



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 560 – PROPERTY

**GENERAL ORDER:** 2021-XX  
**ISSUED:** August 30, 2021

**EFFECTIVE:** August 30, 2021

**REVIEW/APPROVED BY:**  
Inspector Shunta Boston-Smith  
**DATE:** July 7, 2021

**ACTION:** Amends General Order 2017-58 (November 10, 2017)

**WILEAG STANDARD(S):** 11.1.1, 11.1.2, 11.1.3, 11.1.4, 11.1.5, 11.1.6, 11.1.7, 11.1.8, 11.2.1, 11.2.2, 11.2.3, 11.2.4, 11.2.5, 11.2.6

#### **560.00 PURPOSE**

The purpose of this standard operating procedure is to provide members with instructions on the proper handling, storage, control, and disposition of all items lawfully seized and placed on inventory by the Milwaukee Police Department.

#### **560.05 PROPERTY CONTROL (WILEAG 11.1.1, 11.2.3)**

- A. The Property Control Division warehouse is located at 2620 W. Wisconsin Ave. and shall be accessible to the public and department members, Monday through Friday during normal business hours. The Property Control Division warehouse is closed to the public on city observed holidays.
- B. Department members requiring access to Property Control Division services outside of normal business hours shall send an email to [REDACTED] or leave a voice mail at extension [REDACTED]. Property Control Division personnel will respond the next business day.
  1. If exigent circumstances exist (e.g., large seizure), the shift commander shall notify the Technical Communications Division (TCD). A TCD supervisor shall make notification to a Property Control Division supervisor who will determine if Property Control Division personnel will respond and open the building.
  2. If Property Control Division personnel will not respond to open the building, inventoried property shall be stored in each work location's designated property room until members assigned to the Property Control Division can pick up property as part of the daily property pick-up.

#### **560.10 PROPERTY CLASSIFICATIONS (WILEAG 11.2.1)**

##### A. EVIDENCE

1. Any item that may assist in establishing that a crime occurred, in the identification of a suspect, and/or the prosecution of an alleged suspect.
2. Items inventoried as evidence shall have a case number, homicide number, citation number, court case number, or a *Department Memorandum* (form PM-9E) attached. (WILEAG 11.2.1.3, 11.2.1.4)

**B. CONTRABAND**

1. Any item, object, liquid or substance, that is unlawful to possess, such as fireworks, illegal narcotics, child pornography, sawed-off shotgun, counterfeit money etc. and is not required as evidence.
2. Property that is not unlawful to possess (e.g., money) cannot be confiscated as contraband.

**C. SAFEKEEPING**

Any item that was taken for protection from loss, theft, misuse, damage or due to the owner's incapacity and there was no other means to safeguard the property. Department members shall make every effort to locate the owner of safekeeping property and return the property to them in a reasonable time.

(WILEAG 11.2.1.6)

**560.15 MEMBER'S RESPONSIBILITIES (WILEAG 11.1.2, 11.1.5, 11.2.1, 11.2.2, 11.2.4)**

- A. Department members shall retain and safeguard all property coming into the possession of the department in accordance with this standard operating procedure.
- B. All property coming into the possession of any member of the department, including property temporarily retained by officers assigned to PAB municipal court security for persons entering the Police Administration Building, and here otherwise noted in this procedure, shall be immediately inventoried through WinAce.
  1. Each item of value shall be itemized.
  2. Members shall include the circumstances in which the property came into the department's possession and if applicable, the case number, citation number, or court case number on the WinAce-Officer Drop inventory.
  3. The inventory shall be done prior to securing from duty.
  4. All inventoried property shall be received by the Property Control Division within 72 hours, unless it meets the criteria as specified per SOP 560.35, 560.95, 560.105 or 560.110. Any property placed on inventory and not accounted for by the Property Control Division as specified in 560.15(B)(1) shall require the inventorying member to submit a *Department Memorandum* (form PM-9E) to his/her commanding officer explaining the status of the inventoried property.  
(WILEAG 11.2.1.1, 11.2.1.2, 11.2.1.3)
- C. The WinAce-Officer Drop inventory shall be generated by entering the inventoried property information into the "Ace-Officer Drop" system. Once the WinAce-Officer Drop submission has been completed, it shall be reviewed for accuracy and approved by a supervisor. After supervisory approval, two copies of the WinAce-Officer Drop inventory will automatically be generated. A copy of the "Case Disposition" form will also be generated, if the property is evidence.

1. The "Case Disposition" form shall be completed for all charging sessions involving inventoried property by the department member presenting the case.
  2. The completed "Case Disposition" form shall be forwarded or faxed (extension [REDACTED]) to the Property Control Division within 24 hours of the final charging session.
- D. In the event of a WinAce-Officer Drop computer problem, work locations are permitted to inventory property on the paper PP-32 version. However, the shift commander shall notify the Property Control Division by phone during business hours or by sending an email to [REDACTED] during non-business hours when the paper inventory form is utilized. The reserve paper PP-32's shall be stored in each work locations property locker.
- E. Sworn supervisors assigned to the respective work locations, members with the rank of inspector of police or above, and sworn members assigned to the Internal Affairs Division shall have access to a work location's secure property room locker.
- F. Upon completion and approval of the WinAce-Officer Drop inventory, the member shall be allowed access to place the inventoried property in the secure designated property room under the supervision of a work location supervisor. Members assigned to the Property Control Division who are picking up property as part of the daily property pick-up shall be granted access to the work location's evidence room to collect the property. This task shall be performed in the presence of the work location supervisor.
- G. Each work location shall assign a supervisor to coordinate with the supervisors at the Property Control Division on property evidence and inventory issues (e.g., missing, pending). The Criminal Investigation Bureau and Specialized Patrol Division shall both assign a supervisor to coordinate the storage, processing, and release of vehicles their members tow as evidence.
- H. When a prisoner's property cannot be immediately transferred to the location of their confinement (e.g., the prisoner goes to the hospital), that property shall be placed on a WinAce-Officer Drop inventory as safekeeping and processed accordingly.
- I. Seizure of property is limited to contraband, instrumentalities of a crime, fruits of a crime, or evidence of a crime. Unless there is reasonable suspicion to the contrary, police members shall not confiscate property merely because the possessor cannot provide proof of ownership.
1. Per [Wis. Stat. § 968.18](#) any member seizing property without a search warrant shall issue a properly completed *Property Receipt* (form PP-33), as soon as practicable to the person from whom the property was taken. The original PP-33 shall be attached to the original WinAce-Officer Drop inventory.
  2. If the officer determines that the individual from whom the property was recovered is not the rightful owner, then the rightful owner shall be listed. If the rightful owner is unknown, then the claimant shall be listed in either the circumstance or under the person's field as "unknown."

