

INTRODUCTION

This manual is a guide for members of the department to improve and maintain the efficiency and/or ensure the integrity of our Property and Evidence system. A well-structured property management system must develop and maintain strict measures with respect to the handling, security and disposition of property so that the public can have confidence on the integrity and efficiency of the Pomona Police Department.

The property function affects all aspects of the justice system. It is the department's responsibility to protect all property coming under its control and to maintain an uninterrupted chain of custody. Failure within the property management system can affect prosecutions, resulting in embarrassment and financial loss to the department and could lead to a loss of public and professional confidence in the organization. These consequences can be avoided when all employees adhere to and become familiar with statutory and policy requirements.

Because it is important for all members of the department to understand and appreciate the reason the property function exist, and its critical role in accomplishing the organization's mission, the following statement summarizes the basic purpose of the Property and Evidence unit:

The Pomona Police Department Property and Evidence unit is charged with the responsibility of tracking and controlling the movement and inventory of all property and evidence controlled, seized, recovered or otherwise in the custody of this department. The Property and Evidence unit exists to receive, safely store, and lawfully and timely release evidence and property, for court presentation, disposal, or return to the rightful owner. Under the laws of the State of California, this department has established specific controls contained in this property manual to protect the department and its personnel and to ensure adherence to all its policies and procedures governing in-custody and evidentiary property. This department is charged with the responsibility of keeping an accurate record of all property and evidence which may come into its custody as evidence, found property or safekeeping, along with final disposition of all such property.

This manual is a "user friendly" guide to be utilized by all Pomona Police Department personnel. It remains the responsibility of each member of the Pomona Police Department to become familiar with the contents of the Property and Evidence manual and to follow the operational instructions contained within.

The Property and Evidence Manual shall be reviewed and updated by management overseeing the Property and Evidence unit. Staff shall be responsible for recommending changes required to keep the manual current and in compliance with local, state and federal laws. The Administrative Services Division Commander shall recommend any changes to the Chief of Police for approval and prior to updating this manual.

Effective Date: 1/1/2020 (by Richelle Baptista, Police Civilian Division Commander)
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TABLE OF CONTENTS

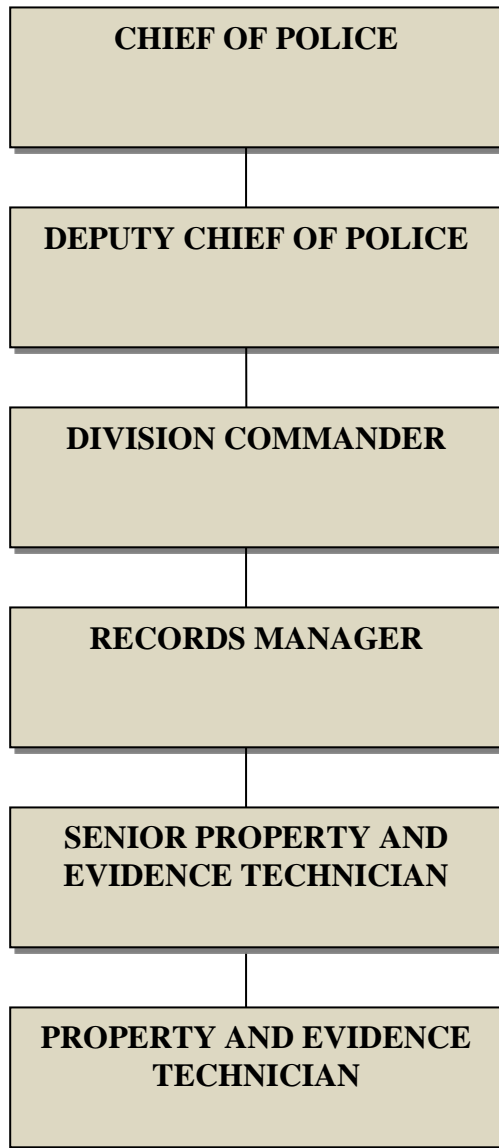
INTRODUCTION	1
TABLE OF CONTENTS	2
I. ORGANIZATIONAL CHART	6
II. PROPERTY FLOW CHARTS.....	7
.....	7
CHAPTER ONE GENERAL	11
I. FUNCTION AND MISSION.....	12
II. WRITTEN GUIDELINES	12
III. ORGANIZATION AND STAFFING.....	12
IV. JOB DESCRIPTION/QUALIFICATIONS.....	12
V. RESPONSIBILITIES OF ALL PROPERTY PERSONNEL	13
VI. TRAINING.....	14
VII. UNIFORMS	14
VIII. PROPERTY AND EVIDENCE UNIT OPERATIONS	15
IX. REGULAR ACCESS TO THE PROPERTY WAREHOUSE AND STORAGE FACILITIES	15
X. DEPARTMENT PERSONNEL ACCESS/VISITOR LOG	15
XI. WORK CREWS.....	16
XII. EVIDENCE TECHNICIAN CALL BACK	16
XIII. EMERGENCY ENTRY	16
XIV. WAREHOUSE SECURITY	16
XV. PERSONNEL SAFETY/DURESS/EMERGENCIES.....	17
CHAPTER TWO CLASSIFICATIONS AND FORMS.....	18
I. PROPERTY CLASSIFICATIONS.....	19
II. PROPERTY STORAGE FACILITIES.....	19
III. PROPERTY DOCUMENTATION – DATA ENTRY / FORMS	20
CHAPTER THREE DOCUMENTING, COLLECTING, PACKAGING AND STORAGE	23
I. DOCUMENTING PROPERTY AND EVIDENCE	24
A. Documentation and Chain of Custody	24
B. Field Property Receipt PPD-89 [Appendix A-3]	24
C. CLETS Computer Inquiry for all Serialized Identifiable Property	24
II. COLLECTING, PACKAGING AND STORING PROPERTY & EVIDENCE	25
A. Property & Evidence Entries, Markings and Packaging	26
B. Perishables (Food, Candy, Liquids, Alcohol)	26
C. Suitable Container and Packaging	26
D. Missing Property or Discrepancies (Immediate Response Required)	28
E. Right of Refusal of Property and Evidence	29
F. Specific Packaging and Documenting Problems	29
G. Handling Specific Evidence.....	30
1. Firearms.....	30
2. Bullets/Cartridges/Casings	31
3. Cartridge Casings Fired and Expended Not Live	32
4. Ammunition, Cartridges	33
5. Clothing.....	33
6. Gun Shot Residue Collection.....	33
7. Narcotics and Dangerous Drugs/Controlled Substances	33
8. Deceased Persons Search, Removal, or Retention of Property	35
9. Explosive Devices / Hazardous Materials	42
10. Currency	44

11. Jewelry	44
12. Sexual Assault Kits.....	45
13. Blood and Urine	45
14. Dangerous Weapons (Knives, Clubs, Stun Guns, Tasers)	46
15. Photographs.....	46
16. Bicycles.....	47
17. Alcoholic Beverages	48
H. Special Handling of Biological Evidence.....	48
1. The Biological Evidence Preservation Handbook	49
I. Evidence Processing Room.....	63
1. Storage Locations and Property Handling	63
J. Chain of Custody of Evidence.....	64
1. Temporary Release of Property.....	64
2. Transfer of Evidence to the Crime Laboratory.....	65
3. Property Returned from the Los Angeles County Sheriff’s Crime Laboratory.....	65
4. Chain of Custody Procedures	65
CHAPTER FOUR EVIDENCE ON Q	67
III. ENTERING NEW EVIDENCE.....	69
CHAPTER FIVE INTAKE AND PROCESSING PROPERTY AND EVIDENCE.....	74
I. INITIAL INTAKE OF PROPERTY AND EVIDENCE.....	75
A. Property Entries.....	75
B. Evidence Lockers	75
C. Refrigerator	76
D. Large Property Storage Area	76
II. TYPES OF PROPERTY	76
A. Property and Evidence Technician’s Intake and Processing Room.....	76
B. Large Property Storage.....	77
C. Bicycle Storage	78
D. Narcotics/Dangerous Drugs	79
E. Currency	79
F. Jewelry.....	80
III. PROPERTY BARCODES	80
IV. STORAGE LOCATIONS OF PROPERTY AND EVIDENCE RECEIVED	80
V. PROPERTY MANAGEMENT SYSTEM ENTRIES.....	82
A. Property Data Input	82
B. Criminal History and CLETS Checks	82
CHAPTER SIX RELEASE AND DISPOSITION.....	83
I. PROPERTY AND EVIDENCE RELEASE/DISPOSITION GUIDELINES	84
A. Responsibility of Other Personnel.....	84
B. Authorized Persons who may release property.....	84
C. Court Disposition, Authority and Statute of Limitations.....	84
D. Ultimate Disposition/Release of Property and Disposition Classifications	86
E. Disposition (release and disposal) Instructions for Specific Classifications of Property	88
II. DISPOSAL OR DESTRUCTION GUIDELINES	98
III. AUCTION OF UNCLAIMED PROPERTY	105
IV. APPEALS	107
CHAPTER SEVEN INSPECTION, AUDITS AND INVENTORY.....	108
I. PROPERTY INSPECTIONS, AUDITS AND INVENTORIES	109
A. Property Room Inspections.....	109
B. Property Room Audits.....	109
C. Inventories	110

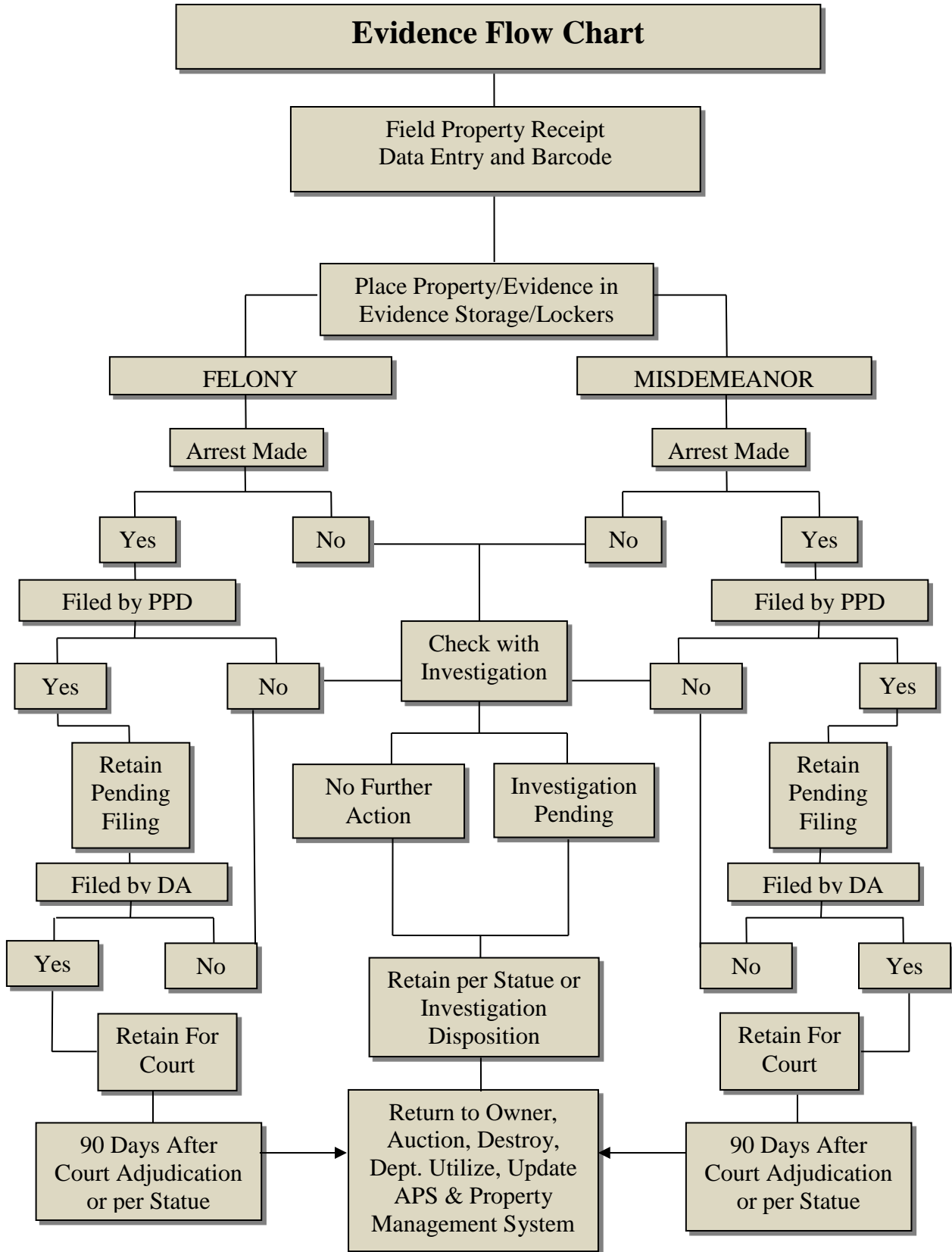
CHAPTER EIGHT CALIFORNIA CIVIL CODES STATUTORY REQUIREMENTS.....	112
I. 2080 California Civil Code - Duties of Finder	113
II. 2080.1. California Civil Code - Delivery to Police or Sheriff; Affidavit; Charges.....	113
III. 2080.2. California Civil Code - Restoration to Owner	113
IV. 2080.3. California Civil Code - Advertisement; Payment of Cost; Vesting of Title in Finder	113
V. 2080.4. California Civil Code - Local regulations	114
VI. 2080.5. California Civil Code - Authority to Sell	114
VII. 2080.6. California Civil Code - Public Agency; Adoption of Regulations.....	114
VIII. 2080.7. California Civil Code - Abandoned Property	115
IX. 2080.10. California Civil Code – Safekeeping Property	115
APPENDIX A.....	117
FORMS, BARCODES AND CONTAINERS.....	117
APPENDIX B.....	142
LEGAL AND REGULATORY REFERENCES	142
APPENDIX C.....	158
LINK TO BIOLOGICAL EVIDENCE PRESERVATION HANDBOOK.....	158
APPENDIX D.....	159
RETENTION REFERENCES	159

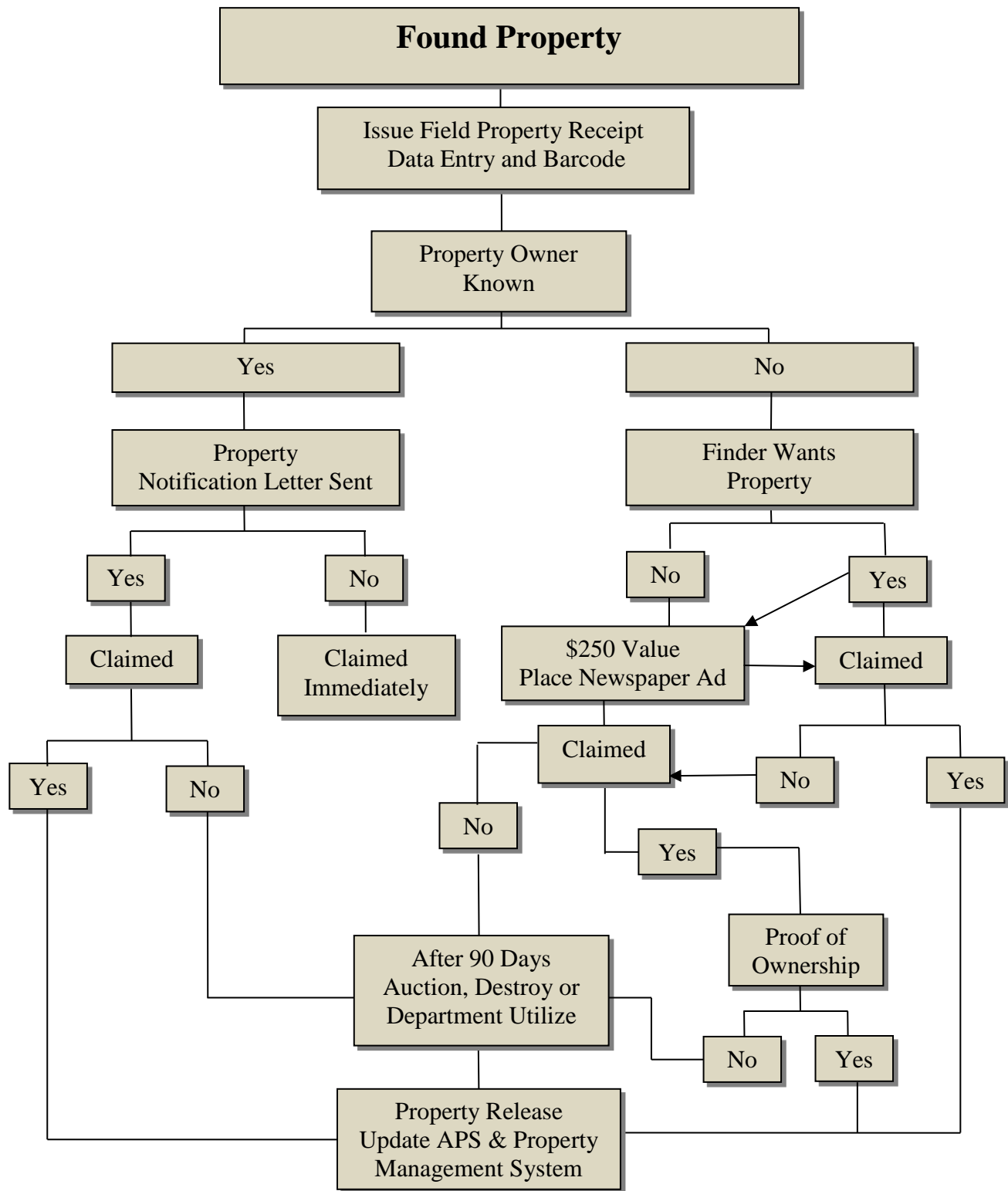
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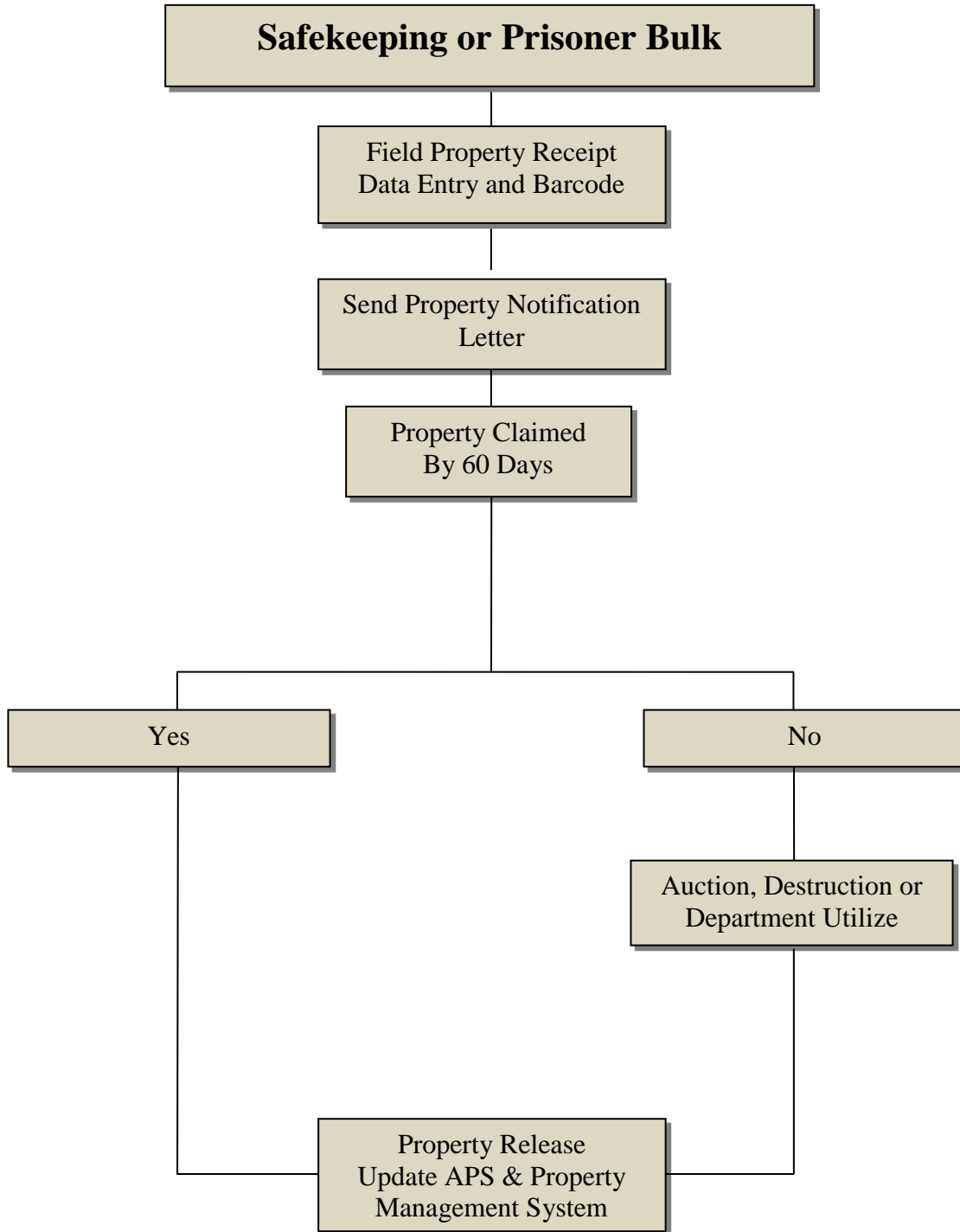
I. ORGANIZATIONAL CHART

