner for the express purpose of destroying said property.

**Evidence.** Property held in a case that is of probative nature (evidentiary value), which when linked with proper testimony, would tend to prove or disprove a point of fact.

- General
- Recovered Stolen Property
- Firearms
- Drugs

It is the responsibility of the member submitting property to the Property Office to properly identify the category for which the property is being held. It is also the responsibility of the submitting member to inform the Property Office of any changes in the category status.

***c. Temporary releases***

The Property Office member releasing the property will update the chain of custody with the CHARMS. The person receiving the property will sign their signature into CHARMS.

For the return of said property, the Receiving Provisions as provided in Section 4 of this document shall apply. All evidence from each property group number must be returned in it's entirety.

***d. Property released for lab exams***

The Property Office member releasing the property will update the chain of custody within CHARMS. The sworn member delivering the property will ensure that the chain of custody is again updated at the Erie County CPS Lab when custody is turned over at that facility.

When property is returned from the Erie County CPS Lab, the sworn member picking up the property will ensure that the chain of custody is updated in CHARMS. The Property Office member receiving the property will follow all procedures as described above under Receiving Provisions.

***e. Determining the Proper Release Procedure***

It is the responsibility of the Property Office Lieutenant to review the property to determine the proper release procedure for the type of property submitted, based on the reason for it being secured. Any question or discrepancies regarding the category will be clarified with the submitting member before release or destruction of any property.

Prior to the release of any property, a determination will be made to ensure that person claiming the property is legally entitled to it. To ensure this, a form of acceptable

identification will be required from the person claiming the property. Further the following laws will be used during the determination; New York State Personal Property Law, New York State Abandoned Property, New York State Criminal Procedure Law, and New York State Penal Law.

***f. Acceptable Identification***

Acceptable identification shall be an official document issued by the United States government, or by any state, county, municipality, public agency or department thereof, provided that such document contains a photographic image of the holder. Foreign government identification may be acceptable with the Property Office Lieutenant's approval.

Persons rightfully claiming property without acceptable identification may be identified through official Criminal Justice computer systems, such as Web Imaging.

Persons claiming property rightfully belonging to another must have a notarized note or bill of sale signed by the rightful owner authorizing the person to claim the property and proof of identification.

Property can be released to a person without acceptable identification only with the Property Office Lieutenant's approval.

***g. Satisfactory Proof of Ownership***

The City of Buffalo Police Department is aware that individuals alleging ownership of property do not always possess documents proving their ownership. The Property Office members are authorized to make decisions on ownership based upon any available information, including information contained on receipts, release forms, report systems, and including interviews with the alleged owners. Any member who is not able to determine satisfactory proof of ownership from available information will consult with the Property Office Lieutenant. The Property Office Lieutenant is authorized to require proof of ownership in the form of documents. It is the responsibility of the submitting member to inform the Property Office of any information relevant to the ownership (including names, addresses, and telephone numbers of owners or other persons with claims to property rights) of the property being held by the Property Office.

***h. Correspondences***

Property Office members will attach all correspondence or copies of correspondence, pertaining to a case involving property being held by the Property Office, to the property report and annotate it in CHARMS, if applicable.

***i. Release of Property***

**i. General Property Release Procedure**

A person wishing to claim property must present:

- Signed Officer's release listing the property that is being claimed or a District Attorney's release if it is a criminal case.
- Prior to property being released, all conditions listed on the District Attorney's release form are to be met if it is a criminal case.
- Statute of limitations has been met if it is a criminal case.

- Satisfactory proof of ownership.
- Proof of identification.

## ii. Firearms Release Procedure

### Definition of property covered in this section:

Any firearm, specified in Article 265 of the New York State Penal Law, when unlawfully possessed, manufactured, transported, or disposed of, or when utilized in the commission of an offense.