3. If the rightful owner is known and can legally possess the seized item, that individual shall be listed as the claimant.
  4. Multiple claimants shall not be listed on the same inventory unless they are both entitled to the mutually owned property (e.g., husband/wife). Otherwise, each claimant's property shall be listed on a separate inventory.
- J. Personal property, including money, is subject to seizure and forfeiture under [Wis. Stat. § 973.075](#), or if a crime under the Uniform Controlled Substances Act under [Wis. Stat. § 961.55/06](#). Personal property may be seized under these statutes for circumstances where the seizure is incident to a lawful arrest; pursuant to a search warrant; or if an officer has probable cause to believe the property is either directly or indirectly derived from the commission of a crime.
1. Any investigating member, except HIDTA personnel, must first obtain a supervisor's authorization prior to seizing money or a cell phone regarding any type of illegal narcotic related offense that does not meet the criteria as established in SOP 765 Asset Forfeiture. The supervisor authorizing the seizure of the property must be listed in the circumstances field of the property inventory. This section does not apply to "buy money" or if the seized items meet the requirements as outlined in SOP 765 Asset Forfeiture.  
(WILEAG 11.1.6.1)
- Note: SOP 765 Asset Forfeiture provides additional details on seizing money, cell phones and other property.**  
(WILEAG 11.2.1.5)
- K. Any inventoried item(s) that need to be analyzed by the High Technology Unit, the Fusion Division, the Forensics Division, or placed in the drying room to be examined prior to being received by the Property Control Division shall be placed on a separate inventory and documented on the WinAce-Officer Drop inventory (except the Homicide Division).  
(WILEAG 11.1.8.4, 11.2.1.5)
1. The electronic inventory copy shall be stamped "copy" and remain at the member's work location. The inventory copy will be retrieved by the Property Control Division during the morning property pick-ups.
  2. The electronic inventory original shall be stamped "original" and shall accompany the property.
  3. Both the original and copy shall be stamped indicating the date, time and person who conveyed the item(s) to the analyzed location. All subsequent property transfers shall be documented on the original inventory using the property transfer stamp until the item(s) is received by the Property Control Division.  
(WILEAG 11.1.6.1, 11.1.6.2)
- L. The following item(s) shall be placed on a separate inventory and not combined with other property:

1. Different claimants as outlined in (560.15)(I));
  2. Spent shell casings;
  3. Narcotics (different types of narcotics recovered from the same individual can go on the same inventory);
  4. Fireworks;
  5. Money;
  6. Bicycles (multiple safekeeping bicycles with unknown claimant(s) can go on the same inventory);
  7. Verified stolen property;
  8. Any property to be analyzed prior to being received by the Property Control Division as outlined in (560.15 (K)).
- M. Any property transferred to another location prior to being received by the Property Control Division shall be documented on the WinAce-Officer Drop inventory (see SOP 560.35).  
(WILEAG 11.1.8.4)
- N. All packaged evidence must be properly secured by heat sealing or red evidence tape.  
(WILEAG 11.2.1.4)
- O. Department members must mark their initials on the edge of the red evidence tape with an indelible pen in a manner that will show evidence of tampering. The inscription of initials should be placed in a manner where half of the inscription is on the red evidence tape, while the other half is on the evidence packaging. If evidence is heat sealed, department members shall place their initials across the heat seal with an indelible pen, in a manner that will show evidence of tampering. Information such as inventory number / item number should be written on the packaging itself.  
(WILEAG 11.2.1.4)
- P. All DNA biological evidence envelopes (MPD form PE-34) must be secured on both ends with red evidence tape. Per the Wisconsin State Crime Lab, these envelopes should not be sealed inside any other envelope or bag.  
(WILEAG 11.1.5.1, 11.1.5.2)
- Q. Whenever any type of dry powder like illegal substance is inventoried, especially those that are believed to contain cocaine or heroin, the substances must be secured in a paper fold and a clear zip-lock bag. The items shall then be sealed inside the appropriate narcotics envelope.
1. Any substance that either contains or may contain fentanyl or any fentanyl derivative shall be processed in accordance with SOP 760. On the envelope itself under drug type, in red ink write, Suspected Fentanyl. If the substance needs to be

- analyzed, a letter of transmittal shall be completed in order for the substance to be tested by the State Crime Lab.
2. If packaging a moist narcotic substance, secure the item in a paper fold and an appropriate sized paper bag and seal the items inside the appropriate narcotics envelope.
- R. Any inventoried item that is not evidence shall not be sealed with red evidence tape. Those items can be labeled with a tag or placed in an appropriate container and sealed by alternate means (e.g., zip locking, stapling, heat sealing).
- S. Members shall run the serial number in the National Crime Information Center (NCIC) database for all inventoried items with visible serial numbers. Members shall attach a copy of the NCIC check to the WinAce-Officer Drop inventory.

#### **560.20 ROUTING OF PROPERTY INVENTORY REPORT (WILEAG 11.1.2, 11.2.4, 11.2.6)**

- A. ELECTRONICALLY GENERATED WINACE-OFFICER DROP PROPERTY INVENTORY REPORT
1. The copies of the WinAce-Officer Drop inventory are electronically generated and disbursed to the Property Control Division by the work location whenever an inventory is completed using the WinAce inventory system.
  2. The "Case Disposition" form is automatically generated anytime a member creates as evidence inventory in WinAce. This form shall accompany other related paperwork in all state cases involving a summary arrest, an arrest warrant request or order-in. The department member shall properly complete the form and forward the form via fax or interdepartmental mail to the Property Control Division.
- B. HANDWRITTEN PROPERTY INVENTORY REPORT (PP-32)
1. The white and pink copies of the *Property Inventory Report* (form PP-32) shall be forwarded to the Property Control Division by the disbursing work location and the yellow copy shall be retained by the work location as the permanent record.
  2. The mint green copy of the PP-32 shall accompany other related paperwork for state cases involving a summary arrest, an arrest warrant request or an order-in. Department members shall properly complete the form and return the form to the Property Control Division. If there is no review, the mint green copy shall remain attached to the white and pink copies.
  3. *Property Inventory Supplements* (form PP-32S) shall be attached to the original PP-32.
  4. At no time shall a PP-32 be destroyed. If an error is made in the preparation of a PP-32, all four copies of the report shall be marked "VOID." The white and pink copies of the voided PP-32 shall be initialed by the work location's commanding officer/designee and disbursed to the Property Control Division. The yellow and

green copies shall be filed at the originating work location.

5. The only members who shall have access to remove property from another work location's secure property room locker are members with the rank of inspector of police or above, sworn members assigned to the Internal Affairs Division, members of the Property Control Division who are picking up property as part of the daily property pick-up (in the presence of a work location supervisor).

### C. AUDITS

1. The Property Control Division shall conduct a monthly audit of all paper PP-32 forms disbursed to work locations. A copy of this report listing inventories either missing or unaccounted for shall be sent to the respective work location commanders.
2. Within fifteen days of receiving the monthly audit, district and division commanders shall report in writing, the circumstances causing the PP-32 forms to be unaccounted for or missing. This report shall be submitted to their respective assistant chief.  
(WILEAG 11.2.6.1)
3. The Property Control Division manager shall conduct quarterly inspections to assess the department compliance with property and evidence control procedures.  
(WILEAG 11.2.6.1)
4. An audit of the Property Control Division shall be conducted whenever the Property Control Division manager is replaced due to retirement or separation from the department. The audit shall be conducted jointly by the new Property Control Division manager and a representative of the Chief of Police, or designee.  
(WILEAG 11.2.6.4)
5. An annual audit of the Property Control Division shall be conducted by the Internal Affairs Division.  
(WILEAG 11.2.6.2)
6. Random unannounced inspections and/or audits of the Property Control Division shall be conducted at the discretion of the Chief of Police, or designee, at least once annually.  
(WILEAG 11.2.6.3)

### **560.25 PROPERTY DISBURSEMENTS (WILEAG 11.2.5)**

- A. Property paper disbursements (form PP-24) shall be made to the Property Control Division who shall pick up these disbursements on weekdays from each work location where inventoried evidence is properly stored. All disbursements shall be ready, Monday through Friday for pick-up by 7:00 a.m. If property will be picked up on weekends, holidays, or earlier than 7:00 a.m., the Property Control Division shall telephone the districts to make special arrangements. This section shall only apply if the paper inventory is used.