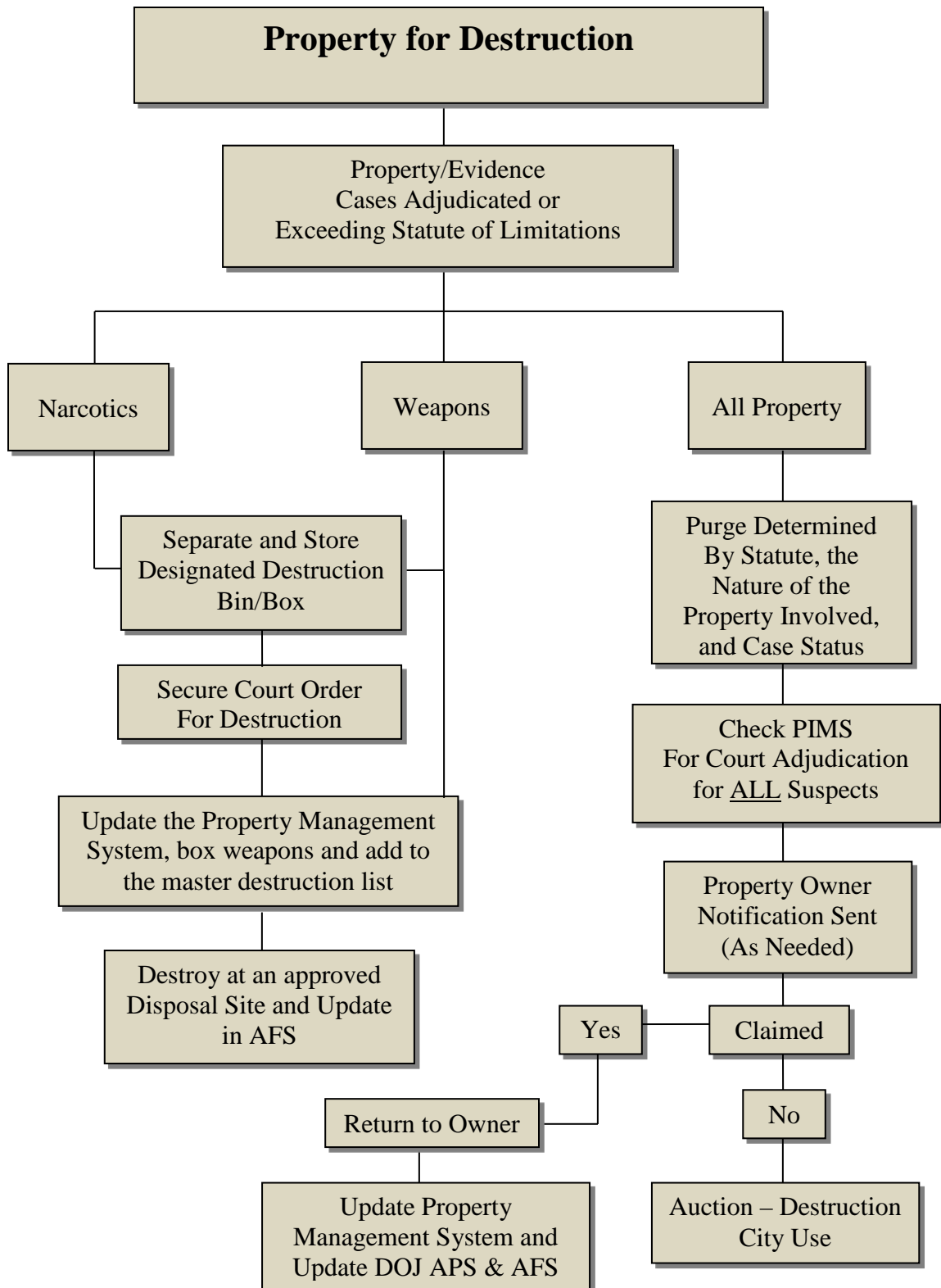


II. PROPERTY FLOW CHARTS









CHAPTER ONE

GENERAL

I. FUNCTION AND MISSION

- A. The function and mission of the Property and Evidence unit is to receive, store, maintain and dispose of property and evidence in such a manner that the following are accomplished:
 - 1. Evidence is preserved for laboratory examination and the chain of evidence is protected for court.
 - 2. Property is lawfully handled, protecting owner rights and protecting the City and Police Department from liability.
 - 3. Systems and records provide complete and thorough accountability for the receipt and disposition of all property and evidence.
 - 4. Conditions of the warehouse and procedures ensure the safety of personnel, and the public.

II. WRITTEN GUIDELINES

- A. The Property and Evidence Manual is a complete outline of procedures and policies regarding the handling of property and will be updated as needed.
- B. Memorandums and Directives are periodically distributed, pending changes in Crime Lab procedures, court requirements, legal changes or the discovery of new policies.

III. ORGANIZATION AND STAFFING

- A. The Property and Evidence unit is part of the Administrative Services Division. This unit reports directly to the Records Manager, who reports to the Administrative Services Division Commander who reports to the Deputy Chief who reports to the Chief. The Records Manager is a specialized mid-management position who oversees both the Records Bureau and the Property and Evidence unit. The Property and Evidence unit consists of one (1) full time Senior Property and Evidence Technician and two full time Property and Evidence Technicians.

IV. JOB DESCRIPTION/QUALIFICATIONS

- A. The Senior Property and Evidence Technician is responsible for the more complex and difficult work involved in receiving, processing, storing, safeguarding, delivering, releasing, and disposing of property, evidence, and supplies. Performs a wide variety of duties related to the preservation of property and evidence; to respond to and resolve inquires and complaints from the public; to ensure that property and evidence is maintained, as prescribed by State and Federal law; and to perform a variety of technical tasks, reporting requirements relative to their assigned area of responsibility. The Senior Property and Evidence Technician provides lead supervision and training to assigned staff; reviews staff work for

proper methods and accuracy; prepares evaluations, interprets and applies policies and procedures, and prepares clear and concise reports. The Senior Property and Evidence Technician must possess a CPR and first aid certificate, and have four (4) years of responsible experience performing duties comparable to a Property and Evidence Technician.

- B. The Property and Evidence Technician is responsible for performing a wide variety of duties related to the preservation of property and evidence; to ensure that property and evidence is maintained as prescribed by State and Federal law; and to perform a wide variety of administrative support. The Property and Evidence Technician receives, stores, releases, destroys and retrieves property ensuring the proper chain of custody; prepares and deposits currency; maintains files and pertinent records pertaining to the property and evidence function. The Property and Evidence Technician must possess a CPR and first aid certificate, and have three (3) years of clerical experience.
- C. Property personnel must maintain security and control of property and evidence that the Police Department acquires through normal duties and responsibilities.
- D. Property personnel chosen to work in the Property and Evidence unit shall be trustworthy and have no serious discipline history.
- E. Property personnel must possess a valid California driver's license and have a good work history.
- F. The duties of the property personnel require initiative and resourcefulness. The work involves frequent contact with the public, requiring the person to have effective interpersonal and communications skills.
- G. Property personnel must be able to work with minimum supervision.
- H. Property personnel must have the ability to communicate orally and in writing, be familiar with computer operations, and maintain a positive working relationship with a variety of individuals and organizations.
- I. Property personnel must have the ability to effectively organize work assignments and establish priorities.
- J. Property personnel should have a working knowledge of the Rules of Evidence, Penal Code, Government Code, Civil Code, Health & Safety Code, the California Administration Code, and other related codes as they apply to the evidence and property function.

V. RESPONSIBILITIES OF ALL PROPERTY PERSONNEL

- A. The property personnel's primary assignment is to accept, log, classify, store, dispense, destroy, and release property and evidence to its rightful owner, for court presentation and/or for destruction and auction.

- B. Maintain evidence, found and stored property in such a manner that the individual items are secure from theft, loss or contamination and can be located in a timely manner.
- C. Maintain property documents with proper notations of all actions associated with the property in the Property Management System. All documents and Chain of Custody information will be maintained electronically in this system.
- D. Ensure the timely and legally correct notification of owners and release or dispose of property recovered, found, or seized by the department. [APPENDIX A-12]
- E. Operate computer terminals and software programs in researching case dispositions and other related tasks.
- F. Coordinate the disposal of unclaimed and surplus property and the special disposal of narcotics, explosives, hazardous materials, and weapons pursuant to all related codes as they apply to the evidence and property function.
- G. Release of property for court, or to persons legally entitled.
- H. Prepare property for auction and proper destruction.
- I. As necessary, prepare and forward all property-related forms to the Department of Justice.
- J. Provide effective liaison communications between the Pomona Police department and local, state, and federal law enforcement agencies.
- K. Stay current with local, state, and federal laws involving property and evidence handling and recommend appropriate changes.
- L. Maintain a clean and orderly property storage facility.
- M. Train employees assigned to the Property and Evidence unit.

VI. TRAINING

- A. The Property personnel shall remain current in statutes and regulations pertaining to Property and Evidence and shall be members of the California Association of Property and Evidence (CAPE). Property personnel will receive ongoing training through conferences, networks, seminars and monthly meetings as time and budgets permit.

VII. UNIFORMS

- A. The Senior Property and Evidence Technician and Property and Evidence Technicians will be provided two types of uniforms for daily use, court appearances and formal events. The light blue shirt/badge and dark blue pants

shall be worn for court appearances and formal events. The polo shirt and 911 pants may be worn daily.

VIII. **PROPERTY AND EVIDENCE UNIT OPERATIONS**

- A. **Public Operations** - The public counter of the Property and Evidence unit will remain open by appointment only from 0800-1100 and 1300-1600 hours, Monday through Wednesday and closed on Thursday and Friday to the public. The Property and Evidence unit will be closed on court holidays or other times as deemed necessary by the Administrative Services Division Commander.
- B. **Police Personnel Counter in Property** - The Police Personnel Counter will remain open from 0700 hours until 1700 hours, Monday through Friday. The Property and Evidence unit will be closed on court holidays or other times as deemed necessary by the Administrative Services Division Commander. The Property and Evidence unit may close for the part of day for authorized training or meeting purposes.

IX. **REGULAR ACCESS TO THE PROPERTY WAREHOUSE AND STORAGE FACILITIES**

- A. Only those assigned to the Property and Evidence unit will have regular access to the Property and Evidence warehouse and designated Property and Evidence storage areas.
- B. Other department personnel may have access to the processing room, lockers and other bulk storage areas but will not be allowed in the main Property and Evidence warehouse unless being escorted by a Property and Evidence Technician.
- C. When there is an assignment change in Property and Evidence personnel, all keys, and pass codes shall be collected and changed immediately.
- D. Duplication or possession of keys to the property and evidence storage areas without permission is prohibited. Keys to the secure property storage areas will remain under the control of, and are limited to, the Senior Property and Evidence Technician, the Property and Evidence Technicians, and anyone designated or assigned to work in the Property and Evidence unit (Part Time Technical Specialist). If at any time a property and evidence technician misplaces their keys, the Records Manager shall be notified by Property Personnel immediately and all locks and keys shall be changed immediately.

X. **DEPARTMENT PERSONNEL ACCESS/VISITOR LOG**

- A. Upon inspections, audits, inventories, tours, facility repairs, a member of the department may be allowed into the Property and Evidence warehouse “**only**” if directly and constantly accompanied by a Property and Evidence Technician. All personnel shall sign in and out (including date and time) in the “Visitor’s Log” at all times. This log will be kept in the Property and Evidence office.

- B. A copy of the “Visitor’s Log” will be forwarded to the Records Manager on a monthly basis for review along with the monthly report. The original log shall remain in the Property and Evidence office.

XI. WORK CREWS

- A. Work crews in the Property and Evidence warehouse will at all times be directly and constantly accompanied by Property personnel. There shall be a record of all persons names and signatures, dates and times entered into the “Visitor’s Log” which shall be maintained in the unit office at all times.

XII. EVIDENCE TECHNICIAN CALL BACK

- A. All time worked on “Call Back” shall be compensated in accordance with the overtime provisions of the PCEA memorandum of understanding (MOU).

XIII. EMERGENCY ENTRY

- A. In the event the Watch Commander determines it is necessary (i.e. fire, burglary, security) to cause an emergency entry in any of the Property and Evidence facilities, the Watch Commander must immediately contact Property and Evidence Technicians to be present, notify the Chief, Deputy Chief, Administrative Services Division Commander and Records Manager. Any emergency entry must be documented by memorandum to the Chief of Police via chain of command.

XIV. WAREHOUSE SECURITY

- A. There will be three conditions of security maintained in the Property and Evidence unit. These are described as follows:
 - 1. Condition 1: All interior and exterior doors locked and alarmed, and both the public and police counter windows closed and locked. This condition will exist when no Property and Evidence Technicians are on-duty.
 - 2. Condition 2: All Exterior doors and public door locked and alarm off. This condition will exist when at least one Property and Evidence Technician is on-duty.
 - 3. Condition 3: The interior chain link door leading to the main Property and Evidence warehouse shall be locked at all times.
- B. The Property and Evidence warehouse shall have continued video surveillance and recording. Video surveillance recordings shall be stored for one year (Government Code, GC 34090.6).
- C. The Property and Evidence warehouse shall have perimeter alarms and motion sensors when the alarm is activated.
- D. In case of a fire, the fire alarm will alarm Dispatch.

XV. PERSONNEL SAFETY/DURESS/EMERGENCIES

- A. The following safety procedures will be followed in the Property and Evidence warehouse:
1. A Property and Evidence Technician will ensure the interior chain link door leading to the main Property and Evidence warehouse is locked and secure at all times.
 2. When handling bio-hazardous materials, employees shall wear protective gloves, face mask and protected eye wear.
 3. When Property and Evidence personnel are doing repeated heavy lifting of 50 pounds or more, they shall wear a nylon back brace.
 4. In the event that a citizen becomes verbally or physically abusive, the Property Technician shall call the Watch Commander immediately or Dispatch center at ext. 2112 and move into a portion of the office away from the public window. In an emergency, Property personnel shall press the panic buttons located at the desk of each property technician's workstation and ask Dispatch to send an officer immediately to the Property and Evidence warehouse.
 5. Though the owners of firearms may have a right to pick up their guns and ammunition both will not be released to them on the same day. Unit personnel shall not release guns, ammunition, knives or other weapons to persons who seem emotionally unstable. They should notify the Watch Commander for assistance in dealing with such a subject. All persons attempting to retrieve guns must be the registered owner and be cleared through The Department of Justice prior to any release. The Gun Release Application is available in the Property and Evidence unit or online at www.cfars.doj.ca.gov.
 6. In the event of a personnel injury or biohazard exposure, personnel shall notify Dispatch immediately for medical attention and have Dispatch notify the Records Manager, Administrative Services Division Commander and Watch Commander to respond to the warehouse. If medical attention is needed, the warehouse must be secured.
 7. The Property and Evidence warehouse shall be equipped with a police radio to ensure contact and communication with Dispatch in the event of an emergency.

CHAPTER TWO

CLASSIFICATIONS AND

FORMS

I. PROPERTY CLASSIFICATIONS

- A. **Evidence** is any property that comes into the custody of a police department employee when such property may tend to prove or disprove the commission of a crime, or the identity of the suspect, pursuant to an official criminal investigation.
1. Examples of evidence: physical or chemical evidence left at the scene of a crime by a victim or suspect; recovered (stolen) property; or property currently under observation which is suspected to have been used in, or be the result of, the commission of a crime.
- B. **Property for Bulk/Safekeeping** is any property of no evidentiary value surrendered to an employee of this Department for temporary custody with the understanding that the person surrendering the property has a legal right to do so, and that the property will be returned to the rightful owner(s) at the end of a specified period of time. The property will be released to the rightful owner with the exception of weapons taken at the scene of a domestic disturbance, or taken to prevent the owner from harming him or herself. The property will be released to the rightful owner *unless* the property is disposed of by the department in a manner prescribed by law or disposed of at the owner(s) request.
- C. **Found Property** is any property of no evidentiary value whatsoever, which comes into the custody of an employee of this Department, and whose rightful owner may, or may not, be known to the finder or to the Department. Due diligence must be exercised with respect to determining the rightful owner. Upon failing to do so, the Department shall dispose of the property in a manner prescribed by law (after 90 days of receipt) if not claimed. If the finder would like to claim the property, please see Chapter 5, California Civil Code Section 2080-2080.3.
- D. **Property for Destruction** is any property, including firearms and ammunition, released by a citizen to the Department for disposal or property that is determined to be available for immediate destruction.

II. PROPERTY STORAGE FACILITIES

The primary storage area for all property and evidence is located at 910 W. Fourth St. in the warehouse. Oversized property and bicycles are stored in the outside designated storage containers or storage yard by the Property and Evidence Technicians.

- E. **Main Property Processing Room Envelope Drop** – used to drop property and evidence small enough to fit through the drop slot. Heavy or breakable items shall be stored in the lockers.
- F. **Main Property Processing Room Storage Lockers** – temporary storage lockers are located in the Property and Evidence processing room and are used for all types of property.

- G. **Interior Caged Area** - used to store large bulky items such as, TV's, stereos, bicycles, and automobile parts.
- H. **Large Outside Container locker** – used to store large amounts of evidence on one case or large amounts of narcotics (30 day limit).
- I. **Main Property Processing Room Refrigerator** - used to temporarily store blood, urine, SART kits and items needing refrigeration.
- J. **Main Property Processing Room Drying Closet** – used to temporarily store wet property. The officer storing these items must remove the items from the drying room and package/store as usual within 24 hours.
- K. **Property and Evidence secure outside storage yard** – storage area for booking very large bulky items such as ice cream carts, vending machines, auto parts, machinery, etc.
- L. **Bike Cage** – storage area for all bicycles held by the Pomona Police Department. *Accessed by Property and Evidence Technicians only.*
- M. **Property and Evidence Warehouse** – storage area for all types of evidence, found and safekeeping property. This area can only be accessed by Property and Evidence Technicians.
- N. **City Hall Basement** – storage area for homicide evidence.

III. **PROPERTY DOCUMENTATION – DATA ENTRY / FORMS**

There are a variety of electronic data entries and forms required for the documentation of evidence and property. The primary method of property and evidence tracking is the Property Management System. This system does not interface with the Department's Records Management System (RMS).

- O. **Property Data Entry** – Whenever property is collected by a member of the department and placed into Property and Evidence, the employee must complete the entry in the Property Management System as well as barcode the items to be stored per policy and procedures. The Property Management System produces an unalterable chain of custody from the moment employees enter the data into the software; a complete audit trail that automatically date and time stamps all transactions and stores them within the software..
- P. **Forms** – [Appendix A]
Property forms, both digital and written, reflect "Chain of Custody" as well as release information as it relates to owner information, department utilization, auction, and destruction. All forms shall be reviewed annually by the Property and Evidence Technicians and Records Manager ensuring procedural changes or statutes have been incorporated appropriately and that the newest version of each form is in circulation.

