

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 10

October 18, 2019

SUBJECT: CONVERTIBLE PROPERTY AND VARIOUS RELATED MANUAL SECTIONS – REVISED; AND, CONVERTIBLE PROPERTY REQUEST, FORM 10.09.00 – REVISED

PURPOSE: This Order updates procedures for the retention and use of convertible property regarding requests for ammunition and firearms, and the retention of confiscated firearms. This Order also reflects the change to approval and oversight of convertible property requests from the Assistant to the Director, Office of Special Operations, to Administrative Services Bureau.

PROCEDURE:

- I. CONVERTIBLE PROPERTY AND VARIOUS RELATED MANUAL SECTIONS – REVISED.** Department Manual Sections 4/580.10, 580.20, 580.21, 580.24, 580.26, and 580.30 have been revised. Attached are the revised Department Manual sections with the revisions indicated in italics.
- II. CONVERTIBLE PROPERTY REQUEST, FORM 10.09.00 – REVISED.** The Convertible Property Request, Form 10.09.00, has been revised to reflect the change to approval and oversight from the Assistant to the Director, Office of Special Operations, to Administrative Services Bureau.

FORM AVAILABILITY: The Convertible Property Request, Form 10.09.00, is available in E-Forms on the Department's Local Area Network. A copy of the form is attached for immediate use and duplication.

AMENDMENTS: This Order amends Sections 4/580.10, 4/580.20, 4/580.21, 4/580.24, 4/580.26, and 4/580.30 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.


MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 10 , 2019

580.10 CONVERTIBLE PROPERTY – DEFINED. Convertible property is property that comes into the custody of the Department for which title, after satisfaction of specified legal requirement, may pass to the Department for use in an official capacity.

Note: Items of contraband *shall* never be converted to Department use except as defined in Department Manual Section 4/585.

The following are categories of convertible property:

Unclaimed Property – Defined. Unclaimed property is any and all property booked into the custody of the Department and held for a specified period of time during which no claim or demand has been made nor owner located. Unclaimed items *shall* no longer be required for use as evidence and must have been authorized for disposition.

As required by law, unclaimed property shall be held for a minimum of 97 days, with the exception of unclaimed bicycles which may be held for a minimum of two months when transferred to designated youth services organizations.

Forfeited Property – Defined. Forfeited property is property seized in connection with a narcotics-related arrest or investigation for which ownership has been transferred to the Department by appropriate State or Federal authorities. Included are products involved in the manufacturing, transportation, storage, and marketing of controlled substances. All seized monies intended to be provided in exchange for a controlled substance, or proceeds traceable to such an exchange, may also be forfeited.

Judicially Awarded Property – Defined. Judicially awarded property is property other than that seized pursuant to asset forfeiture proceedings for which ownership has been transferred to the Department upon a court order.

Note: Employees aware of the possible availability of property which is in the custody of a court and which is suitable for conversion for Department use may inform the concerned magistrate of the Department's property conversion program. If the magistrate chooses to award the property to the Department, the employee accepting the item *shall* return it to the Property Room from which it was withdrawn and notify the *Commanding Officer (CO), Administrative Services Bureau (ASB) via the CO, Evidence and Property Management Division.*

580.20 REQUESTING RETENTION OF CONVERTIBLE PROPERTY. The following procedure *shall* apply when requesting retention of convertible property for official Department use.

Evidence and Property Management Division employees will be watchful for unique items of convertible property and advise the appropriate entity of their availability.

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 10, 2019

580.21 EXAMINATION OF CONVERTIBLE PROPERTY. An employee assigned to the *Administrative Services Bureau (ASB)* will be responsible for liaising with *Evidence and Property Management Division*, and other Department entities as required for the purpose of examining convertible property available for retention by the Department. When appropriate, the *Commanding Officer (CO), ASB*, will cause convertible property available for retention by the Department to be inspected by subject matter experts (e.g., cellular telephones or computers by *Information Technology Division*). Such inspections should determine serviceability, compatibility with existing equipment or systems, and the ability of the Department to maintain the items.

Note: Requests for ammunition available for convertible property may only be requested by the Firearms Training Section, In-Service Training Division.

Firearms scheduled for destruction are available for consideration by Metropolitan Division, In-Service Training Division, and Forensic Science Division. Identified firearms will be made available for convertible property for training and/or tactical purposes. Requests for the retention of firearms scheduled for destruction shall be made through the requesting entity's chain of command to the CO, ASB. Refer to Department Manual Section 4/552.10.

