

GENERAL ORDER

August 2017

Immediately

II-40

Distribution: All Employees

Subject: **CONVERSION OF PROPERTY ITEMS TO LAW ENFORCEMENT USE**

Index as: Conversion of Property to Department Use Training Drugs
 Drugs, Accountability for Converted Weapons, Accountability for Converted
 Narcotics Education Display

Accreditation Standards: 84.1.4 and CFA 14.1.2

Cross Reference: G.O. III-14, Property and Evidence
 City Administrative Policies 040200 and 040202
 FSS Chapters 705, 790 and 932

Replaces: G.O. II-40, Conversion of Property Items to Law Enforcement Use (January 9, 2012)

This Order establishes **policy** for the accountability and security of drugs, explosives and weapons which have been converted to law enforcement use after the purpose for which they had been seized has been completed. It consists of the following sections:

- I. Policy
- II. Converting Items From Property and Evidence
- III. Converting Drug Contraband
- IV. Inspections

I. POLICY

A. Florida law provides that items such as those considered contraband, unclaimed, or no longer useful for evidentiary purposes may be converted by a law enforcement agency for training or investigative purposes.

B. The Department will, within the confines of the law and City policy, selectively convert items for use and conduct inspections, audits, and presumptive testing to maintain the integrity of the seized items and to ensure the continued retention of the items is necessary.

C. When retention of the items for a law enforcement purpose is no longer required, the items will be timely returned to the property function from which they were obtained so that they can be disposed of properly.

II. CONVERTING ITEMS FROM PROPERTY AND EVIDENCE

A. Certain items including, but not limited to, firearms, electronic devices, tools, furniture, etc., may be available for conversion to Department use upon notification of availability by the Supervisor, Evidentiary Services Unit (ESU). All requests for items from **ESU** shall be made by using the <J:\Forms\Conversion of Property to City Use.pdf> form.

B. Any items other than firearms that have an estimated value of \$200.00 or more, with an expected period of use exceeding one (1) year, shall be entered into the City asset inventory. As with other inventoried items, the Fiscal Services Division shall be notified whenever converted items need to be transferred to another unit by the use of the <J:\Forms\Asset Transfer Form.pdf>.

C. Firearms

1. Converted firearms may be utilized for training or investigative purposes with the approval of the Assistant Chief of the requesting Bureau.
 - a. Prior to a request for conversion, the firearm shall be inspected by the Armorer to determine its condition.
 - b. If usable and safe, the requesting Bureau shall submit a *Conversion* form requesting the firearm.
 - c. The Supervisor, ESU shall request the Manager, Records and Evidentiary Services Division to obtain a written loan authorization from the Pinellas County Sheriff.
2. Upon approval by the Sheriff, the Supervisor, ESU shall turn the weapon over to the Armorer.
 - a. The original *Conversion* form shall be retained by ESU. A copy of the transfer record shall be provided to the Fiscal Services Division and to the Staff Inspections Unit.
 - b. The armorer may issue the weapon, upon request and authorization, to a unit where it may be used for a training, investigative, or law enforcement purpose.
 - c. The transfer shall be recorded in the Armorer's records, and Staff Inspections shall be notified by the Armorer of the transfer to assist them in conducting the required annual inventory.
3. When a firearm obtained by loan from the Sheriff's Office is no longer required for its stated purpose, the weapon shall be returned through the Armorer to ESU for surrender to the Sheriff. Any firearm loaned from the Sheriff's Office will not be modified in any way from its original condition

D. Items Other Than Firearms

1. Conversion of items other than firearms is not limited to being used for training or investigative purposes.
2. Inventory requirements specified in this Order must be met before the item is released from the Property Room.
 - a. The unit seeking the item shall submit a properly completed/signed *Conversion* form and request an inventory asset number from the Fiscal Services Division, if one is required.
 - b. Upon presentation of the inventory asset number tag, the Supervisor, ESU shall affix it to the item in a visible place and turn it over to the requesting unit.
 - c. If the value or expected lifespan does not meet the asset inventory requirement, the Supervisor, ESU may release the item to the requesting unit completing the *Conversion* form.

III. CONVERTING DRUG CONTRABAND

A. Drugs (contraband) may be obtained from the Narcotics Property Room for specific training and investigative purposes.

B. Units with a need for controlled substances shall, if necessary, name a Narcotics Control Officer (NCO) by Memorandum. The Memorandum shall be distributed to the respective Bureau Commander and to the Staff Inspections Unit.

1. Upon determining a need for a specific type and quantity of a controlled substance, the NCO shall complete the *Conversion of Property to City Use* form and, after approval by the Chain of Command, present the form to the Narcotics Property Custodian.
 - a. The original form shall be retained by the Custodian to account for the substance loaned for training purposes.
 - b. Copies of the form shall be provided to the NCO and to the Staff Inspections Unit.
2. The NCO and the Narcotics Property Custodian shall weigh, conduct presumptive tests, and seal items which meet the Unit's request.
 - a. At the time of issue, the NCO and the Custodian shall set a date no more than six months in the future, when the individual item shall be returned to the Narcotics Property Room for weighing, presumptive testing, sealing and reissue if necessary. If retained after inspection, a second (and, if necessary, any subsequent) inspection date shall be set.
 - b. The original *Conversion* form shall be annotated with the inspection data and reissue information, as appropriate.
 - c. A copy of the annotated form shall be provided to the NCO and another sent to the Accreditation Unit and the Staff Inspections Unit.