- a. Regardless of the reason it is being held or the reason it is being released, firearms will only be released by a sworn member of the Property Office. The Property Office shall not release any weapon to a person who has open felony charges, felony convictions, a valid Order of Protection against them, or a positive MHL 9.46 Brady check.
- b. Firearms being held for any case may be released to the owner, after a sworn member of the Property Office has determined:
  - That a signed District Attorney’s release listing the firearms being claimed is on file with the Property Office if it is a criminal case.
  - That the person claiming the firearm has legal authority to possess the firearm.
  - Satisfactory proof of ownership.
  - Proof of identification.
  - Statute of limitations has been met.
- c. All firearms held as evidence in a criminal case will be reviewed and if determined to be nuisance, as defined in Article 400.05 of the New York State Penal Law, they generally will not be released but will be destroyed.

## iii. Money/Valuable Release Procedure

Regardless of the reason it is being held or the reason it is being released, property removed from the money/valuables vault will be released by Property Office members. The chain of custody will be updated in CHARMS.

A person wishing to claim money or valuable must present:

- Signed District Attorney’s release listing the property that is being claimed if it is a criminal case.
- Prior to property being released, all conditions listed on the District Attorney’s release form are to be met if it is a criminal case.
- Statute of limitations has been met if it is a criminal case.
- Satisfactory proof of ownership.
- Proof of identification.

#### **iv. Safekeeping General Property Release**

##### **Definition of property covered by this procedure**

Non-evidentiary property that comes into the control and custody of The City of Buffalo Police Department in which the rightful owner is known and is being held temporarily until it may be returned or disposed of.

The property can be released by the Property Office to the rightful owner after receiving:

- A signed Officer's release.
- Satisfactory proof of ownership
- Proof of identification.

#### **v. Safekeeping Firearms Release**

##### **Definition of property covered by this procedure**

Any firearm, as defined in Article 265 of the New York State Penal Law, being held by The City of Buffalo Police Department, for which there are no criminal charges pending.

##### **Not Court ordered holdings**

Firearms being held for safekeeping, for other than court ordered holdings, may be released to the owner after a sworn member of the Property Office has determined:

- That a signed Officer's release is on file.
- The person receiving the firearm has legal authority to possess it.
- Satisfactory proof of ownership.
- Proof of identification.

##### **Court ordered holdings**

Firearms being held for safekeeping pursuant to a Court Order may be released to the owner, after a sworn member of the Property Office has determined:

- That a Court Order Restoral Document (in the case of a pistol license suspension/revocation) is on file, or that the Court Order for which the firearms are being held has expired.
- The person receiving the firearm has legal authority to possess it.
- Satisfactory proof of ownership.
- Proof of identification.

##### **Sale of Firearms**

In accordance with New York State Penal Law Article 400.05-6:

The owner of a firearm, which is being held for safekeeping, unless prohibited by Court Order, shall at any time prior to the firearm being declared a nuisance have the right to arrange for the sale, or transfer of such firearm(s) to a licensed dealer of firearms or a pistol permit holder.

The firearms may be released to a licensed firearms dealer or pistol permit holder after a sworn member of the Property Office has determined the person receiving the firearm:

- Possesses a notarized bill of sale or transfer signed by the owner or the sale or transfer is conducted in his presence and the seller has proof of identification.
- Possesses both a valid New York State and a valid Federal Firearms Dealers License or a valid pistol permit with said firearm(s) noted on the permit.
- Has proof of identification.

### **Safekeeping Firearms Declared Nuisance**

A firearm held for safekeeping that is not claimed by or sold by the person entitled to the firearm within one year from the time it came into the possession of The City of Buffalo Police Department or within one year from the time evidence firearms were declared safekeeping firearms. When a firearm is held for safekeeping but detained due to open felony charges, the one year shall commence upon the date of the resolution of the open felony charges.

## **vi. Property of Deceased**

### **Definition of property covered by this procedure**

Personal Property identified to or by the Property Office as property belonging to a deceased person.

- Property held for safekeeping:  
In the case of property being held for safekeeping, the Property Office must have a signed Officer Release or notation to whom it may be released on the property report.
- Property held as evidence in a criminal case:  
The Property Office must obtain either a signed District Attorney's release.