1. **Property and Evidence Envelope** – All types of property may be stored in the Property and Evidence envelopes indicating whether the property is evidence, narcotic, found or safekeeping/bulk. Narcotics will be stored separately from other items, including paraphernalia. Different types of narcotics (i.e. cocaine, heroin, marijuana, etc.) shall be packaged separately and have separate item numbers. [Appendix A-1]
2. **Currency Envelope shall be used when storing currency and each denomination shall be readable.** [Appendix A-2]
3. **Field Property Receipt (Form PPD-89)**, documents the property taken and stored in the Property and Evidence warehouse. The receipt number shall be entered into the Property Management System. The white copy shall be provided to the citizen/owner. The yellow copy shall be sent to the Records Bureau. The pink copy shall be placed with the property. [Appendix A-3]
4. **LASD Crime Lab Receipt / Form (Form 76R197C-SH-CR-126)**, provided by the Los Angeles County Sheriff's Department, is used to document the chain of custody and describe what type of analysis is needed. [Appendix A-4]
5. **LASD Crime Lab Sexual Assault Kit Submission Form**, provided by the Los Angeles County Sheriff's Department, is used to describe what type of analysis is needed. This form must be filled out by the handling detective. [Appendix A-5]
6. **Service Request Form**, for Forensic processing. [Appendix A-6]
7. **Court Retained Evidence Notification** is used when evidence is retained by the court and is no longer in the custody of the Pomona Police Department. [Appendix A-7]
8. **Property and Evidence Warehouse Access Log** is used when personnel other than the Property and Evidence Technicians access the Property and Evidence warehouse. [Appendix A-8]
9. **Best Evidence Notification Request** is used when any currency held for evidence is received. This notice is sent to the handling detective who will indicate whether to hold the currency as "best evidence" or deposit into the police held money fund account. [Appendix A-9]
10. **Firearms Received for Safekeeping Notification** is used when firearms are received for safekeeping. This notice is sent to the handling detective who will indicate whether to release or hold the firearm for evidence. [Appendix A-10]
11. **Property and Evidence Auction Tag** is used to tag an item ready for auction. [Appendix A-11]
12. **Notification of Property Ready for Release** is used to notify the property owner to claim their property by an indicated date. [Appendix A-12]

13. **DOJ Law Enforcement Gun Release Application** is used to establish the applicant's eligibility to lawfully possess firearms. [Appendix A-13]
14. **DOJ Firearms Ownership Record** is used to request an ownership record for the DOJ. [Appendix A-14]
15. **Property and Evidence Manifest** is used to list property sent to auction or destruction. [Appendix A-15]
16. **Property and Evidence Gun Destruction List** is used to list all weapons being destroyed in a gun burn. [Appendix A-16]
17. **Petition and Order to Destroy and Release Property** is a Court Order to dispose of narcotics. A Los Angeles County Magistrate must sign the order before narcotics can be destroyed. [Appendix A-17]
18. **Los Angeles County Court – Declaration (PG 1)**, used with the Petition and Order to Destroy and Release Property. [Appendix A-18]
19. **Los Angeles County Court – Declaration (PG 2)**, used with the Petition and Order to Destroy and Release Property. [Appendix A-19]
20. **SERRF Narcotic Destruction Manifest** is used as a cover page to the list of drugs to be burned by their weight in pounds. A total weight of all drugs is listed on this page. [Appendix A-20]
21. **SERRF Acknowledgment and Release of Liability** during the narcotic burn. [Appendix A-21]

CHAPTER THREE

DOCUMENTING, COLLECTING, PACKAGING AND STORAGE

I. DOCUMENTING PROPERTY AND EVIDENCE

A. Documentation and Chain of Custody

1. All property collected, recovered, seized, found or otherwise taken into the control of the Pomona Police Department by an employee during the course of their employment and retained will be documented in a police report prepared by the employee accepting that property from the field. The employee will describe who, what, when, where, and how they came into possession of the property.
2. A full and complete electronic property report will be made utilizing the Property Management System, documenting a description of the property and the identifying information of the person from whom the property was collected, recovered, seized, found or otherwise taken.

B. Field Property Receipt PPD-89 [Appendix A-3]

1. The Field Property Receipt should be completed anytime property is taken, seized, or otherwise brought under the control of the Pomona Police Department, from the owner or person in possession pursuant to California Civil Code section 2080.10.
2. The Field Property Receipt also serves as the Found Property declaration anytime found property is collected. The employee will obtain full and complete identifying information of the finder and include this information along with the full and complete description of the property found on the Field Property Receipt. The finder should indicate their interest in the property should it go unclaimed. The officer will obtain the signature of the finder on the receipt and provide them with the original copy indicating instructions on making a claim.
3. The Field Property Receipt also serves as the notice of a claim of ownership when stolen or embezzled property is seized. The employee should mark the appropriate box on the FPR, advising the person to assert their claim to ownership within 15 days.
4. The signature of person receiving the receipt is required. If they refuse to sign, indicate "refused to sign, copy given" followed by the employee's initials.

C. CLETS Computer Inquiry for all Serialized Identifiable Property

1. Department personnel shall make appropriate inquiries to the State Department of Justice computer (CLETS) regarding serialized or identifiable items of property collected or seized to determine the status of the property prior to placing the property into storage or evidence.

- a. The employee will verify all stolen property hits with the originating agency prior to confiscating the item. This can be accomplished by request through Dispatch personnel or independently by the employee. Any independent action taken by the employee to determine the status of property will be communicated to the dispatcher to facilitate sending the required teletypes. After verification the dispatcher or Property and Evidence Technician will be responsible to send locate information into CLETS.
 - 1) CLETS print outs verifying the stolen and locate status will be marked with the PPD case number in the upper right hand corner and forwarded to Records Bureau.
 - b. The status of the property will be reflected in the police report and in the Property Management System.
2. In accordance with 11108 PC, Police Records and Property and Evidence personnel will be responsible for submitting and verifying the entry of descriptions for the below listed serialized property, which has been reported stolen, lost, found, or recovered into the Department of Justice Automated Property System (APS): (Reference the CJIS Manual)
- a. Firearms
 - b. Stolen bicycles
 - c. Other property as may be designated by law
 - 1) The Property and Evidence Technician shall be responsible to update APS and the Property Management System upon returning found serialized property to the owner or when the property is auctioned, maintained for departmental use, destroyed, or donated to a charitable organization.
 - 2) The Property and Evidence Technician will be responsible to verify all property data entries in APS for accuracy.

II. COLLECTING, PACKAGING AND STORING PROPERTY & EVIDENCE

It is the policy of the Pomona Police Department to book evidence into the property system as soon after seizure as possible. Property is not to be secured in personal lockers, files, or desks. Maintaining a piece of evidence in a case file may be acceptable under certain circumstances. However, the evidence must first be processed through the property system and then signed-out. When this cannot be done, field personnel must use an acceptable designated secure temporary location, and notify the Property and Evidence Technician of submission delays.

A. Property & Evidence Entries, Markings and Packaging

1. Complete the property report electronically in the Property Management System by entering each item separately ensuring that all mandatory fields are filled with the correct identifying information. This includes barcoding envelopes, bags, tags, urine and blood samples and evidence kits.
2. It is highly recommended, and preferred, that the same person finding the property place it into evidence, limiting the chain of possession. Improper or incomplete documentation of the chain of possession may result in pertinent evidence being ruled inadmissible in court.
3. Incomplete or inaccurate information will not be accepted by the Property Technician.
4. Always include serial numbers.
5. In the case of numerous small items such as a box of tools, the box may be listed as a single item and only one property entry in the Property Management System; however, an inventory of the contents must accompany the box and be included in the narrative of the incident report. This provision does not relieve the employee from the necessity of inventory and marking items for chain of evidence identification.

B. Perishables (Food, Candy, Liquids, Alcohol)

1. Perishables with **NO** evidentiary value shall be disposed of and the owner notified of their destruction by the collecting employee.
 - a. Exception: Any food or perishable item that has inherent evidence value (i.e. bite evidence, etc.) shall be retained for lab purposes. These items must be packaged separately and stored in the refrigerator. The handling detective must request submission for lab analysis immediately.

C. Suitable Container and Packaging

1. All property that is collected or seized shall be packaged in a suitable container to avoid contamination and to ensure the integrity of the evidence. In the case of large items such as bicycles and backpacks, an evidence/found/safekeeping tag will be used with the barcode. All Property tags must be securely fastened to the item, package or container.
2. There are a variety of containers that can be used to package physical evidence. The investigating officer should try to suit the container to the sample. Approved materials for most evidence needs are stored in the evidence booking room.
3. Examples of approved evidence / property packaging are. [APPENDIX A]

- a. Envelopes – Various sizes, 3 x 5, 6 x 9, etc.
- b. Paper bags - Brown paper bags are provided for packaging various types of evidence and property.
- c. Butcher Paper – Shall be used when items cannot fit into a bag or envelope. The paper shall be wrapped and tape around the evidence item.
- d. Plastic bags – Ziploc/Kapak bags are also provided for packaging and to secure any substance (i.e. PCP, pepper spray or tear gas, etc.) that must be heat-sealed when booked into evidence.
- e. Glassine Envelopes - Glassine Envelopes are translucent and acid free with a wax paper-like finish to store fibers, hair, etc.
- e. Gun/Rifle box – Firearms will be stored in a gun box by the Property and Evidence Technician once received. If a firearm has its own gun case, the gun may be left in the case. A property barcode shall be attached to the gun case by the employee. The firearm shall be stored unloaded. The magazine must be stored in a separate 6x9 evidence envelope. If the magazine contains bullets, the bullet count must be listed in the description. The firearm shall be secured and rendered safe with a zip tie through the barrel of the gun and a property barcode attached. [APPENDIX A-23 AND A-24]
- f. Knife Box – Unsheathed knives or other sharp items shall be placed in a knife box by the employee and secured with zip ties. Large bladed items (e.g. machetes, swords) shall be packaged so that the blade is not exposed in such a way to prevent injury while handling. Folding knives and knives in sheaths may be packaged in an evidence envelope. [APPENDIX A-23]
- g. Biohazard Syringe Container – Needles, syringes and other sharp items shall be placed in a plastic syringe tube prior to being packaged in an evidence envelope. Place a biohazard sticker on the outside envelope or container. [APPENDIX A-25]
- h. Urine/Alcohol Kit - supplied by LASD LAB; stored in the Jail.
- i. Blood/Alcohol Kit - supplied by LASD LAB; stored in the Jail.
- j. Sex Offense Kit - supplied by LASD LAB; stored in the Jail.
- k. Gun Shot Residue Kit - supplied by LASD LAB; stored in the Jail.
- l. Generally, plastic zip lock envelopes are suitable for small dry objects. Do not put damp or biological evidence in plastic bags.
- m. Do not use paper envelopes or bags for fiber evidence, a vial or a glassine envelope is preferred.

- n. Garments and large exhibits can be placed in paper bags, cardboard boxes, or wrapped in paper.
- o. Paper or plastic envelopes can be sealed around the ends of large exhibits, such as tools, with plastic tape to prevent loss of adhering evidence.
- p. Loss of adhering evidence on large exhibits, such as safes, vehicle bumpers, etc., can be prevented by placing plastic or paper over the evidence and securing it with tape.
- q. Always use clean and new containers to prevent contamination.
- r. The 6x9 envelopes shall be used for narcotics. Place narcotics in a Ziploc baggie before sealing into a 6x9 envelope.
- s. Paint cans are primarily used to store arson evidence and hazardous material samples. Please see a Property and Evidence Technician for guidance.
- t. Glass jars/vials are only used to store liquid or hazardous material samples (liquid methamphetamine, alcohol).
- u. Plastic tubes with covers will be used to store hypodermic syringes. A sharps container shall be used on all syringes with exposed needles. [APPENDIX A-25]
- v. Do not over seal and complicate opening the container. Avoid or limit the use of staples and never apply staples through bar code labels or to a container if fine particles of material are enclosed.
- w. Keep exhibits separate. Each item or similar items secured at different locations should be placed in separate containers. Packaging separately prevents damage through contact and cross contamination. Label accordingly for proper identification.
- x. Property that requires evidence processing should be clearly marked (i.e., held for prints, trace, photos). The employee shall complete a Service Request Form and send it to the CSI team with a copy of the report. [APPENDIX A-6]
- y. Do not seal Latent Print envelopes.

D. Missing Property or Discrepancies (Immediate Response Required)

1. Any time there is missing property, evidence or a discrepancy in count, the Property and Evidence Technician shall notify the employee immediately by phone or email. The employee shall respond immediately to correct the discrepancy or clarify the error. If the employee cannot be reached, the employee's supervisor will be notified. If the supervisor is not available, the Property and Evidence Technician shall notify the Records Manager who will notify the on-duty Watch Commander. If the discrepancy is not resolved within 24 hours, the Records Manager shall prepare a Memorandum to the Administrative Services Division Commander who will notify and inform the Deputy Chief/Chief.
2. Employees will also be notified by email, whenever seized property is not received by the Property unit immediately. Maintaining a piece of evidence in a case file may be acceptable under certain circumstances.

E. Right of Refusal of Property and Evidence

1. Any property or evidence received by the Property Room that is not packaged as specified in this manual will be returned to the submitting employee for correction (i.e. unsealed envelopes, loaded guns, etc.).
2. The Property and Evidence Technician shall prepare a Notice of Correction to the employee via email indicating the items or corrections needed.
3. If the employee does not respond to the first notice within three (3) days, a second notice/email shall be prepared noting the lack of response to the first e-mail. The second notice shall be forwarded to the employee's supervisor.
4. If the employee does not respond to the second notice within (7) days, a third notice/email shall be prepared noting the lack of response to the first two emails. The third notice/email shall be forwarded to the Records Manager and employee's manager.
5. The employee shall document any corrections to improperly booked evidence in a supplemental report if required.

F. Specific Packaging and Documenting Problems

1. Separating Item Numbers - Each item will receive a separate item number.
2. Separating Property for Different Subjects - If three suspects are arrested for 459 PC and all three have property in their pockets at the time of booking, a separate item number and packaging is used for each suspect. In the event that the owner/victim can be immediately determined, the property is placed into evidence under that person's name, keeping in mind that each individual item of property must still be separated, and booked separately, into evidence.

3. Insufficient Evidence – Employees are urged to use prudent judgment, as well as common sense when impounding property. Valuable time is wasted processing “insignificant” evidence or correcting mistakes in packaging and documenting if careful attention is not paid to the rules of evidence.

G. Handling Specific Evidence

1. Firearms

Firearms are involved in a large percentage of both major and minor crimes. The evidence in such cases is frequently very broad and investigations of the weapons themselves, as well as the events that occurred may be varied.

- a. Firearms and related evidence, (i.e. guns, ammunition, holster, etc.) are always booked into evidence using separate packaging. The magazine must also be packaged separately. Descriptions of firearms booked into property must include the brand, model, serial number and type of weapon, (i.e. pistol, revolver, etc.).
- b. For added security, a zip tie shall be placed through the chamber to secure the gun from accidental discharge.
- c. Never submit a loaded gun into an evidence locker or to the crime lab unless you are unable to render the firearm safe (see below II.G.e). Unfired cartridges may be left in the magazine provided the magazine is removed from the gun. Weapons will be unloaded ONLY after noting the position of the safety, bolt, breech block, hammer, cylinder, clip, etc. In the case of clip-fed weapons that may need to be fingerprinted, use gloves and DO NOT touch sides of clip; this may destroy latent fingerprints. DO NOT work ammo from the magazine through the weapon to unload. In the case of revolvers, note the position of loaded chambers, empty chambers, and chambers containing fired cases with respect to position of the cylinder in the weapon as found.
- d. Firearms held for prints shall clearly state “Held for Prints” and the employee shall wear gloves when handling. The sign “Held for Print” shall be hanging on the processing side of the locker so the property and evidence technician can see the sign before the weapon is handled. AFTER fingerprint examination, an evidence tag and barcode shall be tied to the trigger guard of the weapon. Weapons will NOT be defaced by any such marking. Final identification consists of recording serial number and complete description (make, model, and caliber) in notes and report. Attach a zip tie through the barrel of the gun to render the gun safe.
- e. In rare instances where you are unable to render a firearm safe.

- 1) A sign "Loaded Firearm" shall be hanging on the processing side of the locker so the Property and Evidence Technician can see the sign before the weapon is accidentally handled.
 - 2) Notify the Property and Evidence Technician to let them know there is a loaded firearm in the designated locker.
 - 3) The Property Technician shall make arrangements with the Rangemaster to have the weapon unloaded prior to touching and placing the weapon in storage.
- f. Never clean the bore, chamber or cylinder before submitting a firearm and never attempt to fire the gun before it is examined.
 - g. Never pick up a weapon by placing a pencil or other object in the end of the barrel.
 - h. Record the serial number, make and model of the weapon and attach the evidence tag/barcode pursuant to this policy for later identification. The proper identification of firearms is important since duplicate serial numbers are sometimes found on different guns of the same make and general type.
 - i. A CLETS check on the weapon will be made by the investigating employee to determine its status. The status of ownership or stolen should be recorded in the narrative of the police report and indicated in the property entry.
 - j. If blood or other material of interest is present on the muzzle of the gun, place the gun in a paper bag. Blood should be dried first prior to packaging. Use caution not to destroy other potential evidence on the gun if using this procedure.
 - k. Attach an evidence tag/barcode to the weapon and place it in a storage locker located in the processing room.
 - l. Any firearm submitted with biological fluid on the surface shall be dried first and will be wrapped in paper to prevent airborne contamination. A bio-hazard sticker will be attached, warning of a biological hazard.
 - m. All firearms in the custody of the Pomona Police Department should be handled with care so as not to damage the stock, metal surfaces, or the operating mechanisms. Under no circumstance will loaded firearms be stored in the Property Room.

2. Bullets/Cartridges/Casings

- a. Do not remove from a detachable magazine or work through the action to remove. Do not alter or contaminate.
- b. Never mark a bullet, cartridge, and casing
- c. Wrap recovered items individually in tissue paper and seal in separate pillboxes or envelopes to prevent damage to the rifling markings by contact with other evidence.
 - 1) Date and time of collection, origin of sample and (when applicable) person from whom received should be included in the officers report narrative.
- d. Submit all evidence items recovered in an evidence locker. A conclusive identification may be possible on only one of several items recovered, even when they all appear to be in good condition. An examination request will be forwarded to the crime lab by CSI or Investigations Bureau as needed.
- e. Do not attempt to clean recovered items, except as may occur by medical personnel in the case of items removed from a body. The latter may be washed off immediately in running water and dried by blotting on a soft dry towel in those cases where the study of fiber and other evidence adhering to the bullet nose is not of importance.
- f. Handle fired casings and bullets as little as possible to prevent damage to the identification characteristics in the rifling markings or loss of material adhering to the bullets. As a general rule do not use forceps or other tools to handle items.
- g. Place wrapped cartridge casings in envelopes then label and seal the container. These small containers should be placed in an evidence envelope. [APPENDIX A-1]

3. Cartridge Casings Fired and Expended Not Live

- a. Care must be taken not to damage clip ejector marks or other markings, which may be present. Never mark on or near the primer end of the case. It is therefore recommended that employees seal the cartridges in an appropriate container.
- b. Submit all evidence cartridge cases or shotgun shells recovered to evidence. Frequently some cases contain more identifying details than do others. These items can be examined by the crime lab pursuant to the request of CSI or Investigations Bureau. All spent cartridge casings with primer present shall be examined by the investigating employee who shall determine if the spent cartridge casing must be submitted to the crime lab (NIBIN testing).

- c. Do not attempt to clean recovered cartridge cases before submitting them to the laboratory.
 - d. Wrap each cartridge case separately in tissue paper to prevent damage to breech block, firing pin, or other markings by contact with other cartridge cases.
 - e. Place wrapped cartridge casings in envelopes or pillboxes and then place them in a larger container.
4. Ammunition, Cartridges
 - a. Do not mark unfired ammunition.
5. Clothing
 - a. Submit clothing and other material showing evidence of gunpowder residue, bullet holes, or shot holes. If there is more than one item, wrap each one separately so as not to disturb or contaminate any residue. When information as to weapon distance at the time of the shooting is needed, photographs of powder patterns on clothing will not suffice since in most instances microscopic examination, chemical test and x-ray studies must be conducted on the exhibits themselves. When bullets have passed through garments and then into a human body, it is also desirable to have clear photographs of the bullet holes in the body available for study in addition to the garments. Include a ruler in all photographs.
6. Gun Shot Residue Collection
 - a. Protect areas to be collected.
 - b. Transport items in cardboard containers and include an information sheet with the case specifics.
 - c. If using a gunshot residue kit, mark all adhesive disks, including the case file number, Employee initials, date, time and location of sample.
7. Narcotics and Dangerous Drugs/Controlled Substances

Special precautions must be taken when handling known and unknown substances believed to be narcotics. All employees will wear protective gloves or use forceps when handling all suspected drugs.

 - a. Items for examination shall be independently packaged and marked and the outer container for the group of items should be sealed in order to protect chain of custody.

- b. Narcotics shall always be placed in a 6X9 evidence envelope, unless it is a large quantity, which may be placed in a brown evidence bag with a property barcode attached. [APPENDIX A-1]
- c. To facilitate analysis at the Sheriff's Crime Lab, a separate narcotics evidence envelopes must be used for each type of narcotics.
- d. If a subject is arrested in possession of narcotics, paraphernalia, cash and a firearm, separate evidence packaging will be necessary. These items will also be listed separately in the Property Management System.
- e. Any related paraphernalia must be booked in a separate evidence envelope from the narcotics themselves. Syringes with needles retained as evidence should always be placed with the needle facing down in a plastic syringe tube to prevent accidental injury to persons handling the item. At no time will a needle be submitted into evidence without a plastic syringe tube. DO NOT attempt to recap exposed needles. [APPENDIX A-25]
- f. Employees are responsible for examining, weighing, packaging, and attaching the blank lab receipt to the evidence. Property and Evidence technicians will process and forward to the crime lab for analysis. [APPENDIX A-4]
 - 1) Only items for examination should be included in the evidence package.
 - 2) **Large quantities of narcotics** for examination should be randomly sampled and only the sample submitted to the laboratory; i.e., less than 1 oz. of suspected narcotic submitted for a large seizure. Section 11479, 1479.1 and 11479.2 of the Health and Safety Code specify the sample requirements necessary for large quantities of drugs. These sections allow the Property unit to summarily destroy all quantities in excess of that amount provided by the sections as being necessary for court presentation.
 - 3) All suspected drugs must be sealed in a narcotic evidence envelope so as to avoid contamination and exposure to those who handle the evidence. [APPENDIX A-1]
 - a) Fresh plant material should NOT be packaged in plastic bags. It should be packaged in paper bags or in an evidence envelope after it is air-dried to prevent molding.
 - 4) When seizure of a clandestine laboratory is planned, criminalists from the crime lab, County health specialists, California Department of Justice Clandestine Lab Task Force, and/or County hazardous

material specialists shall be called to handle the evidence and investigation.