- B. The Property Control Division shall each day (Monday – Friday) generate an electronic property disbursement form from the WinAce database for every work location that property will be picked up on that day.
- C. Prior to the arrival of Property Control Division personnel, each work location that stores evidence shall prepare the WinAce-Officer Drop submissions for pick-up as follows:
1. The original WinAce-Officer Drop inventory along with the inventoried property and any other original reports if applicable, such as a property receipt, etc.
  2. A stamped copy WinAce-Officer Drop inventory listing any property turned over to another location for analysis prior to being collected by the Property Control Division.
  3. If inventoried property is released to an owner/claimant prior to being received by the Property Control Division, the following must be immediately provided by inter-office mail or fax to the Property Control Division:
    - a. A copy of the WinAce-Officer Drop inventory listing the property that has been returned to the owner/claimant,
    - b. A *Property Receipt* (form PP-33) signed by the person (owner) receiving the property,
    - c. A photocopy of the citizen's identification card, and
    - d. A PO-5, if required.
  4. All original paperwork concerning inventoried property given back to the owner/claimant by members not assigned to the Property Control Division shall be immediately forwarded to the Property Control Division.
- D. The Property Control Division shall verify each disbursement with a representative from the work location.
1. Once verified, both the Property Control Division officer and the work location representative shall sign the property disbursement sheet.
  2. Any discrepancies shall be noted and the property will remain at the work location until corrected.
  3. A copy of the disbursement shall be given to the work location, if requested, and the original shall be retained by the Property Control Division.

**560.30 PROPERTY REQUIRED FOR COURT (WILEAG 11.1.2, 11.1.8, 11.2.1)**

A. REQUESTING/OBTAINING PROPERTY FOR COURT

1. An *Order for Property* (form PO-5) is required for the transfer of evidence required



- for presentation in court. The court case number shall be listed on the PO-5.  
(WILEAG 11.2.1.7)
2. Any supervisor may authorize the release of property to a department member for court presentations.
  3. Prior to making a request for evidence held at the Property Control Division, members with a court subpoena shall confirm with the assistant DA or city attorney that the case will be heard and the evidence is required. If the evidence is required, the member shall notify the Property Control Division by calling extension [REDACTED]
  4. Department members shall in a timely manner after receiving notification that property is required for court, respond to the Property Control Division to pick up the requested property.
  5. Property signed out for court presentation, but not entered as an exhibit or evidence shall be returned to the Property Control Division the same day, even if the property is needed the next day for court. Members shall not store property signed out for court in their work location's property storage room or any other unapproved storage location.
  6. Any member that signs property out of the Property Control Division is ultimately responsible for the return or disposition of the property. If property is turned over to another person, the receiving person must sign for the items on the *Property Withdrawal Receipt*. The signed *Property Withdrawal Receipt* shall be returned to the Property Control Division by the member who originally signed for the property. The custody/responsibility for the property will then be transferred to the newly responsible individual.  
(WILEAG 11.1.8.4, 11.2.1.7)
  7. Any property signed out for court that is not retained by the court, and not returned to the Property Control Division within 5 days shall require the responsible member to submit a *Department Memorandum* (form PM-9E) to their commanding officer detailing the status of the signed out property.

#### B. RETENTION OF PROPERTY BY THE COURTS

1. Wisconsin Supreme Court Rule 92.07(46) mandates that upon the completion of a trial, all criminal case exhibits shall be retained in the custody of the court. The Clerk of Circuit Court is responsible for taking custody and retaining these exhibits during, and after the trial, regardless of the outcome of the case. The court may not order an exhibit withdrawn for the sole purpose of returning it to our department for storage.
2. When the court retains inventoried items, the *Property Withdrawal Receipt* shall be initialed and signed by the court clerk or bailiff. The person accepting these items on behalf of the court shall initial next to each item of property retained on the right hand margin of the *Property Withdrawal Receipt*. This receipt shall also contain the legible name and title of the person accepting the evidence for the court, and the court branch or room number. The signed *Property Withdrawal Receipt* shall be

returned to the Property Control Division within 48 hours.

3. No receipt is required for items retained by the court that are not on a WinAce-Officer Drop inventory. These items include, but are not limited to, photo enlargements, report enlargements and crime scene diagrams.
4. If the court declines or refuses to accept custody of an exhibit, the department member shall take custody of the property and shall immediately return it to the Property Control Division, who shall issue a receipt to the member returning the item(s).
5. In the event a receipt cannot be obtained for evidence retained by the court, or the court refuses to sign for the property, the member responsible for the property shall immediately notify a Property Control Division supervisor of the circumstances surrounding the refusal, as well as the name and title of the person refusing such receipt. This may include the presiding judge.  
(WILEAG 11.2.1.7)

**560.35 SUBMISSION OF EVIDENCE TO FORENSICS, HIGH TECHNOLOGY, NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK LAB OR DRYING ROOM (WILEAG 11.1.2, 11.1.3, 11.1.4, 11.1.5, 11.1.6, 11.2.4)**

- A. Inventoried property that is transferred to the Forensics Division, High Technology Unit, National Integrated Ballistic Information Network Lab, or the drying room prior to being received by the Property Control Division shall be handled in the following manner:
  1. Any department member transferring property to the Forensics Division, High Technology Unit, National Integrated Ballistic Information Network Lab, or drying room shall stamp the original completed electronic WinAce-Officer Drop inventory with the transfer stamp.
  2. The original paperwork will accompany the evidence. The stamped copy shall remain at the work location in the designated property room.
  3. The member receiving the evidence at either the Forensics Division, High Technology Unit, or National Integrated Ballistic Information Network Lab shall complete the stamped paperwork and retain the original paperwork. A copy of the stamped/received paperwork shall be provided to the submitting officer upon request.
    - a. Supervisors assigned to the High Technology Unit (HTU) may authorize the transfer of evidence to HIDTA or the district attorney's office forensic labs for forensic examination.
    - b. If the responsible member receives authorization from a HTU supervisor to transfer evidence to HIDTA or the district attorney's office forensic lab, the member shall present a PO-5 signed by an HTU supervisor to retrieve the evidence from the Property Control Division.

