

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: December 4, 2015
NUMBER: 3.24 - INVESTIGATIONS
SUBJECT: CONVERSION OF SEIZED PROPERTY
RELATED POLICY: N/A
ORIGINATING DIVISION: OPERATIONAL SUPPORT
NEW PROCEDURE:
PROCEDURAL CHANGE:
SUPERSEDES: DP 3.24 – 09/19/2014

I. PURPOSE

This Department procedure establishes guidelines for the conversion and disposal of seized property.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

California Penal Code Section 1411 allows for the conversion of impounded property from evidence to City use when the rightful owner cannot be identified. Units from within the Police Department, as well as other City departments may request items to be converted.

IV. CRITERIA

A. Before conversion of property is allowed:

1. Unclaimed property must be held for at least three months pursuant to Section 2080.4 of the California Civil Code.

2. Stolen or embezzled property must be held for at least three months if notice was given to the true owner, or six months if the true owner was not identified and no notice was given, pursuant to Section 1411 of the California Penal Code.

B. Only request property that provides benefit to the public.

C. Items for personal use will not be converted. Some examples of items that are not considered appropriate for conversion to Department use are:

1. Microwave ovens for cooking food;
2. Refrigerators for storing food;
3. Phone answering machines;
4. Briefcases for carrying personal items; and,
5. Radios for individual use.

D. Requests for computer equipment should be made through the Information Services Division.

NEW

E. Firearms that are turned in and the citizen requests that they be destroyed will not be eligible for conversion.

NEW

F. Firearms that are obtained through a Gun Buy Back Program will not be eligible for conversion.

V. PROCEDURE FOR REQUESTING ITEMS

A. Anyone requesting small, miscellaneous hand tools or disposable items can sign for them in the log provided at the Headquarters Property Room when they are available. This log will be maintained for two years.

B. Any unit requesting items to be converted must complete a Conversion Request Form (PD-823). These forms are available on the F: drive under Templates, Administrative, Property Conversion form, or at the Headquarters Property Room, as well as area station property rooms.

C. One Conversion Request Form (PD-823) must be completed for each item requested.

- D. All requests must list the required information on a Conversion Request Form (PD-823) and be approved by the appropriate commanding officer, or deputy director from other City departments.
- E. Approved forms should be forwarded to the Senior Property and Evidence Supervisor at MS 729.
- F. Requests submitted will be reviewed by the Senior Property and Evidence Supervisor and Captain over Operational Support. Those requests meeting the criteria will then be sent to the Assistant Chief of Neighborhood Policing for final approval.
- G. All approved requests will remain in the Headquarters Property Room until the requested items become available for conversion or the Senior Property and Evidence Supervisor is notified that the item is no longer needed.

VI. PROCEDURE FOR PICKING UP CONVERTED ITEMS

- A. A Property and Evidence Supervisor will contact the listed person when the requested items become available.
- B. A Property and Evidence Supervisor will determine the value of each item converted.
- C. Items with a value of \$5,000 or more, will be assigned a City property number by the Headquarters Property Room prior to releasing them to the requesting unit.
- D. Items with a value of less than \$5,000, will be inscribed with an identification number, SDPD, the date of conversion, and a blue City of San Diego tag will be affixed.
- E. A Property and Evidence Supervisor will complete the "Property Section" of Form PD-823. The receiving unit must sign for the item.
- F. When a City property number is issued, a copy of the completed Conversion Request Form (PD-823) will be sent to Fiscal Management.
- G. Units receiving items from the Headquarters Property Room will receive a copy of the Conversion Request Form (PD-823) and will be responsible for accounting for each item.
- H. All firearms converted to Department use will be distributed through Operational Support. Operational Support is responsible for updating the record in the Automated Firearm System and to add the firearm to the Department inventory.

NEW

VII. PROCEDURE FOR DISPOSING OF CONVERTED ITEMS

- A. All converted property no longer operational or needed by the receiving unit must reflect a disposition on the Conversion Request Form (PD-823).
- B. When converted firearms are being destroyed, Operational Support must be notified to update the Department inventory and the Automated Firearm System.
- C. After the disposition, this form must be retained in the unit for two years.
- D. If the item is surveyed or transferred, attach a copy of City Transfer Advice Form (AC-397).

NEW