580.24 BUREAU COMMANDING OFFICER'S RESPONSIBILITIES. A bureau commanding officer receiving a request for retention and issuance of specified converted property shall:

- Review the request to ensure that it is in the best interests of the Department;
- Forward approved requests to the *Commanding Officer, Administrative Services Bureau; and,*
- Return denied requests to the requester.

580.26 COMMANDING OFFICER, ADMINISTRATIVE SERVICES BUREAU RESPONSIBILITIES. The *Commanding Officer, Administrative Services Bureau (ASB)*, shall:

- Retain a copy of each Convertible Property Request that is received;
- Cause necessary research to be conducted for requests received;
- Forward the original approved request to *Evidence and Property Management Division* for appropriate action;
- Return denied requests to the concerned bureau along with a brief explanation; and,
- Upon request from *Evidence and Property Management Division* resolve any conflicts arising from Department entities requesting the same item.

DEPARTMENT MANUAL

VOLUME IV

Revised by Special Order No. 10, 2019

580.30 ISSUING CONVERTIBLE PROPERTY. Upon approval of the *Commanding Officer (CO), Administrative Services Bureau (ASB)*, converted property may be issued using the following guidelines.

Evidence and Property Management Division's Responsibilities. *Evidence and Property Management Division (EPMD) shall issue a receipt to the requesting Department entity upon issuing and releasing convertible property. Evidence and Property Management Division shall:*

- Cause the receiving employee to acknowledge receipt of the property by appropriate signature on the Convertible Property Receipt, Form 10.09.01;
- Forward the original signed receipt to Records and Identification Division for filing;
- Issue the item to the requesting division;
- Maintain accurate issuance and control documents;
- *Determine by comparative need which requesting Department entity should receive requested property items. In the event of a conflict, ASB shall make the final determination;*
- *Post on the Department LAN (Deployment Period 1) a list of property available for conversion. Updated lists may be posted throughout the year at the discretion of the Commanding Officer EPMD; and,*
- *Maintain a database listing property converted and the entity to which the property was assigned.*

Exception: Inventory and tracking of issued convertible property is the responsibility of the requesting Department entity.

Note: The issuance of convertible property is an ancillary duty assigned to *EPMD*. *Evidence and Property Management Division's* primary duties take precedence; therefore, approval of the convertible property by the *CO, ASB*, does not guarantee its immediate issuance.

Motor Transport Division's Responsibilities. Upon receipt of an approved request and a copy of the pertinent court order, City Council file (if applicable), or other appropriate correspondence certifying a vehicle for use by the Department, the Commanding Officer, Motor Transport Division, *shall:*

- Inspect the vehicle for serviceability;
- Issue the vehicle a shop number;
- Service the vehicle as required;
- Send correspondence to the Salvage Division, Department of General Services, advising that the vehicle has been assigned a shop number and explain the circumstances under which the vehicle came to the Department; and,
- Maintain the vehicle in accordance with established procedures.

CONVERTIBLE PROPERTY REQUEST

EMPD use only: Convertible Prop. No.

INSTRUCTIONS: Each commanding officer requesting a convertible property item for Department use shall complete and submit this form to his or her concerned bureau commanding officer (or above if applicable) for approval. A separate form shall be completed for each item or related package grouping of convertible property requested. Commanding officers shall review Department Manual Section 4/580.24 prior to submitting the form for review and approval.

The employee completing this form shall briefly describe the reasons the requested convertible property item is needed and how it will be used to meet Department objectives. If the requested item(s) are connected to a report, the following information shall be provided: DR number, item number, and description as listed in the related Property Report, Form 10.01.00.

REQUESTING DEPARTMENT ENTITY:	DR & ITEM NUMBER (IF CONNECTED TO A REPORT) OR DESCRIPTION:
-------------------------------	--

JUSTIFICATION:

CONTACT PERSON (Rank or Classification, First Name, Last Name, Serial No., Contact Number):	DATE
---	------

SIGNATURE OF REQUESTING COMMANDING OFFICER:	DATE
---	------

<input type="checkbox"/> APPROVED	BUREAU (OR ABOVE) COMMANDING OFFICER:	DATE
<input type="checkbox"/> DENIED		

<input type="checkbox"/> APPROVED	ADMINISTRATIVE SERVICES BUREAU:	DATE
<input type="checkbox"/> DENIED		

<input type="checkbox"/> APPROVED	EVIDENCE AND PROPERTY MANAGEMENT DIVISION:	DATE
<input type="checkbox"/> DENIED		