- c. The Property Control Division shall document in WinAce the transfer of property to HIDTA or the district attorney's office forensic lab.
    - d. The responsible member shall transport the property evidence to HIDTA and/or the district attorney's office and shall return the evidence to the Property Control Division upon completion of the forensic examination.
  4. The department member from the receiving unit (with the exception of HIDTA and the district attorney's office) shall enter the received property into Property Control's SharePoint property log website.
  5. The analyzing/responsible member (with the exception of HIDTA and the district attorney's office) shall enter their information into Property Control's SharePoint property log website.
- B. The Forensics Division, High Technology Unit, or National Integrated Ballistic Information Network Lab shall process the evidence and upon completion, shall store the evidence in their secure property room locker.
- C. Items placed in the drying room require a completed and stamped WinAce-Officer Drop inventory.
  1. The original WinAce-Officer Drop inventory shall remain in the drying room. A stamped copy of the WinAce-Officer Drop inventory shall remain in the member's work location property room, noting the date, time and person placing property in the drying room.
  2. Whenever an item is placed in the drying room, the member placing the item into the drying room shall enter the property into Property Control's SharePoint property log website.
- D. When the property is no longer required to remain in the drying room, the property shall be packaged and stored in the Criminal Investigation Bureau's property storage room along with the original stamped inventory.  
(WILEAG 11.1.6.1, 11.1.6.2)

**560.40 DNA / BIOLOGICAL MATERIAL (WILEAG 11.1.2, 11.2.1, 11.1.5)**

- A. Any hair, tissue, or bodily fluid of evidentiary value shall be considered biological material (DNA) evidence. It shall be the responsibility of the member completing the WinAce-Officer Drop inventory to flag items of evidence taken with the specific intent for DNA analysis, or those containing obvious/apparent biological material.  
(WILEAG 11.1.5.1)
- B. An item taken for DNA analysis that does not require refrigeration or contain obvious/apparent biological material shall be packaged and sealed separately in paper bags or envelopes. Plastic shall not be used.  
(WILEAG 11.1.5.2)

- C. Multiple, individually packaged and sealed evidence items may be placed together in a large container as long as the large container is not sealed as evidence. The Property Control Division must be able to open the large container to access the individually sealed items.  
(WILEAG 11.1.5.2)
- D. Firearms inventoried with the intent of being tested for DNA must be sent to the Forensics Division and protected from cross contamination by being placed inside an appropriately sized paper bag or box.
- E. If the substance is believed to be poisoned or to have become poisonous because of improper storage or care, it shall be inventoried in its original container. The Property Control Division shall be immediately notified of these conditions in order to take the necessary precautions.  
(WILEAG 11.2.1.5)

**560.45 REQUESTS FOR LABORATORY ANALYSIS (WILEAG 11.1.2, 11.1.5, 11.1.7, 11.1.8)**

- A. Members that have recovered evidence that requires analysis by the Wisconsin Regional Crime Lab shall send an email to [REDACTED] Members shall include the following information in the email:
  - 1. Requesting member's name.
  - 2. Case number.
  - 3. Victim and suspect name and date of birth for both victim and suspect.
  - 4. WinAce-Officer Drop inventory number.
  - 5. Item number to be tested and description of evidence.
  - 6. Objective of the analysis (e.g., "baseball cap dropped by the suspect at the scene of a robbery. Request that cap be tested for the presence of DNA.")
- B. Members shall obtain a copy of the crime lab pre-authorization for DNA analysis from the district attorney's office for all Felon in Possession of a Firearm and drug-related offenses. A copy of the crime lab authorization shall be attached to the email request for a letter of transmittal.
- C. The Forensics Division shall record the request in the Evidence Management Database and generate a letter of transmittal. The letter of transmittal shall include the name and contact information of the member submitting the evidence. The member shall request in the letter of transmittal that the Wisconsin Regional Crime Lab submit lab results in writing.  
(WILEAG 11.1.8.1, 11.1.8.3, 11.1.8.5)
- D. The Forensics Division shall forward the request to the Property Control Division who shall convey the item(s) to the Wisconsin State Crime Lab (WSCL). Items submitted to

the WSCL for analysis shall be properly sealed, excluding firearms. Firearms shall be unloaded and have a locking metal wire MPD seal and a paper tag affixed in accordance with SOP 560.90. If a firearm is swabbed for DNA, the DNA shall be sealed in a DNA swab envelope.

(WILEAG 11.1.5.3, 11.1.8.2)

E. After the WSCL has completed their analysis, the Property Control Division shall convey the property back to the Property Control Division for storage. Only a Property Control Division courier shall retrieve property from the WSCL after the lab has accepted it; unless authorized by a Property Control Division supervisor.

(WILEAG 11.1.8.4)

F. The Property Control Division shall forward the crime lab report to the Forensics Division for cataloging.

(WILEAG 11.1.8.3)

#### G. COMPLETION OF LABORATORY ANALYSIS

1. Upon receiving the crime lab report, the Forensics Division shall send an email to both the investigating member and his/her shift commander. The email will include a link that will provide a summary of the laboratory analysis and suggestions for possible follow up.

2. Investigating members shall follow up on the crime lab report in a timely manner, and shift commanders shall ensure the follow up is completed by the investigating member.

3. The investigating member shall file a supplemental report in Records Management System (RMS) detailing the follow up completed and shall advise their shift commander of the follow up completed.

4. The shift commander, or designee, shall provide a short summary in the Evidence Management Database detailing the follow up completed and providing a disposition for the property that was analyzed.

H. When inventoried items are transported to a laboratory for analysis, a completed *Order for Property* (form PO-5) is required for the release of the item(s). The member transporting the evidence or contraband shall obtain a signed receipt from the laboratory receiving the evidence and return the receipt immediately to the Property Control Division.

I. Evidence or contraband sent to an outside laboratory for analysis shall be authorized by the Chief of Police or designee. The HIDTA commanding officer may authorize the examination of evidence regarding felony narcotics investigations.

#### **560.50 DISPOSITION ORDERS (WILEAG 11.2.1)**

A. On a regular basis, the Property Control Division will disseminate a *Disposition Order* (form PP-39) for property that a department member has placed on inventory. Members

shall return the completed form to his/her shift commander within fourteen (14) days after receiving it. The commanding officer/designee is responsible for returning the completed *Disposition Order(s)* to the Property Control Division supervisor within four (4) weeks from the date sent.

- B. Commanding officers, or supervisor designee(s), are responsible for approving all *Disposition Orders* for members under their command except for homicide and sexual assault investigations investigated by the Homicide Division and Sensitive Crimes Division (see SOP 560.65(D)(1)).
- C. No supervisor shall sign off on the supervisor approval line on their own disposition order.
- D. When evaluating the need to retain evidence, members shall check Circuit Court Automation Program (CCAP), the Municipal Court Case Information System, or RMS.
  - 1. These sources shall be referred to for all suspects and defendants, not victims. The status of the case shall be documented on the front of the *Disposition Order*, or attached to the *Disposition Order*.
  - 2. If property is to be disposed of or returned due to the case being no-processed, suspect determined to not be involved in the crime, investigation determined no crime was committed, etc., then that information must also be documented on the front of the *Disposition Order*. [Wis. Stat. § 939.74](#) states that the statute of limitations for a felony is 6 years after the commission of a crime and 3 years for a misdemeanor.  
(WILEAG 11.2.1.3)
- E. In those cases where property can be disposed of or released, the member who inventoried the property shall utilize the disposition order guidelines to determine the final disposition status of the property. The Property Control Division shall ultimately determine if the inventoried property should be returned to the owner. If such determination is made, the Property Control Division shall notify the owner via U.S. Mail. If an owner is listed on the *Disposition Order* and no pending forfeiture court action is listed in CCAP, the Property Control Division supervisor/designee shall return the listed property back to the listed owner, claimant or prisoner. There must be legal justification for not returning property to an owner/claimant or prisoner that the inventorying officer must substantiate.  
(WILEAG 11.2.1.6)
- F. If the listed member is no longer a member of the department, commanding officers or their designee shall note that on the *Disposition Order* and determine if another member has knowledge regarding the evidence related to completing the *Disposition Order*. In the absence of another member with the necessary knowledge, commanding officers, their supervisor designees, or the commanding officer of the Property Control Division shall make a determination as to the disposition of the property.
  - 1. *Disposition Orders* not completed by a member who resigns/retires will be assigned to the member's work location commanding officer.

