

Property and Evidence

Public Information Guide to The Release of Property or Evidence

The Florence Police Department's Evidence and Property Section is responsible for the receiving, cataloging, storage and dissemination of evidence of criminal investigations and property of non-criminal nature. It is the sole mission of this section to maintain an accurate accountability of all inventories within the department's policy and procedure, rules of evidence and state laws.

RELEASE OF PROPERTY will be made by appointment only, no less than 24 hours in advance. Only the lawful owner of the property or a legal guardian must receive and sign for property. Anyone receiving property or evidence must provide valid photo identification and must sign a Custodial Receipt form. Anyone other than the legal owner must provide a notarized statement; or a notarized bill of sale; or a lawful power of attorney; or a written notice from the prosecutor; or a court order to receive the requested property. In certain cases, the presented lawful documents may be forwarded to the Town Attorney for review, and in this case, additional time will be required before the property is released.

EVIDENCE is any item or article that has been collected by a law enforcement agent to conduct a criminal investigation. Any item or article to be released must have a written release by the prosecuting attorney or a lawful court order.

CONTRABAND is any item or article that has been deemed illegal to possess by federal or state law such as illicit drugs or narcotics, drug paraphernalia, weapons, explosive or other substances.

A **SEARCH WARRANT** is a written or oral order authorized by a judicial authority which is based on probable cause presented by a law enforcement official indicating that certain property, articles, items or substances on personal property is subject to seizure. Any article, item, substance or property that has been confiscated by a search warrant will only be released upon written notice from the prosecutor or court order.

FOUND PROPERTY is any item or article that has been found by or surrendered to a law enforcement agent for safekeeping until such time that the rightful owner can be identified.

SAFEKEEPING PROPERTY is a result of a law enforcement officer taking control of property for the purpose of public safety or for the purpose of holding the property for a short period of time.

UNCLAIMED PROPERTY will be disposed in accordance with Arizona Revised Statutes 12-941 to 12-946, at the discretion of the department's policy and procedures.

Safekeeping Property will be disposed of after notification has been made in writing and no less than 16 calendar days from the mailing or telephonic notification.

Found Property will be disposed of in no less than 91 calendar days, if unclaimed by the rightful owner or finder. Any property or evidence that is authorized to be released, the owner will be notified by phone or mail to arrange for an appointment. If no appointment is made or the appointment was missed and re-scheduling is made then the property will be disposed of after 16 calendar days. All unclaimed property collected may be converted to town property or sold at auction. Public auctions will be advertised in the Florence newspaper.

FIREARMS taken in relation to a criminal investigation will not be released without a written directive from a prosecutor or a court order. In accordance with Arizona Revised Statutes 13-3601 and Federal United States Code 18-925 (The Brady Act), a criminal history background will be performed on the recipient prior to the release of the firearm. This requires the recipient to surrender their full name, date of birth, social security number and valid photo identification. No ammunition will be released at the same time a firearm is released and can be claimed no more than five working days from the receipt of the firearm in the interest of public safety.

COIN OR CURRENCY is not maintained within the Evidence Facility. Any lawful claimant of cash requires written authority of the Chief of Police and the Town Manager. A check will then be issued from the Town of Florence bank account to the lawful claimant, which can be picked up in person (with proper identification) or mailed to a properly identified address of the claimant.

Mailing of property being returned to the owner can be accommodated provided the claimant provides sufficient identification i.e. full name, date of birth, and a valid state driver's license number and submits prior to shipment, cash or money order for the amount of shipping. (*Firearms are excluded from US Postal delivery.*)

CONSUMABLE GOODS seized, found, collected or received will be destroyed with no reimbursement value to be claimed.

It is most convenient for you to make an appointment in order to claim property as only the Florence Police Department Evidence and Property Custodian can release property after he has received permission for the release from the investigating officer or prosecuting attorney. Found property can be released without this permission.

LEGAL NOTICE: The Town of Florence and the Florence Police Department reserves the right to review with the Town Attorney on any release without notice or cause and reserves the right and exercises the authority to receive or transfer any property and or evidence to another law enforcement agency or accredited scientific analysis agency or entity.

Evidence and Property Section hours of operation: 9:00 AM to 3:30 PM Monday through Friday.

Property Release Available by appointment Only: Tuesday, Wednesday, Thursday excluding Holidays.

FLORENCE POLICE DEPARTMENT

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