### **To Claim Property**

Person claiming the property must be authorized by one of the following:

- A Letter of Testamentary (issued when there is a Will)
- A Letter of Administration (issued when there is no Will)
- A Certified Copy of an Affidavit issued by the Clerk of the Surrogate Court (issued for small estates, under \$10,000.00, when there is no will)

### **Authorization to Claim Firearms**

In addition to the above, if the property being released is a firearm, the person claiming the property must have:

- Legal authority to possess the firearm
- All firearms must be released by a Sworn Member

All non-firearms property identified as belonging to a deceased person shall be held for a period of up to two years and if it is still unclaimed by the person(s) legally entitled at that time, it will be disposed of.

All firearms identified as belonging to a deceased person shall be held for a period of up to one year and if it is still unclaimed by the person(s) legally entitled at that time, it will be disposed of.

Whenever possible, an estate letter will be sent to the estate of the deceased to inform those entitled of the property being held by the City of Buffalo Police Department and what documentation is required to obtain the property.

### **vii. Found Property**

#### **Definition of property covered by this procedure**

All property, other than firearms, which is of non-evidentiary nature, that had been lost or misplaced or is believed to have been lost or misplaced.

#### **To the Owner**

Property may be released at anytime to the rightful owner upon receiving:

- Signed Officer's release or acknowledgement of ownership noted on the P-10.
- Satisfactory proof of ownership
- Satisfactory proof of identification

#### **To the Finder**

Property may be released to the finder or person entitled to assert the right of the finder upon completion of the mandatory holding time and upon receiving:

- Satisfactory proof of identification

### **Amount of time to hold Found Property**

Property shall be kept for the following time periods, pursuant to New York State Personal Property Law 253 sub 7, unless sooner delivered to the rightful owner:

<b><u>Property Value</u></b>	<b><u>Shall be kept for</u></b>
Less than \$100.00	3 Months
\$100.00 to less than \$500.00	6 Months
\$500.00 to less than \$5,000.00	1 Year
\$5000.00 or more	3 Years

### **viii. Civil Cases**

#### **Definition of property covered by this procedure**

Property recovered by The City of Buffalo Police Department for an investigation that is civil in nature.

#### **Civil cases in which City of Buffalo is the, or could become, a litigant**

The Property Office will maintain custody of property for civil cases that involve the City of Buffalo or the City of Buffalo Police Department. The Property Office will dispose of property after receiving authorization from the City of Buffalo Corporate Council.

#### **Civil cases in which the City of Buffalo is not a litigant**

The Property Office will not maintain custody of property for civil cases that does not involve the City of Buffalo or the City of Buffalo Police Department.

## **7. Disposals**

### ***a. Review for Completeness and Accuracy***

Prior to destruction or auction of any property, the Property Office Lieutenant will review the case for completeness and accuracy. The Property Office Lieutenant will indicate final approval by indicating so on the property record file.

### ***b. Return to Owner***

All property that can be returned to the owner will be returned to the rightful owner in accordance with the City of Buffalo Police Department in accordance with section seven (7).

### ***c. Diversion***

After following all necessary steps to return the property to its rightful owner, any such property that cannot be returned but that can be utilized within the City of Buffalo Police Department may be diverted to the City of Buffalo Property Office for reallocation within the police department.

In order for property to be diverted:

- The unit requesting the property must demonstrate in writing the unit's need and the benefit to the City of Buffalo Police Department.
- The request to the Property Office Lieutenant for verification that the requested item is eligible for diversion.
- Following a successful verification, the request will be forwarded to the Administrative and Communications Inspector for approval.
- Final approval will then be ascertained by the Commissioner.

### ***d. Auction***

Any property that cannot be returned to the owner or diverted within the agency yet has monetary value, will be auctioned by the City of Buffalo Police Department. In order for property to be auctioned:

- Unclaimed property will be transferred to the designated auction area.
- The auction area will be inventoried and logged. At which time the Property Office Lieutenant will contact the auctioneer to pick up the property for auction at [www.PropertyRoom.com](http://www.PropertyRoom.com).