2. Instructions regarding obtaining *Disposition Orders* for a resigning or retiring member can be found in SOP 010 Absence.
- G. If evidence needs to be retained longer than the required appeal time or retention period, it is the responsibility of the listed officer to notify the Property Control Division.
- H. The final authorization to release or dispose of inventoried property or evidence shall remain with the Property Control Division manager or designee. Consideration for disposal shall include expiration of the statute of limitations, the conviction of all persons responsible, the court case(s) are completed and that the appropriate appeal or retention time has been reached.

#### **560.60 RETENTION OF PROPERTY SCHEDULE (WILEAG 11.1.2, 11.2.1)**

##### **A. STATUS CHANGE**

The responsible member listed on the WinAce-Officer Drop inventory shall immediately advise the Property Control Division of any changes in the status of property placed on inventory (e.g., responsible officer, court case numbers, warrant numbers, change in the category of property, evidence, safekeeping, if the property is still needed for prosecution, owner being identified).

##### **B. SAFEKEEPING**

1. Property inventoried as safekeeping with no known claimant is eligible for disposal after thirty (30) days. Property claimed by a finder with no known claimant will be held for six (6) months.
2. Unclaimed firearms and ammunition is eligible for disposal after twelve (12) months.
3. Dangerous materials, flammables, hazardous substances and devices will be disposed of immediately if their storage creates an undue hazard ([Milwaukee City Ordinance 105-122-1](#)).  
(WILEAG 11.2.1.5)

##### **C. CONTRABAND**

All contraband, unless taken as evidence, with the exception of firearms, is eligible for disposal after thirty (30) days, as authorized by [Milwaukee City Ordinance 105-122](#). To wit, "If property other than firearms or ammunition is seized by the chief of police and is not requested for evidence or investigation, and such property poses a danger to life or property in its storage, transportation or use or constitutes contraband, the chief of police may safely dispose of such property by any lawful means." Firearms are eligible for disposal after twelve (12) months.

##### **D. NON-FELONY EVIDENCE (INCLUDES MISDEMEANORS AND MUNICIPAL OFFENSES)**

1. The responsible department member shall receive yearly *Disposition Orders* to

- verify a “hold” status of the evidence.
2. The maximum retention period is three (3) years from the date of the offense for misdemeanor cases in which no suspect has been identified, or in which a suspect has been identified and a warrant has not been issued.
  3. Evidence may be disposed of seven (7) months following the date of sentencing in misdemeanor cases if no appeal has been filed.
  4. For municipal court cases, the retention period shall be seven (7) months from the date of conviction.
  5. Photographing evidence is an alternative to retaining evidence; however, the work location shift commander shall approve this alternative.

E. FELONY EVIDENCE (EXCEPT HOMICIDE, SPECIFIC SEXUAL ASSAULT OFFENSES, AND BIOLOGICAL DNA)

1. The responsible department member shall receive yearly *Disposition Orders* to verify a “hold” status of evidence.
2. The maximum retention period is six (6) years from the date of the offense in felony cases, in which no suspect has been identified, or in cases in which a suspect has been identified, but a warrant has not been issued.

**Note: Specific sexual assault offenses and homicides do not fall under the six (6) years retention period and are the exceptions. Members shall utilize the [Wisconsin Coalition Against Sexual Assault, Inc. Statute of Limitations fact sheet](#) in the Handbooks, Manuals, and How-To’s link on the directives intranet to determine the retention period for sexual assault offenses.**

3. Felony cases in which a suspect has been identified and a warrant has been issued, the evidence shall be retained until the warrant has been served and the case processed through the criminal justice system. Where a suspect has been charged and convicted, the evidence may be disposed of one (1) year following the date of sentencing if no appeal has been filed.
4. Time limitations on prosecutions ([Wis. Stat. § 939.74](#)) shall be taken into consideration in the disposal of evidence.

F. HOMICIDE AND SEXUAL ASSAULT EVIDENCE

All uncleared homicide and sexual assault evidence shall be retained indefinitely, where there is no statute of limitations.

1. If a homicide case is cleared by an arrest and the defendant(s) was sentenced, the evidence shall be retained until the defendant(s) is completely cleared of the criminal justice system or, has served his/her complete sentence, including probation, parole,



or extended supervision.

2. If a sexual assault case is cleared by an arrest and the defendant(s) are sentenced, the DNA evidence shall be retained until the defendant(s) is completely cleared of the criminal justice system or has served his/her complete sentence, including probation, parole, or extended supervision. Non-DNA evidence can be disposed or released after one year from the date of conviction, provided no appeal has been filed.

(WILEAG 11.2.1.5)

#### G. DNA / BIOLOGICAL MATERIAL EVIDENCE

As mandated by [Wis. Stat. § 968.205](#), evidence containing biological material collected in connection with an investigation that results in a criminal conviction, delinquency adjudication, or an equivalent commitment for mental defect, shall be retained until every convicted person has completed their entire sentence, including probation, parole or extended supervision.

#### H. SUICIDE EVIDENCE

Suicide evidence shall be retained for a period of one (1) year after the medical examiner's report ruling that the death was, in fact, a suicide. Work location commanders or supervisor designee shall authorize the release or destruction of said evidence.

#### I. OTHER DEATHS

Evidence related to deaths that are not from natural causes shall be retained for a minimum of three (3) years. The responsible district / investigations division commander or designee shall authorize the release or destruction of said evidence.

#### J. PROPERTY OF A DECEASED PERSON

A request for the release of a deceased person's property shall be referred to the original investigating case officer/detective or the responsible district / investigations division commander, or designee, for investigation and possible release of property.

#### K. EMERGENCY DETENTIONS

Property, other than firearms, taken for safekeeping (not evidence of a crime) to support an emergency detention shall be held up to thirty (30) days and then returned to the rightful owner / claimant or disposed of according to city ordinance and state statute.

#### L. OFFICER INVOLVED CRITICAL INCIDENTS

Officer involved critical incident evidence shall be retained for seven (7) years from the date of offense, for civil litigation purposes, unless otherwise authorized by either the city attorney's office or by Internal Affairs Division Civil Investigations Section.

## M. MUTUAL AID INVESTIGATIONS

1. All evidence collected during mutual aid investigations (see SOP 230 Mutual Aid) shall be handled and inventoried in the same manner as any other evidence.
2. The release of mutual aid evidence recovered during a potential criminal investigation shall be coordinated through the Homicide Division commanding officer, or his/her designee, and the Property Control Division manager, or his/her designee.

### **560.65 RELEASE OF PROPERTY (WILEAG 11.1.7, 11.2.1, 11.2.4)**

#### A. ORDER FOR PROPERTY (FORM PO-5)

1. No original or copy of a PO-5 shall be given to a citizen. The member releasing the property shall call the Property Control Division and inform them of the property release if a citizen is to receive property requiring a PO-5. A copy of the PO-5 shall be faxed to extension [REDACTED] or scanned and emailed to [REDACTED]. The original PO-5 shall be mailed via interdepartmental mail to the Property Control Division.
  - a. Members shall make arrangements with the Property Control Division for property viewing by attorneys or citizens, giving the Property Control Division forty-eight (48) hours prior notice, by emailing [REDACTED] or calling extension [REDACTED].
  - b. Property viewings shall take place Monday through Friday at the Property Control Division warehouse. A Property Control Division supervisor shall authorize the viewing of the property. An investigating detective or officer shall be present during the entire viewing.
2. A PO-5 is required under the following situations:
  - a. Releasing any evidence to an owner / claimant.
  - b. Releasing safekeeping property initially inventoried without a claimant listed.
  - c. The release of any non-disposable property from the Property Control Division to a department member for any reason, including a viewing.
  - d. Releasing inventoried property to any non-MPD law enforcement officer.
3. A PO-5 is not required under the following situations:
  - a. When property is listed as safekeeping and ownership is listed on the WinAce-Officer Drop inventory.
  - b. When a completed *Disposition Order* with proper authorization permits the release or disposal of property held as evidence. When requesting the release of

property to a claimant through a *Disposition Order*, the submitting member must provide the claimant's current address.