3. The respective NCO is responsible for the control and security of substances obtained from the Narcotics Property Room. When not in use for the specified training purpose, the substance shall be kept in a locked vehicle safe or in a locked safe.

- a. Training drugs are stored in 3 locations:
 - 1) K-9 training drugs are in a safe in the temporary storage room near Property and Evidence.
 - 2) Narcotics used for training purposes are stored in the Narcotics Evidence Room.
 - 3) Vice and Narcotics K-9 training drugs are stored in a safe at the Vice and Narcotics office/compound.
- b. All three locations are secure and inspected annually by Staff Inspections Unit.

C. Drug Enforcement Administration (DEA) Controlled Substance Registration Program

1. The Unit Commander may elect to participate in the DEA's Office of Diversion Control, Controlled Substance Registration Program to obtain samples to train canines.

2. To participate, the respective unit NCO shall obtain and maintain an active license from the DEA. Copies of all licenses and inventory lists shall be provided to the Unit Commander, the Accreditation Unit and the Staff Inspections Unit.

3. Once every six months, the NCO and the Unit Commander, or designee shall conduct an inventory of all items retained by the Department under the provisions of the DEA program.

- a. During the inventory, selected items will be subject to weighing, presumptive testing and resealing.
- b. A written report shall be provided to, or prepared by, the Unit Commander and sent to the respective Assistant Chief, the Accreditation Unit and the Staff Inspections Unit.

4. Security of items obtained from the DEA is the same as for those obtained from the Department's Narcotics Property Room.

D. When the substances are no longer needed for training purposes, they shall be returned to their source, either the DEA or the Narcotics Property Room, as appropriate.

1. Items returned to the Narcotics Property Room for disposal shall be weighed, subject to presumptive testing, and resealed by the NCO and the Custodian.

- a. The original *Conversion* form shall be annotated with the inspection and return to inventory information as appropriate. The original shall be retained by the Custodian.
- b. A copy of the annotated form shall be provided to the NCO as a receipt for the surrendered substances. Copies shall be sent to the Unit Commander, the Accreditation Unit and the Staff Inspections Unit.

2. When items received from the DEA are no longer required, the NCO shall promptly notify the DEA and initiate their procedures for inspection and return or destruction of the substances.

- a. Original receipts for return of controlled substances to the DEA shall be retained by the NCO.
- b. Copies shall be sent to the Unit Commander, the Accreditation Unit and the Staff Inspections Unit.
- c. If the DEA directs that the substances be destroyed, the procedure detailed in this Order, shall be followed.

E. It is recognized that loss, damage or destruction of controlled substances may occur during training with the canines.

1. Loss, damage or destruction shall be reported by memorandum to the respective Assistant Chief, through the Chain of Command.

- a. The respective Assistant Chief will ensure a follow-up investigative is conducted for lost, missing, or stolen narcotics.

2. Damaged or remaining controlled substances, packaging, etc., shall be turned over to the Narcotics Custodian for inspection, weighing and testing, with this information to be included in the memorandum.

3. Information regarding the loss, damage, etc., shall be added to the applicable documentation, either the *Conversion* form or the DEA documents.

F. Reverse Stings

1. Supply of a controlled substance for reverse stings or similar investigations shall be verbally approved by the Assistant Chief of the requesting Bureau.

2. Substances shall be obtained by signature from the Narcotics Property Room by the assigned Investigative Supervisor. They shall be inventoried, weighed, presumptively tested, and repackaged in a manner to further the investigation.

3. Upon return to the Custodian, the substances shall again be inventoried, tested and resealed.

G. Narcotics Education Display

1. The Department maintains a locked, secure display case which may be requested from the Narcotics Property Room for use in lectures, training classes and demonstrations, etc.

2. Officers needing to utilize the display shall draw it from the Narcotics Property Room by signature, noting the date and time on a log, which will also be annotated with the date and time of return.

a. Upon return, the Custodian shall inspect the locked case for any signs of tampering or modification.

b. Annually, the Custodian and the Division Commander, or designee, shall visually inspect the contents, providing a written report of their inspection to the Division Commander and a copy to the Accreditation Unit.

3. Keys to the locked case shall be retained by the Vice and Narcotics Division Commander, or designee.

IV. INSPECTIONS

A. Annually, the Staff Inspections Unit shall conduct:

1. An inspection of all procedures related to this Order.

2. A documented unannounced inventory/audit of controlled substances held by this Department, under the provisions of this Order, to confirm accountability, storage and security. The inventory/audit shall include selected weighing, presumptive testing and resealing.

3. An annual inventory/audit of the Armory to include the firearm database and random audits firearms assigned throughout the Department.

B. Items, other than controlled substances and firearms transferred to Department use, shall be inspected at the time an asset inventory is conducted.

Anthony Holloway
Chief of Police