- a) Lab paraphernalia which is believed to be contaminated shall be photographed or videotaped at the scene of recovery and disposed of as hazardous material by the special clandestine task force.
- g. The Property and Evidence unit and the Los Angeles County Sheriff's crime lab will not receive narcotics that have been removed from a body cavity without it being identified and labeled as biohazardous. Be specific as to which body cavity the narcotic was removed. These conditions must be clearly marked on the package. There are no exceptions to this process.

8. Deceased Persons Search, Removal, or Retention of Property

Items from a deceased person or the estate - It is unlawful for any person to search or remove any papers, monies, valuable property, or weapons constituting the estate of a deceased person, or from any person who is deceased prior to the arrival of the Coroner or without the express permission of the Coroner (Government Code 27491.3(c)).

Exception: A peace officer may search the person and property around a decedent whose death was caused by a traffic accident for the purpose of locating a driver's license or identification card to determine if an anatomical donor card is attached (Government Code 27491.3(d)).

When a police officer wishes to search a decedent or his estate for a purpose other than to locate an anatomical donor card and the Coroner has not yet arrived, permission for the search may be obtained from the Coroner's office by telephone or radio.

Apart from the search restriction imposed by the Government Code, police officers wishing to search a decedent and/or his property must also consider:

- The possible necessity of obtaining a search warrant to authorize the search of other than the decedent's body in any case which may ultimately result in a criminal prosecution.
 - The preservation of physical evidence, which may be contaminated, lost, or moved by a careless and hasty search.
- a. Suicide Cases - Documents apparently written by the deceased that may tend to indicate the deceased's intention to take his own life, including directions for disposition of his property or the disposal of his remains, are the property of the Coroner's Office. The Coroner's Office shall collect

these documents (Government Code 27464). Copies of these documents will be made available to the officer investigating the death, and the originals will be available for criminalist examination.

- 1) Implements used to commit suicide may be collected by the Coroner's Office and retained by that office as necessary (Government Code 27491.3).
 - 2) When a police agency investigating a suspicious or questionable suicidal death elects to collect physical evidence relating to that death (instead of the Coroner's Officer collecting the physical evidence, as would be done in a normal suicide case), the police agency will be deemed to be conducting a "homicide investigation".
- b. Homicide Cases - The investigating police agency has the authority and the responsibility for the collection and preservation of physical evidence involved with homicidal deaths. At the same time, the Coroner's Office has the responsibility for safeguarding the body and the property of the decedent. The Government Code enforces that responsibility with provisions which make it unlawful for any person to remove certain types of items from the decedent's body or estate prior to the arrival of the Coroner, or without the Coroner's express permission. Those provisions have the following practical effect in Los Angeles County:
- 1) Physical evidence which is *on* the body should not be removed from the body until the pathologist approves its removal at autopsy. Earlier removal of evidence from the body may be accomplished, when necessary, as follows:
 - a) Weapons, wallets, papers, money, and valuables may be removed from the body, when necessary, for immediate investigative needs (e.g., when identity of the deceased is urgently needed), or when necessary to protect the evidence from loss or contamination (e.g., from the weather, from movement and removal of the body, or from crowds). Before removing these items, permission of the Coroner's Office must first be sought (this may be done in person, by telephone, or by radio). If permission is obtained, or if contact with the on-duty Coroner's representative cannot be made, the item(s) may be removed from the body to satisfy the immediate need. Care must be taken to preserve the evidentiary value of removed items, to prevent contamination, and to maintain the chain of custody. Items removed from the body shall not be removed from the immediate location of the body without the express permission of the Coroner's Office.

- b) Evidence on the body, such as loose hairs, fibers, vegetation, blood, gunshot residue, etc., may be removed from the body without the prior permission of the Coroner's Office, only if necessary to protect that evidence. Evidence that can be safely left on the body for later collection at an autopsy shall not be removed prior to the pathologist's inspection.
- 2) Weapons, wallets, papers, money, and valuables which have evidentiary value to the investigating agency may be inspected and collected by the investigating agency without the prior approval of the Coroner's Office. However, these items shall not be removed from the scene without the Coroner's expressed permission.
- 3) Employees conducting a search for evidence are responsible for determining the lawfulness of their search. Searches, including those of a decedent's property, are justified under one or more of the following grounds:
 - a) Consent, implied: from the victim of the crime, where only the victim has a reasonable expectation of privacy over the property and its contents.
 - b) Consent, actual: from competent person(s) with legal capacity to give consent.
 - c) Search warrant: searches for evidence and the removal of items from a decedent's estate which are conducted under authority of a search warrant are not subject to the provisions of the Government Code which require approval of the Coroner.
 - d) Probation search clause.
 - e) Parole search clause.
 - f) Plain open view.
 - g) Vehicle search law.
 - h) Exigent circumstances.
- 4) Disclosure of Facts and Evidence - One of the statutory duties of the Coroner is to determine the circumstances, manner, and cause of death in cases which are within the Coroner's jurisdiction. These determinations are made through an investigation of the factual circumstances of the death and through a medical post-mortem examination (autopsy). To achieve the most reliable and meaningful determinations, the Coroner's Office, as well as the pathologist,

must be promptly and fully informed of all the relevant facts and physical evidence.

- 5) Pathologist's Briefing – It shall be the investigating officer's responsibility to inform the pathologist of all information which may be relevant to the cause of death or to any condition of the body. These factors shall be included:
 - a) Relevant observations made at the scene.
 - b) Relevant witness statements.
 - c) Presentation of certain physical items (see below).
 - d) An accounting of items and evidence removed from the body.
 - e) An accounting of any changes in the position of the body since its discovery.
 - f) An accounting of any obvious visible changes in the body since first viewed.
- 6) The briefing of the pathologist shall be done through the following methods:
 - a) Reports of Coroner's deputies.
 - b) Photographs which are available at the time of autopsy and sketches.
 - c) Verbal briefing by Coroner's deputies.
 - d) Verbal briefing by investigating officers.
 - e) Verbal briefing by criminalists or evidence technicians.
- 7) Items for Pathologist's Inspection – The investigating officer will be responsible to make available or bring the following items, if existing, to the Coroner's Office for inspection by the pathologist at the time of autopsy:
 - a) Weapons and Objects - In deaths caused by suicide, accident, or homicide, any portable item which may have inflicted a traumatic injury upon the body of the deceased in a possible association with the death shall be collected and brought to the Coroner's Office at the time of autopsy. Such items will be inspected by the pathologist. Examples of items include:

- 1) Weapons (firearms are included where there is any indication that part of the firearm may have come into contact with the body of the decedent).
 - 2) Cutting and stabbing instruments.
 - 3) Blunt force objects, such as rocks, clubs, furniture.
 - 4) Tools.
 - 5) Ligatures and bindings.
 - 6) Clothing or other items which may have caused impressions in the skin.
 - 7) If an item would normally be displayed to the pathologist but is not portable, photographs, sketches, diagrams, or a detailed description must be available at the time of autopsy.
- b) Clothing - all articles of clothing which are known or suspected to have been worn by the decedent at the time of death and/or at the time of injury may be brought to the Coroner's Office at the time of autopsy for inspection by the pathologist. This category includes inner and outer clothing, footwear, and jewelry. In cases where the decedent was hospitalized, care must be taken to obtain all clothing worn at the time of hospital admission. Extreme care must be taken to avoid the loss of trace evidence and to prevent contamination of evidence. Evidence adhering to the clothing, which may be rearranged, lost, contaminated, or damaged should be recorded, removed, and properly packaged before the clothing is transported for display to the pathologist.
- c) Medications, Poisons, and Intoxicants - Diligent efforts must be made to locate any medication, poison, or intoxicant which could have been taken internally by the decedent at or near the time of the fatal event. Likewise, containers and paraphernalia for such substances (including needles, syringes, spoons, glasses, labeled drug containers, etc.) must be sought and collected. These items shall be brought to the Coroner's Office to be inspected by the pathologist at the time of autopsy. If not required as evidence in a police agency investigation, the Coroner's Office will determine the disposition of these items.
- 1) Exception: Not included in this section are substances (and their containers), which were directly administered by medical professionals (including emergency life-saving crews) who have documented their use in medical records.
- d) Hospital Evidence - Blood and urine samples collected by medical personnel prior to blood transfusions and before

administration of medications may be quite important. These samples should be located and obtained promptly. If the hospital will not release them to the Coroner immediately, steps must be taken to safeguard them until their release can be obtained. X-rays, CAT scans, medical records, and other such items created by medical personnel are also important and should be obtained. A Coroner's subpoena may be required.

Other important evidence may also be located at the hospital, such as the decedent's clothing, projectiles removed from the body, evidence falling onto the floor or gurney from the body, personal items in the decedent's possession, and trace evidence.

e) Responsibility - Responsibility for locating, transporting, and maintaining integrity of items to be displayed to the pathologist is listed below.

1) Accidental deaths by motor vehicle:

[a] Hospital Evidence	Coroner/Police
[b] All other items	Police

2) Accidental deaths by other than motor vehicle, where criminal negligence is suspected (manslaughter):

[a] Hospital Evidence	Coroner/Police
[b] Medications, intoxicants, poisons and their containers	Coroner/Police
[c] All other items	Police

3) Accidental deaths - all other means:

[a] All Evidence	Coroner/Police
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4) Suicidal deaths:

[a] All Evidence	Coroner/Police
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5) Homicidal deaths:

[a] Hospital Evidence	
Blood, urine, x-rays, medical records, CAT scans	Coroner

Decedent's clothing (which has been removed from the body)	Police/Coroner
Decedent's property (which has been removed from the body)	Coroner/Police
Trace evidence from body	Police/Coroner
Bullets, etc. (surgically removed)	Police/Coroner
Evidence from gurney, emergency room floor, ambulance, etc.	Police/Coroner
[b] Medications, intoxicants, and their containers and paraphernalia	Coroner/Police
[c] Poisons, containers and associated paraphernalia	Coroner/Police
[d] All other items	Police

Items brought to the Coroner's Office for inspection by the pathologist will normally be retained in the custody of the transporting agency.

- 6) Integrity of Evidence - **Extreme caution** must be utilized in the handling of any item, which is displayed to the pathologist. Items must be absolutely protected from contamination at the autopsy (e.g., blood from the autopsy being transferred to a piece of evidence being displayed). Latent fingerprints must be protected. Trace evidence must be protected from loss and from contamination. Care must also be taken to maintain the chain of custody of such items. (Clean paper is available at the Morgue for display of items.)
- 7) Pathologist's Report - When the pathologist's inspection of physical evidence reveals information of significance to the autopsy, the pathologist will normally dictate a supplementary report describing his inspection, observations, and conclusions (if any).

To avoid confusion and possible misidentification, the object referred to should be described clearly, its reported source indicated, and the identity of the presenting officer noted. The pathologist should mark the item or its container for identification purposes.

9. Explosive Devices / Hazardous Materials

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives. Explosives will not be retained in the police facility. [Lexipol 804.3.3]

In no case should an unexploded device or hazardous materials be transported to or stored in or around any police facilities. All hazardous material substances, such as flammable liquids or simple fireworks, shall be photographed. The investigating Detective shall determine the final disposal and make arrangements with the fire department or appropriate unit storing the hazardous materials.

- a. Evidence recovery of an exploded device should always be photographed as found prior to removal. Each item recovered should be placed in a separate container and marked as to the exact location where it was found.
- b. All evidence pertaining to an explosive device will be stored at the fire department or a designated bomb facility.
- c. All flammable liquids from an unused fire bomb (or after it has burned out) must be removed and sealed in a metal container.
- d. Simple fireworks shall be transported to the fire department for disposal.
- e. Explosive devices such as cable cutters, power devices, release devices, or starter cartridges shall be transported to the fire department or designated facility by the Investigating Officer.
- f. Class A explosives such as dynamite, desensitized nitroglycerin, and more than one pound of black powder will not be transported or stored at police facilities due to inadequate storage capabilities (LACO Fire or a designated facility/bomb unit may provide storage for these items).
- g. When flammable fluids are collected, they must be secured in containers so as not to pose a fire/explosion hazard. Only small quantities of fluids will be retained as evidence (no more than 2 oz.).

- 1) Samples of volatile fluids found in open jars or cans should be poured into clean metal or glass containers. The container employed should then be sealed completely to prevent any loss of fluid.
- 2) When glass or plastic containers or cans are found at fire scenes which contain just an odor or trace of fluid, seal the container immediately. Where lids or sealers not available, use foil or double bag the item. Samples of small amounts of fluid should be removed and placed in some other container as mentioned above (no more than 2oz), but this can be difficult or impossible to do when only odors or traces remain. Even when containers appear empty, vapors present may be identifiable if the container has not been burned by the fire. Traces of such fluids may also remain when water from firefighting operations has entered the container.
- 3) New, clean paint cans are the best storage containers for recovered material suspected of containing flammable fluids. They have lids which may be readily sealed, are not liable to breakage and prevent loss of volatile fluids and vapors. **Officers can contact CSI for metal storage containers.**
- 4) Glass jars can be used for flammable fluids if they contain lids, which can be tightly sealed. Such containers, however, are breakable and thus more difficult to ship. Mason or other jars, which have rubber seals on the lids should be avoided since many fluids will soften or dissolve such seals and permit leakage and loss of contents.
- 5) Plastic wrapping, when used as jar covers or as a sealant to protect large pieces of wood, will not prevent the loss of volatile fluids or vapors. Exhibits suspected of containing such materials should, therefore, never be stored in plastic containers or plastic wrapping used as a sealant. Likewise, waxed containers are not satisfactory for such exhibits. Aluminum foil can be used in those situations where fluids or debris cannot be sealed in the recommended type paint can.
- 6) Attempt to match the container size to the sample size. The less air space remaining after the sample is added to the container, the better.
- 7) Identification of trace amounts of fluid in samples recovered frequently requires distillation procedures. This means that specimens must be cut up into relatively small pieces which will fit into glass distillation flasks. For this reason it is normally desirable that the investigator saw or chops large exhibits at the time of evidence recovery and place small pieces in containers. This usually is a superior and easier method than attempting to deliver large sections of wood, carpets and similar exhibits to the laboratory even when the latter can be done rapidly and little loss of fluids is likely to occur.

- h. If acids and corrosives are collected, they should be placed in glass jars.
- i. Acids and corrosives will be stored in separate containers at the fire department or designated facility.
 - 1) Mark all containers so their contents are readily identifiable.

10. Currency

All currency collected must be itemized. If specific bills or coins are required as court exhibits, they will be stored in the property/evidence room safe as Best Evidence per the handling detective's 'Best Evidence Request Form'. Any money not needed for court exhibit will be deposited with the City Finance Department. [APPENDIX A-9]

- a. All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Watch Commander shall be contacted for cash in excess of \$1,000 for special handling procedures (Lexipol 804.3.4).
- b. Use a currency envelope to itemize all cash. This envelope serves as the sole method for logging cash into the evidence room. On the envelope, indicate if it is evidence, found or bulk/safekeeping. [APPENDIX A-2]
- c. Money is to be itemized by denomination, listing subtotals and total amounts.
- d. All currency envelopes will be sealed with tamper-proof evidence tape.
- e. Currency envelopes will not be used for counterfeit bills.
- f. If the currency envelope is not large enough, use additional currency envelopes or brown paper bag with a currency envelope attached. These items will be listed separately in the Property Management System.

11. Jewelry

- a. Package the jewelry in a plastic zip lock baggie and a 6 x 9 envelope; seal with evidence tape and initial.
- b. List the amount of jewelry on the face of the envelope. Itemize all jewelry by description and quantity.
- c. Note any high value jewelry in the Property Management System. All high value jewelry will be stored in the Property and Evidence safe.

12. Sexual Assault Kits

Medical personnel will utilize the sexual assault kit and shall follow the provisions of 13823.11 PC regarding examination, treatment, preservation, and disposition of evidence. The investigating officer must ensure that all forms in the kit are filled out and signed and that the kit is returned to the department and entered into evidence. All examination forms provided shall be filled out as thoroughly as possible and attached to the original report. The investigating officer must initial the chain of custody section on the sexual assault kit before entering it into evidence and attach labels indicating whether the item should be refrigerated or frozen along with a "Bio-Hazard" label.

- a. If liquid blood is taken, **it must be refrigerated**. Place blood evidence in the **evidence refrigerator only**, or immediately deliver it to the Property Technician for proper storage.
- b. If biological fluids are collected, they must be kept refrigerated or frozen as required or delivered immediately to the Property Technician for proper storage.
- c. Preservation and disposition of all physical evidence shall be the responsibility of the primary investigating officer and will conform to the following procedures:
 - 1) All swabs and slides shall be air dried prior to packaging.
 - 2) All items of evidence, including laboratory specimens, shall be clearly labeled with the evidence labels provided in the kit.
 - 3) The evidence shall be properly sealed and initialed.
- d. After retrieving evidence from the hospital, the medical assault kit and the victim's clothing must be temporarily stored in the evidence refrigerator or given to the Property and Evidence Technician to store in the freezer immediately. Make sure the medical report is separate from the items to be frozen.

13. Blood and Urine

- a. Blood and urine samples are collected and placed in a sealed envelope by a hospital technician or the investigating officer.
- b. The person collecting the sample is responsible for completing the information on the face of the sample envelope (DR, Time, Doctor, and Lab Technician). The investigating officer initials the chain of custody section on the envelope and places it inside the evidence refrigerator in the officer processing room.

- c. Urine Sample – Place the provided LASO seal or evidence tape over the lid of the jar to secure the sample integrity. List all pertinent information on the label and place around the jar over the seal. Initial the edge of the label where it overlaps the seal.

14. Dangerous Weapons (Knives, Clubs, Stun Guns, Tasers)

Never submit a loaded Taser or an operable stun gun or other device that could accidentally be activated or discharged.

- a. All sharp object items must be packaged to avoid injury to persons handling the items.
 - 1) Approved cardboard boxes designed for weapons storage should be used to secure the cutting edge or point. Protect and preserve all potential evidence on the weapon. Do not tape or otherwise affix anything to the weapon that may destroy potential evidence.
 - 2) All weapons shall be deposited in an evidence locker.
- b. The batteries in a stun gun shall be disconnected and the cartridges of a Taser shall be removed.
 - 1) The stun gun and Taser devices shall be tagged/barcoded for identification and deposited in an evidence locker.
 - 2) Discharged Taser darts should be treated as a bio-hazard sharp and handled accordingly to prevent exposure and injury to persons handling the device.
- c. A CLETS check should be made by the investigating officer on all serialized weapons to determine their status before entering them into the property system.

15. Photographs

- a. The investigating officer's first step in the investigation of any major crime is to photograph completely and accurately, all aspects of the scene before any items which might possibly be evidence are removed or disturbed.
- b. Crime scene photographs are intended to show the viewer exactly where and how the crime was committed. The number and type of photographs taken will be determined by the circumstances and seriousness of the crime.
- c. The term "crime scene" refers not only to the immediate locality in which the crime apparently took place, but also to adjacent areas where

significant things happened shortly before and after its commission. Photographs of the general area of the crime scene should be supplemented by closer views showing important details. It is essential, however, that these close-up views be photographed or otherwise identified that they can be located with respect to the overall views. This is vital in giving the investigating officer(s) a clear picture of how the details relate to the total crime scene.

- d. It is also vitally important that the Investigating Officer should remember the nature of the offense and strive to show CLEARLY all the elements constituting said offense.
- e. All photographs are handled as evidence and the proper chain of custody must be maintained. Original photographs will be uploaded into the Digital Imaging Management System (DIMS) – not placed in the case file.
 - 1) Evidence photos are handled for the most part by the CSI team members using digital cameras. Digital photographs can be relied on in court and for other uses just as film based photography is. Some of the advantages of digital photography are:
 - (a) Many digital photographs can be taken, and stored electronically.
 - (b) Most digital cameras have the ability to play back photographs right after they are taken, so you can be sure you have the evidence before you leave the scene.
 - (c) Only the pictures you actually use need to be printed, and can be printed in many formats.