- c. When property is directed to be returned by court order.
4. A PO-5 must clearly indicate the inventory number(s), item description, purpose of the release in the space provided and contain the legible signature and PeopleSoft number of the authorizing supervisor. Supervisory officers are not permitted to sign a PO-5 releasing inventoried property to themselves.
5. Valid government issued photo identification is required for the release of any property to its rightful owner or third party. The identification shall be photocopied. The property recipient shall sign a *Property Receipt* or PP-33 to acknowledge receiving the property. If the recipient refused to sign the receipt, the member shall write "refused" on the receipt. If the property release occurs at a work location other than the Property Control Division, the releasing member shall notify the Property Control Division by scanning the PP-33 and sending an email to [REDACTED]. A copy of all related paperwork shall then be faxed to the Property Control Division. The original paperwork shall be sent via inter departmental mail to the Property Control Division.
6. A third party with valid government issued photo identification may pick up releasable property on behalf of a claimant, if the third party presents a notarized letter signed by the claimant that requests the department to release specific property to the named third party.
7. If there is any dispute as to the lawful owner or claimant, the property shall be held by the department until the court designates the proper person to receive such property.
8. No member of the department is authorized to seek the release of police inventoried property without the approval of his/her commanding officer or designee.  
(WILEAG 11.2.1.5)
9. Inventoried property may not be viewed or checked out of the Property Control Division by anyone who is not employed by the Milwaukee Police Department without the approval of the Chief of Police, or his/her designee.

#### B. SAFEKEEPING/FOUND PROPERTY

1. When property is found and delivered to a member of the department, the member shall complete a *Property Receipt* (form PP-33) and provide it to the finder. Per [Milwaukee City Ordinance 105-123](#), all such property with a finder shall be retained at the Property Control Division for six (6) months if the owner is unknown or for a period of one (1) year if the owner is known. If the owner does not come forward to claim their property, the Property Control Division shall notify the finder of his/her right to claim the property by mailing a claim letter.
2. Department members shall attempt to determine ownership prior to inventorying

property.  
(WILEAG 11.2.1.6)

3. The Property Control Division shall retain the property if ownership is undetermined until resolved by the courts or the property is deemed disposable.
4. If property ownership is determined by an investigating officer after the property has been inventoried and is going to be released to the owner, the member shall secure a signed *Order for Property* (form PO-5) from his/her shift commander. The *Order for Property* (form PO-5) shall be routed as previously outlined.

#### C. EVIDENCE – NARCOTICS RELATED CASES

A commanding officer or a supervisor designee shall review and authorize the release or destruction of the following:

1. Property related to controlled substances, prostitution, gambling investigations, and/or other investigations, which are no longer required as evidence may be returned to the rightful owner; provided ownership of said property is not disputed and the property is not considered contraband.
2. Any supervisor may release from the Property Control Division controlled substance evidence that is required for a grand jury, John Doe proceeding, or for any other lawful purpose. However, if the purpose for the release is for an investigation, the reason shall be clearly stated on the *Order for Property* (form PO-5).  
(WILEAG 11.2.1.5)

#### D. EVIDENCE – IN GENERAL

1. Work location commanders, their supervisor designee, or Property Control Division supervisors may release all evidence which is not related to a homicide or sexual assault investigation handled by the Criminal Investigation Bureau. Any items that are related to a homicide or sexual assault being investigated by the Criminal Investigation Bureau must be released by that respective location's commanding officer or supervisor designee.
2. Property Control Division supervisors may authorize the transfer of any evidence to members for presentation in court or for purposes of further investigation.
3. Work location commanders, their supervisor designees or Property Control Division supervisors shall review and authorize the release/destruction of evidence on all *Disposition Orders* (including those relating to controlled substances, gambling, and prostitution), except for felony investigations handled by any of the Criminal Investigation Bureau divisions.
4. Work location commanders, their supervisor designee, or Property Control Division supervisors shall review and authorize the release/destruction of evidence on all sexual assault investigations and sexual assault related *Disposition Orders*, except for incidents investigated by the Sensitive Crimes Division. Sensitive Crimes

Division supervisors shall review and authorize the release/destruction of all evidence handled by their work location.

#### E. RELEASE OF FIREARMS

1. Firearms on inventory may be released for return to a lawful owner/claimant who is not prohibited by federal or state law from possessing a firearm. The firearm release requires a signed PO-5 from the assistant chief of the Criminal Investigation Bureau, or his/her supervisory designee, with the exception of firearms reported stolen by another law enforcement agency (subsection 3).
2. All citizen firearm releases shall be processed through the Firearms Desk. Citizens inquiring about such a release shall be advised to call the Firearms Desk (414-935-7779), Monday through Friday during normal business hours.
3. Firearms recovered and inventoried by department members which have been reported stolen by another law enforcement agency shall be returned to the reporting agency upon the completion of an investigation and / or court proceedings with the authorization of the Property Control Division manager, or his/her supervisor designee.
4. All civilian citizens receiving a firearm shall have a valid government issued identification card (that will be photocopied), an appropriate case for transportation of the firearm, and shall sign a *Property Receipt* for the returned firearm. No third party releases are permitted for the release of firearms unless authorized by the assistant chief, or inspector, of the Criminal Investigation Bureau.  
(WILEAG 11.2.1.5)

#### **560.70 ALCOHOL / ALCOHOL CONTAINERS (WILEAG 11.2.1)**

- A. Photographs of alcohol and alcohol containers held for city and/or state charges shall be retained at the Property Control Division according to the normal evidence retention schedule. Alcohol and alcohol containers shall not be retained at the Property Control Division.  
(WILEAG 11.2.1.5)
- B. Do not seize coolers, beer kegs, tappers, CO2 tanks, hoses, etc. as there is no law prohibiting citizens from possessing these items unless they are taken as evidence.

#### **560.75 ANIMALS**

- A. When an animal is taken to a district station by a department member or brought into a district station by a citizen, a WinAce-Officer Drop inventory shall be completed in accordance with SOP 560 Property. A WinAce-Officer Drop inventory is not required if an animal is taken directly to Milwaukee Area Domestic Animal Control Commission (MADACC) from the retrieval location.
- B. Dead animals shall be picked up by the Sanitation Department [REDACTED] This number can be called 24 hours a day, seven days per week. In cases of vehicle-killed

deer, see SOP 060 Animals.

- C. In the event that the animal is considered evidence in a case, a photograph shall be taken before a final disposition is made.