### ***e. Destruction***

#### **Disposal of Firearms**

At least once each year all firearms that have been declared a nuisance shall be destroyed.

A NYSPIN (GTST) inquiry shall be made to check for possible matching lost or stolen firearm reports.

A notice of intent to destroy will be forwarded to the Executive Department, Division of State Police in Albany. The notice shall contain at least the following information on each firearm to be destroyed:



- A. Caliber
- B. Make
- C. Model
- D. Manufacture's Name
- E. Serial Number
- F. Type of firearm

Upon receiving written authorization from the Division of State Police, the firearms shall be destroyed by two sworn City of Buffalo Police members, each verifying that the correct firearms are to be destroyed by comparing the list to the actual firearm, to include the serial number or other distinguishing mark or number. The list shall be signed by both members acknowledging the review and confirming the destruction. The chain of custody will be updated and both members will sign the chain of custody on the submission form or the one member will be updated in CHARMS while the second member is identified in the notes section of CHARMS.

Destruction will occur by means of incineration at Covanta, located in Niagara Falls, NY.

## **8. Forms**

### ***a. Letters***

#### **Thirty-Day Letter (Certified Mail)**

A 30-day letter will be sent to notify individuals that the property being held for a case can be released and that if the property is theirs, they will have thirty days to claim it.

#### **Found Property Letter (Certified Mail)**

A found property letter sent to finders of property notifying them that the property they found is being held for a specified period of time. After the time period has expired, if the property has not been claimed by the rightful owner, they will have thirty days to claim it.

#### **Firearms Letter (Certified Mail)**

A firearms letter sent to owner of guns that are being held for safekeeping only. The letter notifies them that they will have up to one year to either claim the firearm(s) or to sell them to a licensed dealer. It also notifies them that after the year has expired, the State of New York will declare the firearm(s) a nuisance and the firearm(s) will be destroyed.

## ***b. Administrative Forms***

### **Property Disposition Sheet**

The disposition sheet is used to determine if the property/evidence can be disposed of or needs to be retained. Follow up requests will be set out after 15 days, along with an email that is copied to the officers supervisor.

### **Property Refusal Form**

A refusal form is used by members of the Property Office to notify an officer that there is a problem relating to the property they have submitted to the Property Office. This form will be placed in a refusal locker, along with the submitted items and paperwork.

### **Property Release Form**

The release form is used by members to release property. The form should include the date, district/unit and the CD# of the incident (property number should be included if known). The form has two paragraph sections:

- The first section is for the name of the person the property should be released to.
- The second section is a description of the property that is to be released.

## **9. Appendix A**

### Laws of New York State

#### **New York State Personal Property**

Article 7-B - LOST AND FOUND PROPERTY

#### **New York State ABP - Abandoned Property**

Article 13 - MISCELLANEOUS UNCLAIMED PROPERTY

#### **New York State Criminal Procedure Law**

Part 3 - SPECIAL PROCEEDINGS AND MISCELLANEOUS PROCEDURES

Title P - PROCEDURES FOR SECURING ATTENDANCE AT CRIMINAL ACTIONS AND PROCEEDINGS OF DEFENDANTS AND WITNESSES UNDER CONTROL OF COURT--RECOGNIZANCE, BAIL ORDERS, AND RELATED MATTERS

Article 530 - (530.10 - 530.80) ORDERS OF RECOGNIZANCE OR BAIL WITH RESPECT TO DEFENDANTS IN CRIMINAL ACTIONS AND PROCEEDINGS--WHEN AND BY WHAT COURTS AUTHORIZED

#### **New York State Penal Law**

Part 3 Specific Offenses

Title P – Offenses Against Public Safety

Article 265 – (265.00 – 265.40) Firearms and Other Dangerous Weapons

#### **New York State Penal Law**

Part 4 - ADMINISTRATIVE PROVISIONS

Title W –

Article 400 -(400.00 - 400.10) LICENSING AND OTHER PROVISIONS RELATING TO FIREARMS