16. Bicycles

- a. All bicycles that come under the control of police personnel are brought to the Property and Evidence facility where they are securely stored.
 - 1) A Property Tag, Barcode and Field Property Receipt, when appropriate, must be completed and submitted by the reporting employee.
- b. The Property Technician will be responsible for verifying the bicycle descriptions against the property entry.
- c. The employee shall be responsible for moving the bicycle(s) to the caged storage area.
- d. If the owner is known the employee will designate the disposition on the Case Disposition form.

- e. The investigating employee will be responsible for making the appropriate inquiries via CLETS APS to determine if the bicycle has been reported stolen. This information will be reported in the narrative of the employee's report and any print out of the inquiry attached to the report.
- f. The Property Technician will track all data in reference to storage location and timely disposal of the property pursuant to statute.

17. Alcoholic Beverages

- a. These guidelines are applicable for open container, as well as B&P violations.
- b. If the container is unopened, the entire container and its contents may be placed into evidence.
- c. In cases of multiple containers (six packs, etc.), only one unopened bottle needs to be placed into evidence.
- d. If the container has been opened, place a sample of the liquid into evidence using a small vial located in the Property and Evidence unit. Dispose the remaining contents.
- e. Complete the entry in the Property Management System and packaging.
- f. The vial can then be booked into evidence with the actual container.
- g. The vial should be sealed with evidence tape.
- h. The vial should then be secured in an evidence envelope.

H. Special Handling of Biological Evidence

Biological evidence refers to samples of biological material such as hair, tissue, bones, teeth, blood, semen, or other bodily fluids – or to evidence items containing biological material. If not retained by the coroner, biological evidence, which may or may not have been previously analyzed at a forensic laboratory, should be retained in an appropriate storage facility until needed for court or forensic testing.

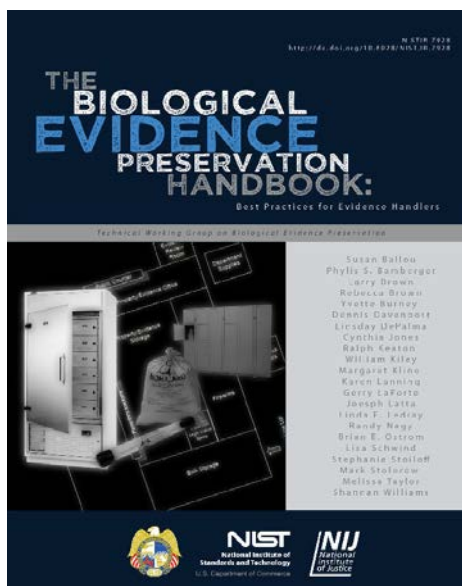
Different classifications of property require special handling to ensure the well-being of property, department personnel, and the integrity of the evidence. Seek the guidance of the Property Technician, a department CSI team member or the Biological Evidence Preservation Handbook if you are in doubt as to how to handle or package biological evidence.

1. The Biological Evidence Preservation Handbook

This handbook offers guidance for officers and individuals involved in the collection, examination, tracking, packaging, storing, and disposition of biological evidence.

Click on the link for the Biological Evidence Preservation Handbook provided by the National Institute of Justice (NIJ).

<http://nvlpubs.nist.gov/nistpubs/ir/2013/NIST.IR.7928.pdf>



Short –Term Recommended Storage Conditions

Type of Evidence	Frozen (at or below 14°F)	Refrigerated (36°F - 46°F)	Temperature Controlled (60°F - 75°F)	Room Temperature
Liquid Blood	Never	Best	Less than 24 hours	
Urine	Best	Less than 24 hours		
Dry Biological Stained			Best	Acceptable
Wet Bloody Items (If cannot be dried)	Best	Acceptable	Less than 24 hours	
Bones	Acceptable		Acceptable	Acceptable
Hair			Best	Acceptable
Swabs with Biological material		Best (wet)	Best (dried)	
Vaginal Smears			Best	
Feces	Best			
Buccal Swabs			Best	Less than 24 hours

Long - Term Recommended Storage Conditions

Type of Evidence	Frozen (at or below 14°F)	Refrigerated (36°F - 46°F)	Temperature Controlled (60°F - 75°F)	Room Temperature
Liquid Blood	Never	Best		
Urine	Best			
Dry Biological Stained Items			Best	
Bones			Best	
Hair			Best	Acceptable
Swabs with Biological Material			Best (dried)	
Vaginal Smears			Best	
Feces	Best			
Buccal Swabs			Best	
DNA Extracts	Best (liquid)	Acceptable (liquid)	Acceptable (dried)	

2. Biological Specimens

- a. All personnel will adhere to reasonable precautions in the handling of biological specimens or items contaminated with biological fluids, even when dried, to avoid contaminating themselves or others with infectious agents.
- b. A "Bio Hazard" label will be attached to the outside of the package or container of any item so as to alert and prevent personal contamination or personnel handling the property or evidence.
- c. Employees may be exposed to infectious agents through one or more of the following routes:
 - 1) Inhalation - Droplets of liquid may be dispersed into the air, or dried biological samples may become airborne in the manipulation of evidence such as bedding or clothing. The inhalation of infectious biological samples can cause an infection in those exposed.
 - 2) Direct Contact - Infection through direct contact occurs most frequently when an employee handles a contaminated item, then touches his/her face area, thus transferring the infectious agent to the most susceptible areas of the body.
 - 3) Indirect Contact - Infection may occur in a person who does not handle the evidence or specimen but contracts the infectious agent through contact with other surfaces. This may occur in instances such as when a telephone has been handled by a person analyzing evidence who does not first wash his/her hands, or when evidence is placed on office counters. As with direct contact, the infectious agent is usually contracted by the employee touching his/her facial area with contaminated hands.
 - 4) Inoculation - An infectious agent may enter the body by piercing the skin, the body's primary barrier against infection, with contaminated needles or broken glassware.
 - 5) Drying a biological sample will destroy most microorganisms, reducing the likelihood of infection. However, even dried samples must be treated as potentially infectious.
- d. Guidelines for Safe Handling of Biological Specimens:
 - 1) By adhering to the following safety guidelines, employees can significantly reduce the likelihood that they or another employee will contract an infectious disease from the handling of biological specimens.

- (a) When working with any biological sample (liquid or dried) always wear disposable latex gloves. Wearing a laboratory coat or jumpsuit as necessary is recommended to protect from accidental contamination.
- (b) Always remove gloves or laboratory clothing before contacting surfaces not normally used in the examination of evidence (e.g., lunchroom, telephones, copy machines, desks in the office area, etc.).
- (c) Do not carry biological samples throughout the department. Leave latex gloves, packaging, and writing implements used during the handling of biological specimens in that work area.
- (d) When working with any liquid biological samples or dried samples which may become airborne (e.g., spreading out bloody sheets), wear approved particle filtering masks and safety goggles.
- (e) If possible, examine biological samples under a fume hood when practical.
- (f) Wash hands often, especially after handling biological samples, before eating, using toilet facilities, or answering the telephone. Use provided disinfectant solution.
- (g) Cover work surfaces with paper or plastic before placing biological evidence on the surface.
- (h) Officers shall clean work surfaces after each case with a 1:10 solution of bleach or comparable solution. Janitorial services shall clean the work surface at least 3 times a week.
- (i) Wet clothing samples should be dried in the evidence drying closet, while liquid samples gathered on swabs should be dried before packaging. Seek CSI assistance if a dryer for swabs is needed.
- (j) Whenever a biological sample of evidence is known to be contaminated with an infectious agent, make sure that packaging and work areas are clearly labeled with a bio hazard label to alert others to the hazard.
- (k) Immediately re-package biological specimens found in broken or leaking containers to confine any infectious agent.
- (l) Evidence which is stained should be placed into a transparent container when needed as a court exhibit to eliminate the need to remove the item from its packaging in the courtroom.

Evidence, which has been dried, may be placed in paper packaging for storage.

- (m) Always use extreme care with objects that have sharp edges or the potential to puncture the skin to avoid accidental inoculation with contaminated objects. The use of tongs or other indirect means for handling these objects is strongly recommended. DO NOT attempt to re-cap an exposed needle.
 - (n) Dispose of needles in an OSHA approved sharps container to avoid accidental punctures. If the syringe/needle is needed for evidentiary purposes use an approved clear plastic bio-hazard tube and insert the syringe needle point down into the tube. [APPENDIX A-25]
 - (o) To reduce susceptibility to hepatitis, employees should give consideration to obtaining vaccinations.
- 2) Blood Stains - Studies of blood stains are frequently of importance in a wide variety of criminal investigations. In some cases, particularly homicide cases, crime scene examinations by an expert may be required to establish direction of origin of blood spatters, show movements of individuals, and establish sequence of deposit of stains and to develop other necessary information. While it is recommended for officers to seek the expertise of the department CSI in the collection and preservation of evidence in complex investigations, this does not relieve the officer from their responsibility for fully understanding and having the ability to carry-out these processes in the absence of the CSI team.
- (a) Fresh Moist Stains
 1. Do not heat stain material or place it in bright sunlight to dry. Hanging clothing and similar articles in the evidence drying closet is the approved department method for drying wet evidentiary articles.
 2. The evidence drying closet has restricted access. Only the Property Technician (if necessary) or officer may physically access the drying closet while the object is in the process of drying to ensure the integrity of the evidence. Officers responsible for collecting the stained material will be responsible for the packaging and barcoding of the evidence once the object is dry.
 3. If not completely dried before packaging, decomposition will occur which will prevent complete testing.

4. When the stain is dry, label the item and place in a paper bag or rolled paper, seal and label the package and place it in the refrigerator. Do not put stained objects into plastic bags.
- (b) Dried Stain
1. On cloth - label the article and fold in paper or place in an envelope or bag, seal and label the package. Do not attempt to remove the stain from the cloth.
 2. On small solid objects - place the entire stained object into evidence, after labeling and packaging. The item will later be sent to the lab for examination.
 3. On large solid objects - if practical, deliver the whole object to the evidence room. Any areas containing dry stains may be covered with paper and the edges sealed down with tape to prevent loss or contamination. If it is impractical to deliver the whole object to the laboratory, use sterile swab and distilled water to obtain a stain sample. Seal and mark the container.
 4. Don't mix stained items. Place each individual stained item in a separate container, and store in the refrigerator.
- (c) All liquid blood collected shall be stored in the evidence refrigerator. Do not freeze.
- (d) All instruments used for obtaining or recording biological evidence shall be disposed of in an appropriate bio hazard receptacle or cleaned with a disinfectant or a 10% bleach 90% water solution provided by the Property Technician or CSI.
- 3) Semen Stains - Semen is the male reproductive fluid. It normally contains spermatozoa, which are reproductive cells, as well as other substances. It is possible to identify dried semen by either chemical tests or the microscopic identification of characteristically shaped spermatozoa.
- (a) Seminal stains are often found on clothing, blankets, sheets or other materials in rape and other sex offenses. When they dry they may have a stiff, starchy appearance.
 - (b) In sex offense cases, the victim should always be examined by a physician and a vaginal specimen taken. The laboratory can examine such specimens for seminal fluid. Vaginal specimens can be submitted either as smears, swabs, or

aspirates, although the collection of a vaginal aspirate in a clean glass vial is the preferred method. Time is of the essence in obtaining vaginal specimens as bacterial action rapidly destroys the sperm cells. The victim should be examined as soon as possible after the incident and the vaginal specimen kept frozen until delivery to the laboratory.

- (c) Submit all suspected stained materials to the laboratory. If possible, always include panties, other underwear and clothing from the victim. All garments should be placed in separate packages. The packages containing the victim's clothing should be kept separate from those containing the suspect's clothing. All clothing collected with biological fluids shall be placed in a freezer.
 - (d) Label all garments and other exhibits pursuant to policy.
 - (e) If damp, always allow fabric to air dry completely in a designated drying area before packaging to prevent decomposition. When stains are dry, roll garments gently in paper, place in paper bags and then seal and label container. Do not put stained objects into plastic bags.
 - (f) Handle fabrics as little as possible.
- 4) Fibers and Threads - Clothing, rugs, blankets, curtains and other fabrics are such common articles in modern society that their value as evidence may be overlooked. Although very common, a tremendous variety of animal, vegetable and synthetic fibers of numerous colors are used. Thus threads and individual fibers will frequently serve as useful evidence in criminal cases.
- (a) Fibers and threads will often be found in fabric abrasions, torn metal or in other areas on hit and run vehicles. In burglary cases such evidence may be located on a torn screen, broken glass, metal safes or other locations. Fibers may also be important in incidents of personal contact such as homicide, assault and rape cases where cross transfers may occur between the clothing of suspects and victims.
 - (b) Examinations of fibers will usually establish their type and color. Such studies may also indicate the type of garments or fabric from which the recovered fibers or threads originated.
 - (c) Fibers and threads can also be compared with clothing of subjects to determine whether or not they could have originated from such garments.

- (d) Complete threads or long fibers can frequently be picked up with the fingers or tweezers. When recovered they should be placed in plastic envelopes, glass containers, or plastic vials. Never place loose fibers directly into mailing envelopes or other paper containers. They are difficult to locate and remove in the laboratory and the paper itself may contain fibers.
- (e) If the fibers are short, few in number or firmly adhering to an exhibit, attempt to remove the complete item containing the fibers and place it in a plastic envelope. All fibers present may more readily be located and removed from such exhibits in the laboratory.
- (f) Whenever fiber or thread evidence is recovered, submit to the laboratory for comparison purposes all clothing of persons from whom the evidence might have originated.
- (g) In sex offenses, assaults and some other investigations, it may be possible to indicate or demonstrate contact between two individuals or between one individual and some other object by comparing transferred fibers. Such examinations are only of value when it is known that no contact occurred between the individuals or objects prior to or subsequent to the offense. Extreme care must be taken to keep all articles of clothing and other objects separated. Each garment should be separately packaged in paper bags. If large, garments may be laid on clean sheets of paper on a table and separately rolled up in the paper. Always mark each exhibit. If the clothing of either subject touches the clothing of the other, or is even laid down on a table or placed on a car seat previously contacted by the clothing of the other subject, the comparisons may have no value.
- (h) Fabric impressions may contain embedded fibers and may be frequently found in hit-run cases. If the area containing the impression cannot be conveniently submitted to the laboratory, a photograph should be taken of the area. Always mount the camera on a tripod so that the film is parallel with the impression. Include a ruler next to the impression photographed so that the size of the mark can be determined. In such cases, submit all outer clothing of all victims for the comparison purposes. When the object containing the fabric impression cannot be removed but is rather photographed, a search should also be made for fibers. Any fibers located should be removed and placed in a vial or small envelope if possible. In the event that the fibers are difficult to recover, and if they are embedded in paint, scrape the paint and fibers

into a small envelope and seal the corners with tape. Usually the fibers can be separated from the paint in the laboratory.

- 5) Hair - Although hair is a frequently encountered type of evidence, it has real evidentiary value in only a limited number of cases. Except for determinations as to possible source, such studies also require fairly large samples if the laboratory results are to be of real significance.
 - (a) The racial traits of the individual from whom the head hairs originated can be suggested in some instances.
 - (b) Study of hairs can frequently establish whether or not they fell out naturally, or were pulled out or if they have been cut or crushed.
 - (c) Recovery of Hair Evidence
 1. If hair is firmly attached, such as in dry blood or caught in metal or a crack in glass, do not attempt to remove it, but rather leave the hair intact on the object. If the object is small, mark and seal it in an envelope with sealed corners. If the object is large, cover the area containing the hair and a protective layer of paper to prevent loss of the hairs during shipment.
 2. Recover all hair present. If possible, use the fingers to pick up the hair and place in a vial or paper envelope with sealed corners. Do not mix samples recovered at different locations. Label and seal the container. Never use gummed tape to pick up hairs and do not wash or clean them.
- 6) Paint - Paint is one of the most common types of physical evidence encountered. Paint evidence will be found in the majority of hit-run and burglary cases where it may prove to have material value. Paint evidence may also be involved in various other types of crimes:
 - (a) Hit-Run Cases
 1. Paint may be transferred to the clothing of pedestrian victims. Examine all garments with particular attention being paid to areas showing pressure glaze, tears, or other contact.
 2. If found, do not remove the paint, but mark the garment and dry it completely if damp. Then carefully wrap each item separately by rolling in paper or place each

garment in a separate paper bag for delivery to the laboratory.

3. Obtain samples for comparison from all areas showing fresh damage on suspect vehicles. This is very important since the paint may be different in type or composition in different locations even though the color is the same. If the paint can be flaked off by bending the metal slightly, remove it in this manner. If not, scrape paint off using a clean knife blade. In every case, make certain that samples of all layers down to the metal are collected. Carefully wipe the blade of any knife or scraping tool employed before collecting each sample to prevent cross contamination. Place each sample collection from different areas in separate containers.
4. Cross transfers of paint commonly occur in hit-run cases involving two or more vehicles. If loose paint chips are located in such cases, attempt to remove and place them in small envelopes. If, however, the transfers are smeared on the surface, flake off chips or scrape paint from the vehicle including the transferred paint as well as the top layer of paint originally on the car. Keep all transfers recovered from different areas in separate containers.

(b) Recovery and Preservation of Paint Specimens

1. Keep all samples collected in separate containers.
2. If the sample is very small or difficult to remove and the complete exhibit itself can be sent to the laboratory, this is the best procedure and will make available all of the paint without loss.
3. Always scrape or otherwise remove samples of all layers of paint or other material present if the complete exhibit containing the paint is not to be submitted to the laboratory.
4. Small glass or plastic vials are excellent containers for paint.
5. Paint may also be placed on sheets of white paper, which can then be folded and sealed to prevent loss.
6. Paper envelopes should never be employed for the submission of paint unless the specimen is very large in

size. If such envelopes are used, always seal each corner with plastic tape to prevent loss.

7. A very useful method for securing paint from vehicles, walls and similar locations is to place a short strip of plastic tape on one side of the open end of a small paper envelope with the adhesive flap folded back. The tape and envelope are then attached to the object containing the specimen. By holding the envelope open with one hand, paint can be scraped loose and into the envelope with a clean knife blade. Once the sample is in the envelope, the tape can be removed, the flap folded forward and the open end of the envelope folded several times. Then this folded area is sealed with a paper clip or a short length of tape. Such a container may then be sealed in a standard mailing envelope, which may easily be marked for identification.
 8. In no case should conclusions of the employee, requests for examination, or other unnecessary writing be included on the packaging.
- 7) Glass - Windows are frequently broken in burglaries, headlights in hit-run cases, and bottles or other objects may break with fragments being left on garments or other property of subjects involved in various types of crimes.
- (a) Collection and Packaging of Evidence Glass
1. The shoes and clothing of suspects as well as other objects, which may be contaminated with glass should be marked and wrapped separately to avoid cross-contamination. Even though contaminating glass is not usually immediately visible to the investigator, any visible pieces should not be removed or disturbed, but rather the entire article should be carefully wrapped to protect and preserve the contaminant as found on the article.
 2. Place small glass fragments in small cans or pillboxes. Completely seal and mark the container.
 3. Place large glass fragments in cans or boxes but separate individual pieces with newspaper or tissue to prevent breakage and damage to edges during transport. Large fragments can be marked with grease pencil, adhesive tape, labels or a scribe, but this is usually not necessary if they all are sealed together in a single marked

container. When breakage direction determinations will be needed, it will be necessary to mark each glass piece prior to its removal from the window to designate inside and outside surfaces.

- 8) Soil - The comparison of soil or dried mud samples on shoes or clothing of suspects with specimens secured in and about a crime scene is frequently of value in burglaries, sex offenses, homicides and other investigations. Periodically, soil samples will also fall from under vehicle fenders at hit-run scenes and comparison with specimens recovered from suspect vehicles may aid in placing the vehicle at the scene. Comparison of samples in such investigations may prove useful but, to have real significance, usually necessitates employment of very careful evidence collection procedures and the securing of numerous samples.

(a) Firmly Attached Soil Samples

If the soil is firmly attached to an object, as in the case of dried mud on a shoe, do not remove it. Label the object and place it in a bag or some other appropriate container. Always completely seal the container so no loss of the specimen can occur. Be certain the sample is dry before packaging.

(b) Loose Soil on Clothing

If the soil is loose, for example, in a trouser cuff, shake it all out onto a clean piece of paper. Then, fold the paper several times to enclose the dried soil sample and place this in a plastic envelope or other container, which can be sealed completely. Label such containers to show the source of the sample.

(c) Soil on Other Objects

In the case of loose soil or mud on the street or in a building, pick up the soil and place the dried sample in a plastic bag, box or jar and seal and mark the container. Attempt to collect the soil without other contaminating material. In the case of hit-run cases, cakes of dried mud may fall to the pavement or road shoulder from under a vehicle fender. In such cases, if contamination may have occurred, attempt to pick up the upper part of specimen only, leaving the contaminated underside. Also advise the laboratory concerning the possibility of contamination.