#### **560.80 BICYCLES, MOPEDS, AND MINI-BIKES**

- A. District stations shall maintain and process safekeeping bicycles, mopeds and mini-bikes with an engine size of 50cc or less in the following manner:
1. All safekeeping bicycles shall be checked in NCIC for stolen/wanted status and checked for current registration in the city computer. A printout of the check shall be attached to the WinAce-Officer Drop inventory. The inventory shall be attached to the bicycle frame.
  2. Safekeeping bicycles, mopeds, and mini-bikes will be retained for thirty (30) days if ownership cannot be established. The Property Control Division shall mail a claim letter to a known owner. The bicycle, moped, or mini-bike shall be retained for thirty (30) days from the date of the letter being mailed.
  3. Bicycles, mopeds, and mini bikes with 'finders' denoted on the WinAce-Officer Drop inventory shall be retained for six (6) months at which time a claim letter will be mailed to the finder by the Property Control Division.
  4. Evidence bicycles shall only be inventoried as evidence when essential to the prosecution of a crime. When practical, bicycles should be processed, photographed and inventoried as safekeeping. If a bicycle is needed as evidence, it shall be checked in NCIC for stolen/wanted status and the city computer for current registration. A printout of the check shall be attached to the WinAce-Officer Drop inventory.
  5. Prior to initiating the disposal process on an inventoried bicycle, moped or mini-bike NCIC shall be checked a second time by the designated Property Control Division bicycle officer for stolen/wanted status.
  6. All safekeeping bicycles, mopeds, and mini-bikes or parts thereof not returned to the lawful owner or claimant shall be maintained at each district station until picked up by the Property Control Division, which shall occur within 72 hours of inventory.
  7. The Property Control Division will dispose of all unclaimed bicycles not picked up by the owner, claimant, or finder in accordance with [Milwaukee City Ordinance 102-11-6-7](#).
  8. District commanders that wish to donate a bicycle shall file a *Department Memorandum* to their respective assistant chief specifying the number of bicycle(s) needed and detail who will be receiving the bicycle(s). The Property Control Division manager after receiving approval will then provide the district commander with the number of bicycles requested.

9. Bicycle disposal generated revenue will be deposited in the Milwaukee Police Department's Bicycle Equipment Special Purpose Fund in accordance with [Milwaukee City Ordinance 304-25-5](#).
  10. A continuous supply of bicycles will be provided by Property Control to the Bicycle Gifting Program for the Chief of Police and the district commanders.
- B. Mopeds and mini-bikes that have an engine size over 50cc shall not be placed on inventory and shall be towed in accordance with SOP 610.10 (Towing of Vehicles).

**560.85 BICYCLE GIFTING (WILEAG 11.2.5)**

- A. Any non-profit organization making a request for abandoned or unclaimed bicycle(s) shall submit their request through the Chief of Police, the district commander, or their supervisor designee.
- B. The non-profit agency is required to complete the Milwaukee Police Department *Gifting of Bicycles* form and the city of Milwaukee *Receipt of Donation* form and submit the forms to the district commander for review/approval. The forms can be found on the the Property Control Division Intranet page.
- C. Upon a district commander's approval, the forms shall be forwarded to the respective assistant chief or designee for approval.
- D. Upon approval by the assistant chief or designee, the forms shall be electronically forwarded to the Property Control Division manager or designee.
- E. The Property Control Division manager, or designee, shall determine the non-profit's qualification for the donation and the availability of the type and number of bicycles requested.
- F. The Property Control Division shall submit the approved gifting forms to the Department of Administration by fax [REDACTED] and retain a copy at the Property Control Division.
- G. Upon receipt of approval by the Department of Administration, the Property Control Division supervisor will make notification to the district commander for coordination and dissemination.
- H. The Property Control Division shall maintain records of gifted bicycles disseminated to district stations.
- I. The Property Control Division maintains authority over the dissemination of gifted bicycles to district stations. The district stations are responsible for the transportation of the bicycles from the Property Control Division.

**560.90 FIREARMS INVENTORY (WILEAG 11.1.2, 11.2.1)**

- A. The firearm's serial number shall be entered on the WinAce-Officer Drop inventory in

the serial number field. If a serial number cannot be read, indicate that detail on the WinAce-Officer Drop inventory. The inventorying member shall list 'obliterated' or 'partially obliterated' on the WinAce-Officer Drop inventory if the serial number has been filed off or is partially illegible.

1. Firearms manufactured prior to the Gun Control Act of 1968 (generally .22 caliber rifles and shotguns) may not have a serial number assigned. They are legal to possess and should not be confused with firearms described in section 2.
  2. Firearms with altered or obliterated serial numbers in any way are illegal to possess (Federal Firearms Statute 18 USC 922k). These are to be inventoried as evidence or contraband.
- B. All firearms shall be unloaded prior to being placed on inventory.
1. If a firearm cannot be unloaded, this information shall be conveyed to the member's shift commander and documented on the original property inventory.
  2. When practical, the Tactical Enforcement Unit or the Training Division firearm range staff should be contacted to assist in hard to clear firearm(s) prior to the firearm being sent to the Forensics Division or Property Control Division.  
(WILEAG 11.2.1.5)
- C. Affix the permanently locking metal wire MPD seal and a paper tag through the trigger guard of the weapon and lock into place. In the event of a missing or broken trigger guard, loosen the handgrips or stock and affix the MPD seal and paper tag through the frame. Record the MPD seal number in the inventory description. Do not inscribe any firearm with any identifying marks, dates, initials or use any kind of tape on a firearm.
- D. Accessories are to be listed as a separate item number and on a separate line on the WinAce-Officer Drop inventory. It is not necessary to disassemble the accessories from the weapon. Examples of accessories include, but are not limited to slings, removable scopes and/or sights. A magazine inserted in a firearm is not to be listed as a separate item.
- E. Firearms should remain in the box/case in which they were recovered. This box/case shall not be sealed. Firearms submitted under SOP 560.45 for forensic examination are exempt from this provision. Firearms shall not remain in holsters.  
(WILEAG 11.2.1.5)
- F. Members inventorying firearms shall complete a *Gun Recovery Report* in RMS. Prior to approving any inventory that includes a firearm, the supervisor shall ensure the *Gun Recovery Report* is submitted in RMS. The supervisor shall then approve the Gun Recovery Report and WinAce Officer Drop inventory.
- G. Firearm serial numbers shall be checked through the NCIC computer system for stolen status by the respective work location. The computer printout shall then be attached to the original WinAce-Officer Drop inventory.



- H. Members inventorying casings shall refer to SOP 743 - National Integrated Ballistics Information Network Program for additional information.
- I. All firearms, after being unloaded, shall be inventoried and stored in the work location storage safe within a secure property room.

**Note: (For this section only) Toy guns, replicas, air guns, and starter pistols are not to be considered firearms.**

#### **560.95 HAZARDOUS MATERIALS (WILEAG 11.1.2, 11.2.1)**

##### A. FIREWORKS

1. Fireworks shall be packaged separately from all other items.
2. Fireworks of size designation "M-80" (cylindrical, with a dimension of 5/8 inch by 1/2 inch) and above are considered hazardous devices, and as such, shall not be transported to, or stored in any department facility, including the Property Control Division. The Hazardous Devices Unit shall be contacted to respond to the scene to take custody of such items and shall be responsible for inventorying, storing, and disposing such items.

##### B. HAZARDOUS MATERIALS

Any substances or combination of substances including any waste of a solid, semi-solid, liquid, or gaseous form which may cause to an increase in mortality; an increase in serious irreversible or incapacitating reversible illness; or which may pose a substantial present or potential hazard to human health or the environment because of quantity, concentration, or physical, chemical, or infectious characteristics. This term includes, but is not limited to, substances that are toxic, corrosive, flammable, irritants, strong sensitizers, or explosive as determined by the DNR.

