

Cobb County Police Department

Policy 3.13

PROPERTY/EVIDENCE RELEASE

Effective Date: October 1, 2019	Issued By: Chief C.T. Cox
Rescinds: Policy 3.13 (November 1, 2017)	Page 1 of 2
The words "he, his, him," which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to outline procedures to be followed when releasing/disposing of property that has come into the possession of the Department.

I. TEMPORARY RELEASE

- A. When submitting property, officers/detectives may request that certain items be placed in a "Detective Hold" locker. (see Policy 3.12, III)
- B. Occasionally, property that has already been stored by the Property and Evidence Unit may be required for investigative/laboratory examination, court proceedings, etc. When this occurs:
 - 1. An email request should be sent to the Property and Evidence Unit at least 24 hours in advance. The request should include each item of property needed; including date and time it is needed. The item(s) will be picked up from the Property and Evidence Unit.
 - 2. The chain of custody will be documented in accordance with Policy 3.12.

II. FINAL RELEASE

Generally, the Property and Evidence Unit is responsible for the final release of property. However, personnel may release property under the following circumstances:

A. Found Property

Found property should be released to the legal owner if he is located. Proof of purchase, photographs, videos, a thorough description of the property, etc., can be used to verify ownership. Finders of property have no rights of claim to found property, regardless of whether or not the owner can be located.

B. Property Held for Safekeeping

Property being held for safekeeping must be released to the verified owner upon request.

C. Evidence Release

Property, other than contraband and some firearms, can be released to an owner once it is no longer needed for investigative or court purposes. A court disposition order or officer authorization is needed for the release of evidentiary property.

1. Officers will notify the Property and Evidence Unit, via e-mail, if evidence can be released.
2. Officers will respond to any such inquiries from the Property and Evidence Unit within five (5) working days from receipt of the inquiry.

III. PROPERTY DIVERSION

According to OCGA 17-5-54, certain property may be retained for official Department purposes upon approval of the Superior Court.

- A. Requests for the acquisition of property will be made in writing to the Chief of Police, through the chain of command. The request will describe the item(s) requested and the purpose for its use.
- B. When approved by the Chief of Police, the original letter of request will be maintained in file within the Chief's Office and a copy will be sent to the Property and Evidence Unit.
- C. The Property and Evidence Unit will then notify the unit commander when the requested item is available. The unit commander will be required to sign a receipt for the property. The signed receipt and approved request letter will be maintained in the Property and Evidence Unit files.