(d) Prevent Contamination

Great care must be taken to prevent contamination or loss of samples during shipment. Always place samples in sealed plastic or glass containers, if possible. Do not use paper envelopes as they leak. If boxes are used, line them with clean paper and seal the box.

(e) Damp Soil

Always dry out damp soil specimens or moist objects containing soil or mud prior to packaging. When sealed in a container while damp, mold growth will occur and organic matter in the soil may decompose. Always seal a lid on soil containers to prevent loss of sample and place suitable markings on the outside of the container.

- 9) Tool Marks - Tool marks are encountered most frequently in burglary cases but may also be found in many other types of crime. The evidence consists of abrasions or impressions left by tools on objects at the crime scene and various types of tools found in the possession of suspects. In many cases, it is possible to identify the specific tool which made the questioned marks by means of laboratory comparisons of tools and marked objects. In some instances, it is also possible to prove that marks on tools were produced by objects which they made contact with at crime scenes. In other cases it is possible to prove, by means of physical or other comparisons, that parts of tools left at crime scenes were broken from damaged tools found in the possession of suspects.

(a) Preservation and Packaging of Tools

1. All areas on recovered tools, which contain transferred paint, building materials or other contamination should be wrapped in plastic so that such substances will not be lost. After marking, tools should be wrapped or packaged to prevent the prying blades or cutting edges from contacting any other surface or object. Care should be taken that no tape is placed on the mark or questioned area of the tool when packaging.

(b) Make No Tests with Tools

1. Attempts should never be made to fit tools into questioned marks or to make test marks prior to laboratory examination. If done, the questioned mark or the tool may be altered and this may make any laboratory examination valueless. In addition, traces of

transferred paint or other substances on the tool may be lost or additional material may be transferred to the tool.

(c) Preservation of Tool Marks

1. Whenever possible send the whole object containing tool marks to the laboratory instead of just removing the area containing the mark. This is important since, to make satisfactory test marks with the tool, it is necessary to determine the direction of motion and the vertical and horizontal angle at which the tool was held when the questioned mark was made. A study of all impressions and abrasions present on an object such as a door jamb or safe will often indicate the method in which the tool was used much better than an examination of just a small section removed from the safe or other object.
2. If it is impossible to submit the whole object to the laboratory, remove the tool mark. In such cases, care should be taken to prevent any damage or alteration of the questioned mark. Always cut off sufficient surrounding material so that no damage will occur. A photograph showing the original location of the mark and its relation to its environment should accompany any removed marks.
3. While photographs of tool marks at crime scenes may have value in some investigations, they rarely have any value in identifying the particular tool used. The laboratory cannot accurately compare suspected tools with photographs of tool marks, even when the exact magnification of the photographs is known. Photographs, which show the whole object as well as the tool mark, however, are of value to indicate methods by which the marks were produced or the orientation of the tool. This information may assist in producing satisfactory test marks in the laboratory; therefore, such photographs should be included.
4. Mark the object containing tool marks in some area where the questioned impression or abrasion will not be damaged.
5. Pack the object containing tool marks so that no alteration or damage will occur during shipment. Small objects may be placed in envelopes or boxes while important areas on larger objects can be protected with

plastic, paper or cardboard. Large objects may be packed in cartons or crates if not delivered in person.

I. Evidence Processing Room

1. Storage Locations and Property Handling

- a. Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged/barcoded and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence. Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. A supplemental report must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items. [Lexipol 802.6.5]
- b. All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines: [Lexipol 802.3.1]
 - 1) Complete the data entry in the Property Management System describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.
 - 2) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
 - 3) Complete an evidence/property tag/barcode and attach it to each package or envelope in which the property is stored.
 - 4) Place the case number in the upper right hand corner of the bag.
 - 5) The original property form shall be submitted with the case report. The hard copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
 - 6) When the property is too large to be placed in a locker, the item may be retained in the bulk property storage area inside the property building. Submit the completed property record into a numbered locker indicating the location of the property.
- c. After the property and evidence are listed in the Property Management System and barcoded, it shall be placed in the evidence mail slot, an evidence locker, temporary caged evidence storage, or the exterior

evidence storage yard. In all cases, the packaged items should be labeled and barcoded to reflect the case report number, the classification, item number, the employee's name, and the description of the property.

- 1) There are individual property lockers; located in the evidence processing room of the main property warehouse for submitting and safeguarding of evidence. Officers will use these lockers to secure and deliver evidence to the Property Technician.
 - (a) Lockers are accessible for storage 24-hours a day, 7 days a week. Most property will be stored in the lockers. Once the officer locks the locker, the key shall be deposited in the key drop slot.
 - (1) Periodically, lockers can be used to “temporarily” secure evidence pending court. Evidence shall not be stored in these lockers more than 24 hours. If the officer has been notified of a delay in his/her court appearance, the officer will be responsible for returning the evidence to the Property Technician to retain custodial integrity. When returning evidence back to the Property Technician, Officers shall return the key to the locker.
 - (2) A key control locker drying cabinet will be used for drying wet or bloody property. It is the responsibility of the collecting officer to properly package and store the property from the drying closet when all items are dry.
 - (b) The Property Technician can be contacted if large quantities of narcotics, money, or jewelry have been entered into the evidence room lockers. The officer shall contact the on duty Watch Commander to determine if the Property and Evidence Technician shall be called out to store large amounts of narcotics, money or jewelry.
 - (c) Large property items such as tires, bicycles, ladders, beer kegs, air compressors, etc. should be placed in the caged area or exterior yard.
 1. All property must be clearly marked for identification. A property tag/barcode must be attached to the item.
 - (d) Items that need to be kept refrigerated can be placed in the refrigerator located in the evidence processing room.

J. Chain of Custody of Evidence

1. Temporary Release of Property

Every time evidence is removed from the Property Room, the name, ID number and date of the individual must be noted in the Property Management System.

2. Transfer of Evidence to the Crime Laboratory

a. The transporting agency (Los Angeles County Crime Lab) or employee will sign and date the lab receipt and the Property and Evidence Technician will check the evidence out of property, indicating the date and time in the Property Management System. The Property and Evidence Technician releasing the evidence must complete the required information on the lab receipt. The lab forms will be transported with the property to the examining laboratory. Upon releasing the item involved, the employee or property technician will record the delivery time on both copies, and indicate the agency employee/courier to which it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Property and Evidence unit. [Lexipol 802.6.2]

1) The Property and Evidence Technician shall complete the lab receipt: Agency name, violation section, suspect/subject name, investigator/phone, received from, (name of person sending evidence to the lab), a brief description of evidence being sent, the number of packages, and the type of test requested on the Laboratory Analysis Forms - 76R197C. Staple this form to the assigned evidence, making sure that all related evidence is also stapled together.

2) Enter the lab receipt number in the Property Management System.

3) Once evidence is received by the LASD, the green receipt will show the courier's name and pick-up date, and the name of the property and evidence technician person releasing the evidence to the courier. The receipt shall be copied and scanned into Laserfische and the Property Management System.

3. Property Returned from the Los Angeles County Sheriff's Crime Laboratory

a. Note the return date, time and person(s) handling the evidence, in the Property Management System.

b. Send a copy of results to the District Attorney's Office and Detective Bureau.

4. Chain of Custody Procedures

a. Chain of custody for all evidence will be completed anytime the evidence is moved from its storage location. This includes evidence submitted for

examination by the department's CSI, court exhibit, District Attorney's office etc. It is solely the responsibility of the person signing out property to notify the Property Unit, in writing, of the final disposition of that property. The Property Management System must reflect the current, actual disposition of property at all times.

- b. It is the sole responsibility of the employee checking out an item of evidence to maintain the chain of custody and ensure its integrity. Evidence shall be returned to the Property Room in a timely manner. Anytime evidence is retained by the court, the employee to whom the evidence was checked out shall cause the Court Retained document to be filled out and returned to the Property and Evidence unit so that the chain of custody is documented. [APPENDIX A-7]

CHAPTER FOUR

EVIDENCE ON Q

Property Management System – Evidence On Q


USE WEBVIEW FOR EVIDENCE/PROPERTY DATA ENTRY

FIRST TIME LOG IN

Your login ID is your regular login: first initial and last name. The password for the first time is your 5 digit ID #. Follow the prompts to set up your account:

Password Secret Question & Answer


To secure your account, I need you to set a Security Pin, Secret Question, and Answer up. The Security Pin is a numeric number between 4 and 10 digits that only you know, and will ensure that no one can make changes to your account even if he/she is able to guess the secret question's answer.

Your password:  Your 5-digit ID #


Security Pin:

Secret Question:


Secret Answer:




Then enter the password of your choice. Remember that it is case sensitive and must be 4 characters. The password will never expire.

Password:  5-digit ID #

New Password:

Confirm New Password:  Case sensitive – will never expire



Click on Options, My Settings.

FileOnQ
WebVue

MyWebVue New Evidence Find Worklist Reports Options Logout

My Settings

General Settings Secret Question & Answer Change Password Security Pin

Default "Show Browse Fields" to TRUE on Search screens:

Default Worklist: New Items Worklist

My Location: PPPE - POMONA POLICE PROPERTY ENTRY

My Default Storage Location: PPPE - POMONA POLICE PROPERTY ENTRY

Save

1. Put a check mark in the box
2. Select New Items Worklist
3. Choose **Pomona Police Evidence Entry** from the list
4. Click on Save

III. ENTERING NEW EVIDENCE

1. Search the DR # to see if any evidence has been submitted in the case.

MyWebVue

Welcome SYSTEM! (Last Login: 4/19/2017 @12:45 PM)

Quick Search

DR Number

17123456 Find

If a list of items is shown, click on the link to one of the items.

Search Results

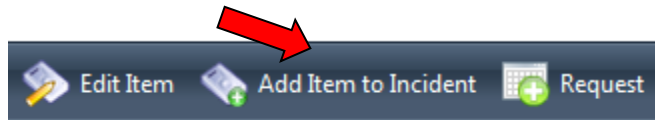
Select a record from the list below to view it.

3 items found.

Request Add to Worklist Transfer Export Go Back

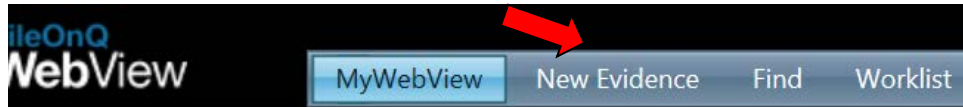
	Barcode	DR Number	Crime Code	Collected By	Collec Date
<input checked="" type="checkbox"/>	2940	17123456	PC 187 - PC 187	TUCKER, WILLIAM	4/19/2017 12:00:00
<input type="checkbox"/>	2941	17123456	PC 187 - PC 187	TUCKER, WILLIAM	4/19/2017 12:00:00
<input type="checkbox"/>	2942	17123456	PC 187 - PC 187	RIOS, ERNESTO	4/19/2017 12:00:00

Click on Add Item to Incident



Enter the information about the new item.

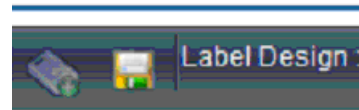
2. If no records were found when you searched for the DR #, click on “New Evidence”



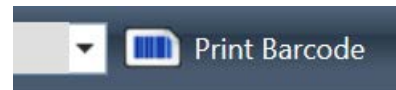
Enter the information in the fields by using the TAB key on the keyboard to go from field to field, or using the mouse to click on a field. If a field has a list, you must click on a value from the list.

Options include:

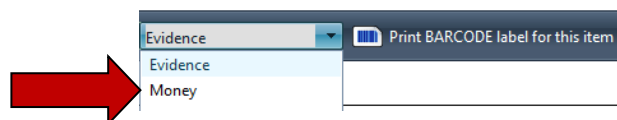
- ❑ Click on the arrow at the end of the field to scroll the list; click on the value
 - ❑ Type the first character(s) of your selection. The system will give you the closest matches
3. After all the information has been entered, click the “save” icon.



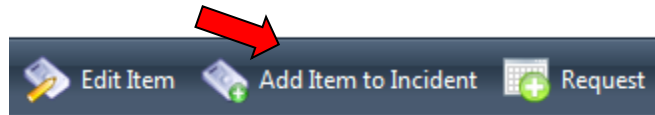
4. If a barcode printer is available, print the barcode label by clicking on the icon.



If you are submitting money, you will print two labels. After the first label has been printed, select the MONEY LABEL. Print this label and put it underneath the barcode label. Sign the envelope as usual.



To add another item in **the same case number**, click on “add item to incident”.

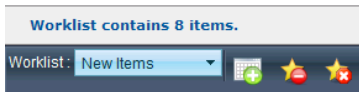


The system will carry over the repetitive information on the case. Note you can change any of the carried over information. Repeat steps for all items in the same case number.



To add evidence on a **different case number** that has no evidence, click on **New Evidence** to start from a clear screen.

5. Click on “**Worklist**”  Choose “**New items.**”



The system will display the new items you added into the system since you last cleared your worklist. Click on the top of the left column to choose all the items. Or just choose the ones you want.

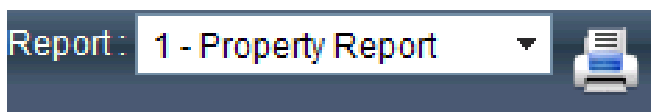
Search Results

select a record from the list below to view it.

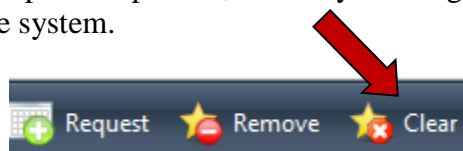
3 items found.

	Barcode	DR Number	Crime Code	Collected By	Collect Date
<input type="checkbox"/>	2940	17123456	PC 187 - PC 187	TUCKER, WILLIAM	4/19/2012 12:00:00
<input type="checkbox"/>	2941	17123456	PC 187 - PC 187	TUCKER, WILLIAM	4/19/2012 12:00:00
<input type="checkbox"/>	2942	17123456	PC 187 - PC 187	RIOS, ERNESTO	4/19/2012 12:00:00

Print the barcode labels (if you haven't already)
Click on Property Report. Choose PDF format.



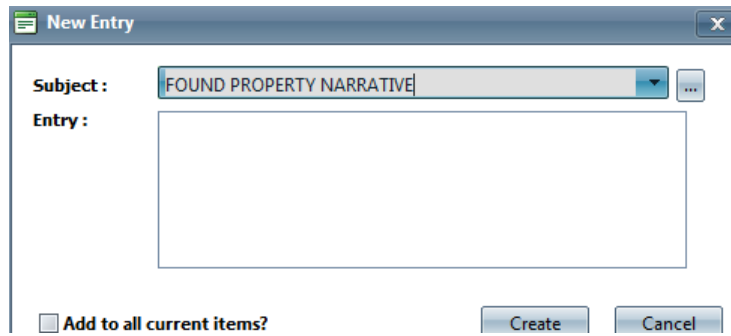
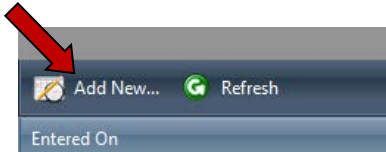
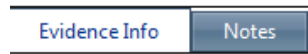
After the labels and property report are printed, finish by clicking on “**Clear**” to empty the worklist and log out of the system.



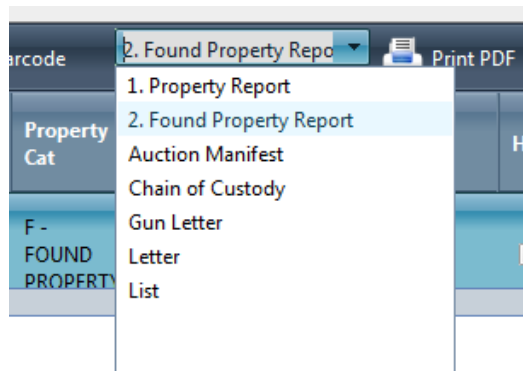
FOUND PROPERTY

For Found Property, follow the instructions as usual to enter the data and print the barcode.

After the item is saved and the barcode printed, click on the Notes tab. Click on Add New. Choose Found Property Narrative from the subject list. Write the narrative in the entry box. Click on Create.

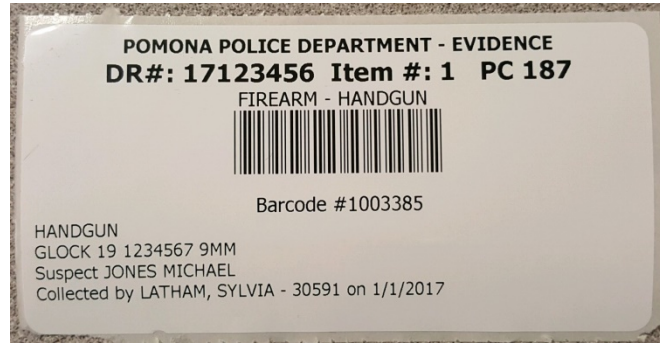


Click on Found Property Report. Choose PDF Format.



Print the Found Property Report and turn in to Records.

Evidence Barcode Label



This label is generated by the FileOnQ evidence management system and serves as the control tag for all evidence items entered into and retained in the Evidence Room. The label will minimally contain: department assigned case number, property classification, item number, crime code, barcode and barcode number, property description, involved party's name, and officer's name. The label will be affixed to the package containing the property / evidence.

Please note: One barcode label per package. Do not affix multiple barcode labels to a package.

**CHAPTER FIVE
INTAKE AND
PROCESSING
PROPERTY AND
EVIDENCE**

I. INITIAL INTAKE OF PROPERTY AND EVIDENCE

A. Property Entries

1. All property submitted will be entered into the Property Management System.
 - a. Entries associated with the confiscation a dangerous weapon pursuant to 5150 / 8102 W&I or 12028.5(b) (f) will be immediately brought to the attention of the Investigation Bureau to ensure the weapon is properly retained pending the filing of a petition with the Superior Court or the return of the weapon to the owner.
 - b. It is the assigned employee's responsibility to complete all the necessary forms including the Field Property Receipt. A copy of the Field Property Receipt shall be included with the property stored.
 - c. Any evidence or property found improperly packaged, marked, or submitted contrary to the directions described in this manual will be brought to the attention of the submitting employee to correct the problem.

B. Evidence Lockers

1. Once the evidence locker doors are closed and locked, they will not be opened without the approval of the Property Technician. During normal business hours, the Property Technician will on a daily basis empty all property from the lockers, refrigerator and will document and secure all submitted property in a designated storage area.
 - a. All requests for CSI processing will be completed by the requesting employee. The request will include which items are to be processed and what process is being requested. The Property and Evidence technician shall forward the request to the CSI team.
 - b. All requests will be placed inside the locker with the evidence.
 - c. Items to be processed will be packaged separately from other evidence.
2. Firearms shall be unloaded prior to storage.
 - a. As firearms are removed from the storage lockers, the Property Technician will check the firearm to determine if unloaded and properly identified.
 - b. Dangerous/edged weapons will be checked to determine if they are packaged properly.
 - (1) If a firearm is found in a loaded condition, the firearm will be secured and the Records Manager will be notified immediately. If the Records

Manager is unavailable, the Administrative Services Division Commander shall be notified who will then notify the Watch Commander.

C. Refrigerator

1. The Property and Evidence Technicians shall remove all contents in the refrigerator Monday – Friday.
 - a. Semen samples removed from the refrigerator must be stored in the freezer.
 - b. Liquid blood must be kept refrigerated and urine samples must be kept frozen. Never freeze liquid blood.
 - c. All other biological fluids shall be frozen.

D. Large Property Storage Area

1. The exterior property storage containers and outside yard will be used by the Property Technician to store large bulky items.

II. TYPES OF PROPERTY

A. Property and Evidence Technician's Intake and Processing Room

1. All property retained under the control or custody of the department will be placed into and processed through the Property Management System. The Property Technician will account for every item and verify that each item is entered into the Property Management system and systematically detail the movement of each of these items so as to maintain the chain of custody.
 - a. Evidence items, once packaged and sealed will not be opened unless authorized and documented on the chain of custody.
 - b. The location where items are stored must be entered in the Property Management System.
2. Items in the Property Management System are compared to those items received by the Property Technician.
 - a. If an item is discovered to be missing, the Property Officer shall immediately notify the submitting employee. The property connected to the case will not be processed awaiting correction or contact from the employee.
 - 1) If the submitting employee has been contacted and has not responded within 24 hours, the Property Officer will notify, in

writing, his or her immediate supervisor and the Records Manager. The Records Manager shall conduct a documented inquiry into the missing property and/or evidence. The inquiry process will include but not be limited to:

- (a) Contacting the property officer to gather information on the missing item(s) and what steps were taken to locate the item(s).
- (b) Reviewing all written communications relevant to the search for the missing item(s).
- (c) Contacting the employee of record and his/her immediate supervisor to respond to the Property and Evidence facility.
- (d) Completing any other investigative steps relevant to the inquiry.
- (e) At the conclusion of the inquiry, and assuming that the item(s) has not been located, the Records Manager shall refer the matter to the Administrative Services Division Commander who will determine what further action will be taken.
- (f) The Administrative Services Division Commander shall notify the Deputy Chief of Police immediately of the missing property and of the Records Manager's inquiry.