**Note: Members encountering any hazardous substances are reminded to follow the procedures indicated in the department's Emergency Response Manual - Annex R. Contact your shift commander before seizing any potentially hazardous material.**  
(WILEAG 11.2.1.5)

##### C. TRANSPORTATION

Only licensed contractors may legally transport or store hazardous substances [[Wis. Stat. § 291.23](#) and [291.97\(2\)](#)]. Therefore, hazardous substances shall not be transported to or stored in any department facility, including the Property Control Division. Nonetheless, the Hazardous Devices Unit may transport hazardous devices in accordance with standard procedures.

##### D. CONTROLLED SUBSTANCE RELATED

In those cases where the substances present hazards in handling and/or storage, but

appear to be components for the manufacture of controlled substances (e.g., acid and either for methamphetamines), those substances shall not be disturbed or removed from the scene until the member in charge at the scene contacts a HIDTA supervisor for guidance.

(WILEAG 11.2.1.5)

## **560.100 MONEY AND JEWELRY (WILEAG 11.2.1)**

### **A. U.S. CURRENCY AND JEWELRY**

1. Currency shall be packaged in an appropriately sized container, preferably a clear plastic bag whenever possible. Currency shall be placed in an appropriately sized paper bag if the currency contains DNA evidence. It shall not be placed in the container in a rolled up or folded condition.
2. Only U.S. currency and coin is considered money and shall be inventoried separately from any other property. Each denomination shall be listed on a separate line of the WinAce-Officer Drop inventory.  
(WILEAG 11.2.1.5)
3. List U.S. currency serial numbers only when they are material to the case, e.g., drug “buy money” or plant money. If serial numbers are listed, they must be placed on separate lines of the WinAce-Officer Drop inventory.
  - a. “Buy money” shall be placed on a separate inventory from all other monies, clearly indicating it is “buy money” in the circumstances and listing.
  - b. MPD shall be listed as the owner/claimant.
4. Inventoried monies, authentic gold and silver items, and other high value property shall be stored in the work location storage safe within a secure property room.  
(WILEAG 11.2.1.5)

### **B. RARE MONEY**

1. Special U.S. bills, rare U.S. coins, and U.S. coins containing gold or silver shall be placed on a separate WinAce-Officer Drop inventory and described appropriately.
2. Only the face value of the money shall be entered in the \$\$\$ section and “Total Money Received” section on the WinAce-Officer Drop inventory.

### **C. FOREIGN MONIES**

Foreign monies shall be inventoried and processed in the same manner as all other property. No value shall be assigned to such monies.

### **D. COUNTERFEIT / ALTERED U.S. MONIES**

1. Counterfeit/altered U.S. monies shall be placed on inventory. No value shall be

assigned to such monies, which shall be considered contraband unless documented as evidence in a criminal case.

2. All counterfeit/altered U.S. monies shall be placed in a plastic bag. The department member shall submit a *Department Memorandum* detailing the circumstances of the seizure and the business or person(s) involved.
3. The member shall notify his/her shift commander and attempt to determine the origin of the counterfeit money. Any leads shall be forwarded to the Secret Service. An arrest can be made for state Theft by Fraud when counterfeit money is actually used in a transaction.
4. Under no circumstances shall counterfeit money be returned to either the merchant or the suspect. Counterfeit money is illegal to possess.
5. The U.S. Secret Service advises that they are available 24 hours at [REDACTED] to assist in determining if money is counterfeit or genuine.

#### E. TREASURY BONDS / GOVERNMENT SECURITIES / TREASURY CHECKS

Treasury bonds/government securities shall be placed on inventory. No value shall be assigned. The department member receiving the property shall submit a *Department Memorandum* detailing the circumstances of the recovery.

#### F. FRAUDULENT CHECKS AND FINANCIAL TRANSACTION CARDS

Fraudulent checks and financial transaction cards shall be placed on inventory in a plastic bag and are to be handled as little as possible (See SOP 410 Issue of Worthless Check).

(WILEAG 11.2.1.5)

#### **560.105 PERISHABLE PROPERTY (WILEAG 11.1.3)**

- A. Perishable property (food items) shall not be placed on inventory unless absolutely necessary for a criminal investigation.
- B. The item(s) shall initially be stored at the respective work location, however, if the work location does not have adequate facilities for storage the Property Control Division shall immediately be notified as to the best method of storing the property. Photographing the item(s) should be considered rather than seizing the item(s).

#### **560.110 SAFES**

- A. Members of the department shall immediately notify their shift commander upon locating an abandoned safe. The shift commander will notify the Criminal Investigation Bureau who shall determine if a police officer or detective will assist in the investigation. The primary investigating member shall process the safe in the following manner:
  1. The safe shall be checked for fingerprints, a determination made as to whether or

- not a crime has been committed. Every effort shall be made to identify the owner.
2. Photographs shall be taken of the safe.
  3. Any articles found inside the safe shall be placed on inventory.
- B. If the owner of the safe can be readily identified, he/she shall be called to the scene for positive identification. If the safe is not required as evidence, the owner, upon initial contact shall be instructed to make arrangements for its immediate removal. The investigating member assigned to the investigation shall have the owner sign a *Property Receipt* (Form PP-33).
- C. When ownership of a safe cannot be established, a teletype message describing the safe shall be sent to the Time System Control Center (TSCC).
- D. After the safe has been processed for evidentiary value, the investigating member shall place it on inventory.
1. If the safe is excessively large and cannot be conveyed by the investigating member, the member shall contact Building and Fleet Operation [REDACTED] [REDACTED] who will arrange for transportation of the safe to [REDACTED] [REDACTED] for storage.
  2. A copy of the inventory shall be affixed to the safe and the original inventory shall be placed inside the member's work location property locker, indicating the safe's location.
- E. The investigating member shall consult with their shift commander if the safe is locked to determine if an authorized locksmith shall be contacted to have the safe opened. Any contents discovered inside the safe shall be photographed and placed on inventory.
- F. The investigating member shall submit a *Department Memorandum* titled "Abandoned Safe" detailing the results of the investigation.
- G. The labeling of safes shall be performed in the following manner:
1. "Inspected by (member's initials)/ Agency- M.P.D."
  2. The date inspected.
  3. Inventory number.

#### **560.115 VEHICLE REGISTRATION PLATES**

Only registration plates required as evidence for a felony case shall be inventoried. All other registration plates that come into the possession of a department member shall be delivered to the Property Control Division for disposal.

**560.120 DEPARTMENT EQUIPMENT**

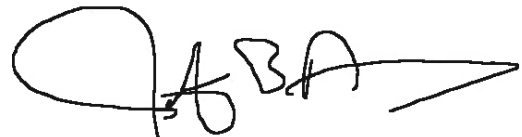
A. No department equipment shall be placed on a WinAce-Officer Drop inventory without the express permission of the Chief of Police, or his/her designee.

B. PROPERTY FOR DEPARTMENT USE

1. All members requesting disposable property for department use shall complete a *Department Memorandum* addressed to their commanding officer. Once approved by their commanding officer, the memorandum shall be forwarded to the Property Control Division. Arrangements will be made to disburse the property when the property becomes available for disbursement.
2. If the property is no longer needed or becomes unusable, the property shall be turned over to either the Property Control Division or the Facility Services Division for disposal.

**560.125 DISPOSAL OF INVENTORIED PROPERTY**

All disposable inventoried property shall be disposed of by the Property Control Division, except as outlined under 560.95(A)(2).

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN  
ACTING CHIEF OF POLICE