B. Large Property Storage

1. Large or bulky items of property will be temporarily booked and placed in the Interior Caged Area. The evidence location will be listed in the Property Management System. The Property Technician will check daily for items booked in this location and immediately move them to a secured evidence storage location.
2. It is the intent of the Police Department to release, at the earliest possible time, all recovered property to the owner or party authorized to take possession. Further, officers will give consideration and weigh the department's limited capacity to store large or bulky property items for evidentiary purposes when the owner is known and has the opportunity to retain their personal property.
 - a. Employees may release, to the lawful owner or party authorized to take possession, property items associated with non-violent criminal cases that pose difficult transportation or long term storage issues for the department, AFTER the following conditions have been met:

- 1) A digital photograph is taken of the property to include any unique marks, distinguishing characteristics, serial numbers, or identifying brand name. Photos will be booked into DIMS.
 - 2) Proof of ownership, when applicable, must be submitted to the department and a copy retained with the case file.
 - 3) A supplemental report is done and all items released are listed in the report with the owner identification and a signed declaration of ownership is noted.
 - 4) Serialized property is cleared the California Department of Justice Automated Property System in CLETS.
 - 5) Any property item recovered and released is entered in the Property Management System and the status of the property is correctly reflected as recovered and returned to owner (if said property was booked into property originally).
- b. When recovering stolen vehicles employees will observe the general guidelines with regard to property located in the recovered vehicle.
- 1) Items which are instrumentalities of the auto theft or which can be reasonably expected to identify a suspect will be booked as evidence.
 - 2) Non-serialized or unclaimed/unidentifiable property with no significant value and not evidence of the auto theft, such as miscellaneous clothing, can be left in the car.
 - 3) Unclaimed/unidentifiable serialized property or property with some significant value will be placed into evidence as found property.
 - 4) The arrestee's personal property will be recovered and held as prisoner bulk/safekeeping or transported with the arrestee's personal property.

C. Bicycle Storage

1. Bicycles are handled in the same manner as large or bulky items. Bicycles are placed in the Interior Caged Area temporarily by the employee. The Property Technician will check daily for items booked in this location and immediately move them to a secured evidence storage location.
 - a. The Property Technician will on a regular basis and pursuant to statute, arrange for the transfer, auction and disposal of all bicycles placed into the property warehouse and not needed for court exhibit.

D. Narcotics/Dangerous Drugs

1. The Property Technician will segregate the storage of all drugs and narcotics from other types of property retained by the department. All controlled substances, regardless of property classification, shall be stored within the narcotics storage room located in the main property warehouse. This room will be locked when no Property Technician is on duty or in the warehouse.
 - a. The Property Technician will not open any sealed envelope containing any controlled substance or suspected controlled substance for any purpose.
 - b. The Property Technician will inspect and verify that the narcotics envelope has been properly sealed prior to intake and only then accept the envelope into evidence. The described validity of the contents and weight of the contents will be the responsibility of the officer. Any discrepancies in the contents will be handled in the same manner as missing property.
2. All drugs will be sealed using tamper proof tape by the officer who will initial and date the tape seal prior to intake.
 - a. Narcotics placed in a Controlled Substances envelope for evidence processing are secured pending transportation to the County Crime Lab. Transfer to the Crime Lab will occur on a timely basis to facilitate the prosecution and disposition of the case.

E. Currency

1. Currency is always counted and received by two property and evidence technicians. Leaving the original seal intact, the property technicians shall unseal the opposite end, verify the amount, reseal and initial. Both Property Technicians shall initial and date the new seal the day the currency was received. If two technicians are not available the day the currency was received, the currency envelope shall be placed in the safe until two technicians are available to unseal the envelope. Upon receipt by the Property Technician, the verified cash envelope will be placed in the Property and Evidence safe.
 - a. The Property Technician will inspect and verify that the cash envelope has been properly sealed by the employee and the contents itemized prior to intake and only then accept the envelope into evidence. The described validity of the contents will be the responsibility of the employee. Any discrepancies in the contents will be handled in the same manner as missing property.
 - b. Money sealed in a currency envelope after intake will not be reopened by the officer or Property Technician except as is necessary to release the contents to the rightful owner or to transfer the money to the City's

Finance Department. Opening any currency envelope will be done in the presence of at least one other verifying Property Technician.

- c. Cash not specifically needed as court exhibit will be transferred to the City Finance Department and placed into an interest bearing account pending the final disposition of the money. Best Evidence or the retention of cash for a court exhibit will require the approval of the Detective handling the case in order to transfer funds into the City Finance Department. This transfer of funding will be documented in a supplemental report and be reflected in the chain of custody.

2. No more than \$10,000 shall be stored in the Property and Evidence safe with the exception of Best Evidence.

F. Jewelry

1. All jewelry shall be individually itemized and described by the employee prior to placing the jewelry into evidence. The employee should have placed the jewelry in a 6x9 evidence envelope and a zip lock baggie and sealed the contents with tamper proof evidence tape. [APPENDIX A-1]
 - a. The Property Technician will inspect and verify that the jewelry envelope has been properly sealed and the contents itemized prior to intake and only then accept the envelope into evidence. The described validity of the contents will be the responsibility of the employee. Any discrepancies in the contents will be handled in the same manner as missing property.
 - b. Jewelry sealed in a 6x9 envelope will not be opened by the Property Technician except as is necessary to release the contents to the rightful owner. Opening any jewelry envelope will be done in the presence of at least one other verifying department employee.
 - c. Officers submitting large quantities or high value jewelry will notify the Watch Commander or Property Technician to request that additional security measures be taken to store the property. All high value jewelry shall be stored in the property and evidence safe.

III. PROPERTY BARCODES

- A. A Property Barcode is required every time an item of property is impounded or otherwise secured by an employee of this Department. The bar code is generated by the employee who will secure a bar code to the property.
- B. The Property Technician will match the property/evidence items to what the employee has listed in the Property Management System.

IV. STORAGE LOCATIONS OF PROPERTY AND EVIDENCE RECEIVED

- A. Recording of Property

1. The Property and Evidence Technicians receiving custody of evidence or property shall record when the property was received and where the property will be stored in the Property Management System. Any changes in the location of property held by the Pomona Police Department shall be noted in the Property Management System.
2. Write the location, case number and item number across the lower section of the envelope or bag. Storage locations and status for all evidence and property is recorded in the Property Management System under the case number.
3. Property Control: Each time the Property and Evidence Technician received property or releases property to another person, he/she shall enter this information in the Property Management System. Employee desiring property for court shall contact the Property and Evidence Technician at least one day prior to the court day. [Lexipol 802.6]
4. Movement of all evidence and property is tracked by the Property Technician utilizing the Property Management System to ensure the integrity of the evidence and chain of custody.

B. Main Property Room

1. The majority of property is stored in cardboard boxes on storage shelves.
2. The Property Technician will segregate the storage of all narcotics, money, firearms, bicycles, blood and urine samples, sexual assault evidence, found and bulk/safekeeping property from other types of property retained by the department. These items are stored in the following locations:
 - a. Money – All money that is direct evidence is placed in currency envelopes, sealed by the employee with tamper proof evidence tape and initialed. All currency is stored in the main evidence room safe. [APPENDIX A-2]
 - b. Jewelry - All valuable jewelry is placed in a 6x9 evidence envelope, sealed with tamper proof evidence tape, and stored in the main evidence room. High value jewelry is stored in the property and evidence safe. [APPENDIX A-1]
 - c. Firearms - All firearm accessories and ammunition are separated from the weapon prior to intake by the employee. After the Property Technician has verified the serial number of the weapon and checked in the automated firearms system to determine if it is stolen, firearms are stored in the following manner. The Property and Evidence Technician shall enter any serialized property in the Automated Firearms System (AFS/APS):
 - 1) Handguns, long guns, and other dangerous weapons retained for evidentiary purposes will be boxed for storage pursuant to this

manual by the Property and Evidence Technicians. All weapons submitted for destruction at the time of intake may be grouped in boxes pending transportation to the disposal site.

- (a) Firearms and dangerous weapons that are retained are assigned a storage location in the gun room.
 - (b) Ammunition and accessories will be stored separate from firearms.
- d. Bicycles - Bicycles are stored in the warehouse and outside containers. A property tag/barcode with an evidence bar code label must be attached to the bicycle.
- e. Biological Evidence and Sexual Assault Kits are kept frozen.
- f. Found Property - Found property is stored in a designated area in the property room for 90 days.

V. PROPERTY MANAGEMENT SYSTEM ENTRIES

A. Property Data Input

- 1. All property that comes under the control of the Property and Evidence unit must be entered into the Property Management System by the employee in control of the property. The property must be barcoded before placing the property in the storage lockers or locations.
- 2. The Property and Evidence Technicians are the only persons authorized to alter or modify fields in the Property Management System.
- 3. It is the responsibility of the employee logging in the evidence or property to accurately complete all data fields found in the Property Management System.

B. Criminal History and CLETS Checks

- 1. The computer located in the Property Room has the capability to run criminal history checks and CLETS checks.
 - a. In all cases when a firearm is to be released, the Property Technician conducts a criminal history check on the person who is to receive the weapon, and a check in the Automated Firearm System to determine if the weapon is listed as stolen. A check of the Automated Mental Health File shall also be made on the person who is to receive the firearm.
 - b. No firearm is to be released without a Department of Justice Gun Release approval presented by the individual receiving the firearm. (12021.3(g) P.C.)

CHAPTER SIX

RELEASE AND

DISPOSITION

I. **PROPERTY AND EVIDENCE RELEASE/DISPOSITION GUIDELINES**

One of the critical functions of the Property and Evidence unit is ensuring the appropriate, timely, and lawful disposition of Property and Evidence. This chapter provides guidelines on the disposition and purging of Property and Evidence, with emphasis on the classification of property, methods of disposal, and procedures for the disposition and purging of firearms, narcotics, currency, found and safekeeping property.

A. Responsibility of Other Personnel

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of evidence. No property or evidence is to be released without first receiving written authorization from a supervisor or detective. Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the Property and Evidence Technician. This request may be filled out any time after booking of the property or evidence. [Lexipol 804.6.1]

B. Authorized Persons who may release property

1. The following persons may authorize the release of property, which has been placed in the Property and Evidence unit under the provisions of this manual.
 - a. The investigating officer, the assigned investigator, or the investigator's supervisor.
 - b. The Property and Evidence Technician.
 - c. A magistrate.
 - d. The District Attorney.
2. Property will be released by appointment.

C. Court Disposition, Authority and Statute of Limitations

The Court Disposition will serve as a primary source document and authority for the release or appropriate disposal of property (except search warrant cases). The Court Disposition describes only the final dispositions within the Criminal Justice System.

1. Frequently property/evidence may be retained in cases with multiple defendants; yet, Court Dispositions describe only one individual per report. Care must be taken in reviewing reports to ensure that the property proposed for release or disposal is no longer needed for additional suspects' trials.
2. In addition to the Court Disposition, the Criminal Justice computer may be queried and a printed copy of dispositions produced. The same rules and

dispositions described below apply to the CJIC inquiries. If a decision to dispose or release property is made as a result of an inquiry, the printed copy of the inquiry will be scanned into the Property Management System as authority for the action.

3. Property seized pursuant to a search warrant shall only be disposed/released under the authority of a court order. All property or things taken on a warrant must be retained by the officer in his custody, subject to the order of the court to which he is required to return the proceedings before him, or of any other court in which the offense in respect to which the property or things taken is triable (1536 PC).
4. All evidence or property collected in homicide cases will be stored until disposition is directed by the investigating officer, the court or the DA's office. Property/evidence may be released, however, if the following conditions are met:
 - a. All court action involving any suspects must be final and the District Attorney and investigating officer must have approved the release.
5. All evidence or property involving sexual assault cases where there are no suspects and no leads will be maintained according to the statute of limitations. If after expiration of the statute of limitations, there are still no leads or suspects, the property can be disposed of.
6. In felony cases where there are no suspects or leads, evidence will be maintained for three (3) years and depending on the type of crime and according to the statute of limitations. After expiration of the statute of limitations, if there are no leads or suspects, the evidence can be disposed of.
7. In misdemeanor cases where there are no suspects or leads, evidence will be maintained for one (1) year. If after one year there are no leads or suspects, the evidence can be disposed.
8. Any misdemeanor or felony case involving property wherein the District Attorney approves disposal of evidence in the interest of justice prior to the expiration of the Statute of Limitations may be released or destroyed.
9. All evidence retained or requested to be retained for civil litigation involving the City of Pomona shall not be released or destroyed without prior approval of the City Attorney's office. The request for civil retention must be in writing.
10. All cases involving property from a homicide, embezzlement of public funds and falsification of public documents must be retained indefinitely.
11. **Statute of limitations is only in effect when a suspect has NOT been established and there is no warrant issued.**

D. Ultimate Disposition/Release of Property and Disposition Classifications

1. Unless otherwise governed by provisions of law, the Detective assigned to the follow-up stage of the investigation has final authority regarding the disposition of property or evidence held by this Department. Where no detective is assigned to a case involving property held by this Department, the Detective Sergeant in charge of the detail, or his designee, shall make the final decision as to the disposition of property in a manner prescribed by law.
2. Detective's Responsibility - It is imperative that the assigned Detective either dispose of property, or release it to the rightful owner, as soon as practical. The release of property may be authorized by the Detective signing off in the Property Management System, by the Detective Case Disposition Request, or by email to Property personnel. The Detective must indicate to whom the property is to be released and when.
3. Property Room Responsibility - When the Property Room receives approval to release property and prior to mailing a letter for release, the Property and Evidence Technician must first verify that the evidence/property items to be released are still in custody. In the event that the property has already been released, placed into court evidence, or sent to the crime lab, the assigned detective will be notified of its location.
 - a. Upon verifying that the evidence/property is presently in custody, the letter for release can be mailed.
 - b. It is the responsibility of The Property and Evidence Technician to monitor the "Letters Sent" on a weekly basis, and to see to it that evidence is properly disposed of in a timely manner. If property/evidence is not picked up within 30 calendar days, it will be disposed of in accordance with policy. Prisoner Bulk shall be picked up within 60 days.
4. General Release Guidelines of Stolen or Embezzled Property
 - a. The person claiming ownership must produce personal identification, as well as satisfactory proof of ownership of the property.
 - b. The person claiming ownership must contact the Detective assigned to the case, as the Detective has final authority to release the property.
 - c. The Detective is not required to release property to a claimant if it has any evidentiary value in a prosecution.
 - d. If the person from whom the property was seized wishes to be heard, the Detective must conduct an informal hearing to determine ownership.

e. In the event that the Detective is unable to conclusively determine ownership, the parties in contention should be advised to seek judicial determination of ownership. (Penal Code Section 1408-1413).

f. A complete photographic record of returned stolen or embezzled property must be made by the handling detective and retained. (P.C. 1413(b)).

5. Convicted

a. If the case has been appealed, the property will be maintained pending a disposition of the appeal. The Court Disposition will be referenced and the Property and Evidence Technician will update the Property Management System.

b. If the case is not appealed and all of the charges have dispositions, the Property and Evidence Technician will release or dispose the property according to the Detective's case disposition. If there is no case disposition, the Property and Evidence technician will notify the assigned detective or the DB Sergeant to determine if the property can be released or disposed of.

c. If there are still outstanding charges against a defendant (and the individual is within the court system) the property will be held pending the disposition of the charge.

6. Dismissed Per PC 1203.4 or Dismissed for Insufficient Evidence

a. The Property and Evidence Technician will contact the assigned investigator to determine if the charges have been re-filed. If the case is still active, the Property and Evidence Technician will update Property Management System to reflect the current status and the property will be held pending the disposition of the charge.

b. If charges will not be re-filed, the Property and Evidence Technician will dispose/release the property evidence as instructed by the investigating officer.

7. Committed

The individual has been sentenced and committed to custody in a jail facility. Send appropriate letters and dispose/release any property or evidence per normal procedure.

8. Diversion

Individuals are frequently directed to participate in diversion programs. In cases prior to 1997, retain the property until the defendant completes the terms

of the program. In cases from January 1, 1997, per the District Attorney's office, evidence no longer needs to be held for duration of diversion. These cases are automatically a guilty plea and the property can be disposed of.

9. Proceeding Suspended

Disposition most often describes proceedings that were suspended to permit medical or psychiatric evaluation. Property and evidence should be preserved until the case receives a final disposition.

10. Detention Only - No Charges Filed or Dismissed in View of Plea.

a. The Property and Evidence Technician will contact the investigator for the release/disposal of the evidence or property.

11. Transfer of Evidence for Prosecution

a. The Property and Evidence Technician will contact the handling Detective who will determine property transfer requirements. The chain of custody will be signed by the handling Detective and receiving agency.

b. The handling Detective will also determine, through the court officer if the property will be required for further court evidence.

13. Juvenile Dispositions

a. The Property and Evidence Technician will receive one of the following notices from the Juvenile Court.

- 1) Affidavit, which describes the disposition of the case.
- 2) Case Disposition from the Juvenile Probation Department indicating the final disposition.

(a) Property/Evidence cannot be released unless the final case disposition form is received or unless there is a final case disposition in the JAIN system.

E. Disposition (release and disposal) Instructions for Specific Classifications of Property

1. Found Property

The employee will attempt to determine and contact the owner of found property at the time the property is recovered. Notifying citizens that property is being held by the Pomona PD and can be released is the responsibility of the employee when the property owner is known. The Property and Evidence Technician will be responsible to notify owners in writing using the "Property

Notification letter” if ownership is discovered after the property has been placed into evidence. [APPENDIX A-12]

Pursuant to California Civil Code Section 2080.1 item(s) will be held for 90 days. Finders wanting to claim the items need to complete the found property affidavit on the Field Property Receipt at the time the property is turned over to Pomona PD. Finders, after 90 days, may contact the Property and Evidence Technician for information on the procedure that must be followed to claim this property. Weapons and contraband cannot be returned to finders. [APPENDIX A-3]

- a. Where owners are identified, the person will be called on the telephone and/or notification letter will be sent to the owner instructing them to contact the Property and Evidence Technician to schedule an appointment to claim their property.
- b. The owner will be given 90 days to prove ownership and claim the property.
 - 1) If the property is not claimed, it may be offered to the finder (unless the finder is a City employee). The claimant will be given 10 working days to contact and claim the property.
 - 2) Found property must be retained for a period of 90 days, after which it can be disposed of in accordance with Section 2080.4 of the Civil Code. If the property is being claimed by the finder and the property is valued at \$250.00 or more and no owner appears to claim the property within 90 days, the property and evidence unit may publish a notice of found property in the local newspaper which may be at the expense of the finder for 1 day. If the owner fails to claim the property after seven days from being published, the property will be turned over to the finder. Refer to 2080.3 of the California Civil Code.

If the property is valued at less than \$250.00 and no owner appears to claim the property within 90 days, the property will be turned over to the finder (if claimed) or otherwise disposed of as unclaimed property.

NOTE: Firearms and contraband will not be released to the finder.

- 3) If the property is not claimed, the finder is legally entitled to the property after paying the advertising costs.
- 4) All unclaimed property will be auctioned, disposed of, or acquired for City use.
- 5) Release to finder:

- (a) The person will present satisfactory identification and must sign the property release prior to releasing the property to them.
 - (b) The appropriate disposition entry will be made in the Property Management System.
 - (c) The Property Release is maintained in the Property Management System.
- 6) If the property in question is contraband, provisions for destruction must be made in accordance with departmental policy.
 - 7) If the property is of value and not claimed, it may be allocated for auction according to law.
 - 8) With the Chief of Police approval, property suitable for use by the Police Department or any other city department may be retained for departmental use when the property is ready for disposition.
 - 9) Bicycles must be retained for a period of 90 days in accordance with Section 2080.3 of the Civil Code. Bicycles that have been signed-off for disposal will be donated to a non-profit organization or released to the city's contracted auction company.

2. Safekeeping and Bulk

- a. Property that is being held for safekeeping shall be returned to the legal owner upon request or by legal mandate. Items must be claimed WITHIN 60 DAYS by the owner or the owner's representative with written authorization from the owner and photo identification. AFTER 60 DAYS, items will be disposed of pursuant to 2080.10 CC without further notice. All perishable food items and open containers of alcohol will be destroyed at intake.
- b. Upon receiving property for safekeeping, the Property and Evidence Technician shall do the following:
 - 1) Conduct a CLETS check on all serialized property to determine if it is stolen.
 - (a) Send the "Firearm Received for Temporary Custody" notification to the investigating officer for follow up. [APPENDIX A-10]

- 2) Property (except firearms) not claimed within 60 days is to be considered abandoned by the owner and disposed of per 2080.10 CC.
 - 3) Release to the owner:
 - (a) The owner must present a photo I.D. or other satisfactory proof of identification.
 - (b) The owner must sign the property release form.
 - (c) The Property Management System under the involved case report number must be updated showing disposition of property.
 - (d) The Property Release is maintained in the Property Management System.
 - c. All other types of property held for safekeeping shall be returned to the owner as soon as possible.
3. Request for Pomona PD to Destroy Property
 - a. Personal property is voluntarily surrendered and requested to be destroyed. The person declares that they are the lawful owner and/or have the legal authority to make this request and that they hold harmless the city, its officers, agents, employees, and volunteers from and against any and all claims, actions, damages, and liability, direct or indirect arising from its destruction.
 - b. Cases in which the firearm(s) was accepted from a family member, due to concerns for the safety of the owner, every effort will be made to contact the concerned family member prior to the release of the firearm(s). Notification will be the responsibility of the Detective assigned to the case.
 4. Domestic Violence
 - a. Firearm(s) or other deadly weapon(s) seized pursuant to 12028.5(b)(f) PC will be held a minimum of 48 hours. If the weapon(s) is not retained for use as evidence related to criminal charges brought as the result of the domestic violence incident or unlawful possession the firearm(s) or weapon(s) shall be made available to the lawful owner not later than five business days after the seizure UNLESS POMONA PD has reasonable cause to believe that the return of the firearm(s) or other deadly weapon(s) would be likely to result in endangering the victim or reporting person in the case and the City Attorney petitions the court to determine if the firearm(s) or other deadly weapon(s) should be retained or returned. The

Property and Evidence Technician will do the following upon receiving a firearm taken pursuant to this authority:

- 1) Conduct a criminal history and a Mental Health Firearm Prohibition check on the owner or person from whom the weapon was taken.
 - (a) If the owner is not legally entitled to the weapon under the provisions of 12001.6, 12021.1, 12021(c)(1), 12021(c)(2), and 12021.5 P.C., it will be destroyed per 12028 PC.
 - (b) If the owner is prohibited from owning or possessing a weapon, he/she will be given thirty (30) days to arrange the sale of the weapons to a licensed firearms dealer. After the 30 days have expired, the weapons will be destroyed per 12028 P.C.
- 2) Conduct a CLETS check on the firearm to determine if it is stolen.
 - (a) If stolen, refer case to the Investigations Bureau. If the owner cannot be found, the weapon will be destroyed per 12028(f) P.C. upon court adjudication.
- 3) Make the necessary CLETS or Crime Gun entries.
- 4) Mail a Procedure for Firearms Release notification letter via certified mail.
- 5) Release the weapon to the owner.
 - (a) The owner must present a Department of Justice Gun Release form as required by 12021.3(g) P.C.
 - (1) The owner must present a photo ID and provide proof of ownership if requested.
 - (b) The owner must sign the firearm release request and the Pomona PD property release form and provide a lockable case to transport a handgun from the building.
 - (c) The Property Management System under the involved case report number must be updated showing released to owner property disposition.
 - (e) The Property Release is maintained in the Property Management System.

(g) Firearms and ammunition will not be released on the same day. Exceptions may be made for extenuating circumstances upon approval of the investigation detective.

(h) Firearms not claimed after 180 days will be disposed of pursuant to statute.

5. Release of Firearms

a. The handling Detective shall identify the owner of the firearm and authorize the release.

b. Per PC 33855, the owner of the firearms must complete the Law Enforcement Gun Release Application at: www.ag.ca.gov/firearms or <http://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/forms/legr.pdf>? And submit the application to the Department of Justice (DOJ). [APPENDIX A-13 AND A-14]

c. If DOJ approves the application, the owner must bring the original approval letter to the Police Department to retrieve the firearm. If DOJ rejects the application, the firearm will not be released. Any unclaimed firearm may be disposed of by a law enforcement agency or court 180 days after the owner has been notified that the firearm is available for return.

d. If the firearm was taken per WIC5150, in addition to the aforementioned steps, the owner must also petition the mental health court for approval to possess a firearm and provide a Court Order to the Property and Evidence Technician in order to release.

e. Unclaimed Firearms held by the Department are disposed of two separate ways:

1) After retention for not-less-than 180 days, where no rightful owner has been found, and/or the firearm has been ordered destroyed by the courts, it will be destroyed in a manner prescribed by law. (12032 Penal Code)

2) After retention for not less than 180 days, where no rightful owner is found, and/or the firearm is ordered destroyed by the courts, it may be retained for departmental use, (12032 Penal Code), using the appropriate Departmental Use process.

f. Release Safety Precautions

- 1) For security reasons, ammunition and a firearm shall not be released on the same day to the same person or to two different people who are associates.
- 2) Ammunition seized with a firearm shall normally be destroyed rather than released unless the person objects or unless a court orders otherwise.
- 3) As used in this paragraph, ammunition shall include all types of fixed ammunition and gun powder. The same logic may be used to require separate release dates for other dangerous weapons and necessary elements for their operation; air guns and pellets, blowguns and fletchettes, bows and arrows, spear gun and spears, and tasers.

6. Safety of Others / Mental Health Evaluation

Firearms or other weapons that are confiscated under the provisions of 5150/5250 W&I are held in storage pending disposition release by a Court Order (8102 W&I). The Department has 30 days from the date the detained person is released from the examining health facility to initiate a petition in Los Angeles County Superior Court to determine whether the return of firearm(s) or deadly weapon(s) would result in endangering the detained individual or others. They will be notified in writing if such a petition is filed and of their right to a hearing on this issue. If the Department initiates such a petition, they will have 30 days to respond to the Los Angeles County Clerk to confirm whether they desire a hearing before a judge on this matter. If they do not respond to the Clerk within 30 days from the date the petition is initiated, a default order will be issued and the confiscated firearm(s) will be destroyed.

- a. The Property and Evidence Technician maintains an active file on all weapons confiscated under 5150/5250 W&I and is responsible for working with Investigations Bureau and the District Attorney's office for their disposition. The District Attorney will provide recommendations as to the disposition of the weapon(s) based on the totality of the circumstances and past criminal or violent behavior.
 - 1) The Property and Evidence Technician will conduct a criminal history check on the owner and then conduct a CLETS check on the firearm to determine if the weapon is stolen.
 - (a) Make the necessary Crime Gun and CLETS entries.
- b. If a court order is obtained for release, all firearms and weapons shall be returned to the person specified in the Court Order.

- 1) The Property and Evidence Technician will attach the Court Order to the firearms release request and maintain a copy for the original case file.
- 2) The Property and Evidence Technician will contact the person who is to receive the weapon(s) mail with instructions on how to obtain the Department of Justice Gun Release form and appointment times.
- 3) The weapon(s) will only be released to the person specified in the Court Order who presents a Department of Justice Gun Release form as required by 12021.3(g) P.C.
 - (a) The person must present a photo ID.
 - (b) The person must sign the property release form.
 - (c) The Property and Evidence Technician must update the Property Management System.
- c. If the weapon is not claimed within a one-year period the weapon will be declared a nuisance and destroyed under the provisions of 12028 PC.
- d. If a court order is obtained for destruction, the firearm will be destroyed as stated under disposal guidelines.
- e. The Property and Evidence Technician shall monitor the cases for their status by working with the Investigations Bureau and the District Attorney's office.

7. Recovered Property

- a. Pursuant to Penal Code Section 1413, satisfactory proof of ownership, photo identification, and a signed Declaration of Ownership under penalty of perjury is required before the property will be released to a person or claiming to be the true owner. To assert a claim of ownership to the property the person must notify the Department Property and Evidence Technician within 15 days of notification to prevent delivery of the property any other person claiming ownership. If they do not respond within 15 days from the date of notification the property may be returned to the person claiming to be the owner or disposed of without further notice.
 - 1) Property may be released by the Property and Evidence Technician to the rightful owners prior to the conclusion of a trial at the direction of the investigating Detective, under the authority of a Court Order, or upon the written authorization of the representing District Attorney.

- b. Prior to release, a picture of the property and the owner will be taken by the investigating Detective.
- c. The owner must sign a Declaration of Ownership and agree to neither destroy, sell, or give away the property until the conclusion of legal proceedings.
- d. The person from whom the property was taken will have already received written notification (Field Property Receipt) of their right to claim the property.
 - 1) A copy of the Declaration of Ownership and the Field Property Receipt will be maintained with the original case file.
 - 2) If a claim has been made, the magistrate will determine ownership.
- e. The Property and Evidence Technician shall have the person claiming the property electronically sign for the release.
 - 1) The person must present a photo ID.

8. Search Warrant

Property taken under the authority of a search warrant may be released under the following conditions:

- a. Property, which is introduced in court as evidence, is placed beyond the control of the Department and will, thereafter, be disposed of pursuant to the orders of such court.
- b. The disposal of property which has been obtained by means of a search warrant may be effected by order of the judge which has jurisdiction or by following the procedures outlined in Penal Code Section 1413.
- c. A magistrate or trial judge may order the disposal of stolen or embezzled property or property which was obtained by means of a search warrant, as set forth in Penal Code Sections 1408-1410, 1411, 1418, and 1536, prior to court adjudication.
 - 1) The investigating officer will seek the release of property with the assistance of the District Attorney's Office.
 - 2) Once a Court Order is obtained, the Property and Evidence Technician will release only that property described in the Court Order.

- (a) The property release form is completed by the investigating officer or the Property and Evidence Technician, itemizing the property to be returned.
 - (b) The person receiving the property must present a photo ID.
 - (c) The person receiving the property must sign the property release form. A copy of the form is maintained in the original case file after scanned into Laserfische.
- 3) The Property and Evidence Technician must update the Property Management System.

9. Non-Essential Property as Evidence

- a. With the concurrence of the District Attorney, property which is not essential to a prosecution or a future prosecution shall be promptly released, whenever possible to the owner.
 - 1) Prior to release of property to the owner, a photograph of the property will be taken for court presentation by the investigating detective.
 - 2) Property which has no investigative value as determined by the District Attorney may be destroyed upon completion of the investigation (e.g., glass shards or a mutilated bullet which is useless for comparison purposes).
- b. Property which has been held as evidence, but not introduced during the trial, shall be released to the owner upon receipt of a court disposition, provided the prescribed time for appeal has elapsed.
 - 1) In misdemeanor cases, thirty (30) days shall be allowed for an appeal; and in felony cases, sixty (60) days. Refer to California Rules Court section 182 subsection A and section 31 subsection A.
- c. Property that has been held as potential evidence shall be disposed of in accordance with the provisions of this manual where appropriate.
 - 1) In all cases, the person who receives the property must present a photo ID.
 - 2) The property release form must be signed by the person accepting the property and copy forwarded to the original case file after scanned into Laserfische.
 - 3) The Property and Evidence Technician will update the Property Management System listing the status or disposition of the property.

10. Court Releases

- a. When the Property and Evidence Technician is contacted by the person needing evidence for court, the items needed shall be pulled from its storage location to await pickup.
- b. When the person picks up the evidence, they must complete the chain of custody section for each item, electronically signing for the release of the listed items to their possession.
 - 1) A checked out entry will be made in the automated system. When the property is returned, a checked in entry is made to the system.
- c. All firearms that are released for court will be boxed.

11. General Release of Property

- a. Any time evidence/property is released to an individual, the recipient must electronically sign for the property.

II. DISPOSAL OR DESTRUCTION GUIDELINES

- A. Property held by this department shall be disposed of in a manner authorized by statute. All property not held for evidence in a pending criminal investigation or proceeding where the owner has not been located or fails to claim the property pursuant to the timelines established by Department policy, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal.
 1. When there are two or more defendants involved in a criminal case, property will not be disposed of until all defendants' trials have been adjudicated.
 2. Property shall not be disposed of until the period for appeals has closed and all appeals have been concluded.
 3. The Property and Evidence Technician shall not dispose of property until the end of the time period established by departmental policy for holding the item; e.g., evidence, found, and property held for safekeeping/bulk, etc.
 4. If the person from whom custody of the property was taken is a secondhand dealer or licensed pawnbroker and if the owner of the property cannot be located at the end of the criminal proceeding, the property shall be returned to the secondhand dealer or pawnbroker with authorization from the handling Detective.
 5. In all cases where property is destroyed, the Property and Evidence Technician shall delete information in the appropriate State Department of Justice computer file concerning each item of serialized property that is

authorized for disposal. In addition, the Property and Evidence Technician will update the Property Management System.

6. Property will be disposed of by the Property and Evidence Technician when the office receives a written property release authorization from the assigned investigator, court instructions/dispositions/procedures according to law, or written instructions from the District Attorney's office.
7. It is the investigating Detective's responsibility to fill out a case disposition form for each case number. This disposition form will let the Property and Evidence technician know what to do with the property before and after court or whether or not the case has been filed.
8. If the case disposition form has not been received, the Property and Evidence Technician's responsible for notifying the appropriate Detective to request the case disposition form.
9. Investigations Supervisors and their assigned Detectives shall be responsible for disposition follow-up for investigators who have been reassigned.

B. Destruction of Property Pursuant to a Court Order

1. Property will be destroyed as instructed in the court order.

C. Statute of Limitations

1. In misdemeanor cases, the statute of limitation is one year when the case file report indicates no suspect and the property has little or no value. After review by the assigned investigator, it will be disposed of after one year.
2. Property in felony cases (except homicides, embezzlement of public funds or falsification of public funds) will be disposed of after the statute of limitations has expired, the case file report indicates no suspect, and the investigating officer recommends disposal. Property from homicides, embezzlement of public funds or falsification of public funds will be retained indefinitely, except when disposal or release is authorized by the investigating officer with concurrence from the District Attorney or the court.

D. Disposition of Property for Destruction

1. The case disposition is signed off by the handling Detective.
2. Property of little or no auction value can be disposed of in a locked dumpster, except as otherwise directed below.
3. Metal objects can be placed in the scrap metal dumpster located at the City Yard.
4. Papers of a sensitive nature shall be shredded.

5. Alcoholic beverages shall be poured down the drain by the Property and Evidence Technician before disposing of the container in the trash.
6. Property of value (except firearms, money, ammunition and drugs) will be sold at auction or designated for Departmental use.
7. Pursuant to legal requirements, firearms will be destroyed or designated for Departmental use.
8. Ammunition will be disposed of through Department resources or designated for Department use.
9. Controlled substances and drug paraphernalia will be burned or disposed of at an authorized, licensed facility.
10. Hazardous materials will be disposed of through a hazardous disposal firm.
11. Weapons declared by law to be nuisances (Penal Code §§ 12028, 12029, 12251) shall be destroyed in accordance to law. Other weapons (excluding firearms) will be destroyed along with firearms.
12. Fireworks will be turned over to the Los Angeles County Fire Department for incineration or detonation.
13. All unclaimed money will be deposited in the City of Pomona General Fund or Asset Forfeiture Fund, except rare coins or foreign money, which will be sold at public auction.

E. Disposition of Firearms

1. Retained for departmental use
 - a. The Chief of Police shall authorize in writing all firearms retained for official use by the department. The authorization will be retained in the original case file.
 - b. A certificate of retention must be obtained from a magistrate or the District Attorney authorizing the retention of the firearm(s).
 - c. City Purchasing Division must assign an inventory number to the firearm(s).
 - d. The make, model, and serial number are recorded in the Department's weapon inventory log maintained by the Department Rangemaster.
 - e. The Property and Evidence Technician will be responsible for notifying the California Department of Justice is notified through CLETS.
2. Destruction

- a. It will be the responsibility of the Property and Evidence Technician to schedule a gun destruction annually. When guns are ready for disposition and authorized for disposal, the following will occur:
 - 1) The weapon shall be moved from its assigned location to the assigned Destruction Box and the movement shall be entered into the Property and Evidence database and the Property and Evidence hard copy of the report.
 - 2) A Firearm destruction list is generated for each destruction box and taped to the top of the sealed box indicated the contents of each box. The list will include: Item number, box number, description of the firearm, serial number and case number.
 - 3) A copy of each list is made and presented to the Records Manager and Division Commander before destruction. This list is presented to the Executive Command Staff for any weapons that may be retained for Departmental use. Any firearms retained for Department use will be entered into the Property and Evidence database as such and the Automated Firearms System (AFS) by the Property and Evidence personnel.
 - 4) Property and Evidence shall make arrangements with the SWAT team or DESIGNATED ALTERNATIVE TEAM to be escorted to the destruction site on a day that an appointment can be made and most suitable for either team.
 - 5) The SWAT or DESIGNATED ALTERNATIVE TEAM Lieutenant or Sergeant will make arrangements to schedule the appropriate number of officers to accompany him or her to the disposal site.
 - 6) Firearms shall be destroyed by designated facility.
 - 7) Property and Evidence personnel are responsible for entering the destroyed weapons into the Automated Firearms System (AFS) and final disposition of the weapon will be entered into the Property Management System.
 - 8) The original weapons for destruction list shall be maintained by the Property and Evidence unit for no less than five years.

F. Destruction of Ammunition

1. Ammunition for disposal must be signed-off by the Detective per case disposition form. In the case of Found Property, the Property and Evidence Technician may sign-off the ammunition after 90 days.

2. The ammunition will be released to the range for destruction. The Property and Evidence Technician will call the Rangemaster to pick up the ammunition.
3. The Property Technician will enter the disposition into the Property Management System.

G. Destruction of Narcotics

1. Controlled substances and narcotic paraphernalia (Health & Safety Code § 11474, etc.) will be destroyed by the Property and Evidence Technician after receiving authorization for such disposal in a manner prescribed by law.
2. The Property and Evidence warehouse contain an interim location for "Narcotics for Destruction." It will be the responsibility of the Property and Evidence Technicians to prepare and schedule an annual narcotic burn. When narcotics are ready for disposition and authorized for disposal, the following will occur:
 - a. The narcotics shall be moved from its assigned location to the assigned Destruction Box and the movement shall be entered into The Property and Evidence database and on the Property and Evidence hard copy of the report.
 - b. A narcotic destruction list which is computer generated is taped to the top of the sealed narcotic box indicating the contents of each box. The list will include: Item number, box number, description of the narcotic, weight, bar code and case number.
 - c. A copy of each list is made and presented to the Records Manager and Division Commander before destruction with a Court Order attached for the Judge to sign. An order encompassing all items to be destroyed shall be presented to the court for destruction/authorization.
 - d. Once the court order is signed by a Judge, Property and Evidence Technicians shall make arrangements with the SWAT team or DESIGNATED ALTERNATIVE TEAM to be escorted to the destruction site on a day that an appointment can be made and is most suitable for either team.
 - e. Property and Evidence Technicians shall complete a Narcotics Manifest and attach it to the approved Disposal List and Court Order. Prior to transportation to SERRF, the narcotics are weighed by category (gross weight) and documented on the manifest. [APPENDIX A-20]
 - f. The Division Commander and a Lieutenant will perform a random check on the boxes against the Narcotic Destruction List on the destruction day

prior to loading the narcotic boxes on the truck. Once completed all boxes shall be resealed.

- g. The SWAT or ALTERNATIVE TEAM Lieutenant or Sergeant will make arrangements to schedule the appropriate number of officers to hire to transport the narcotics to the disposal site. SERRF requires a minimum number of armed sworn officers based on the amount of narcotics for disposal. Six armed, sworn officers are required for amounts of 500 lbs. or more; two are required for any amount below this threshold.
- h. Narcotics shall be destroyed by the City of Long Beach, Southeast Resource Recovery Facility (SERRF).
- i. Property and Evidence personnel are responsible for entering the final disposition of the narcotic into the Property and Evidence database.
- j. The disposition of the narcotic will be entered into the Property Management System.
- k. The original narcotics for destruction list shall be maintained by the Property and Evidence unit for no less than five years.

H. Exceptional Dispositions

- 1. The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction. [Lexipol 804.7.1]
 - a. Weapons declared by law to be nuisances (Penal Code §§ 29300; 18010; 32750).
 - b. Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
 - c. Counterfeiting equipment (Penal Code § 480)
 - d. Gaming devices (Penal Code § 335a)
 - e. Obscene matter ordered to be destroyed by the court (Penal Code § 312)
 - f. Altered vehicles or component parts (Vehicle Code § 10751)
 - g. Narcotics (Health & Safety Code § 11474, etc.)
 - h. Unclaimed, stolen or embezzled property (Penal Code § 1411)
 - i. Destructive devices (Penal Code § 19000)

I. Currency

1. Currency that has been retained for Best Evidence and is authorized for release will be released directly to the owner or deposited into the General Fund or Asset Forfeiture Fund. Collector or Foreign currency shall be auctioned when ready for disposition.
2. The Property room contains an interim location for currency. Currency is kept in the Safe which is located in the Property and Evidence office. It will be the responsibility of Property Room Technicians to schedule a transfer of funds to the Treasurers anytime the safe exceeds \$10,000 with the exception of Best Evidence.
 - a. The Property and Evidence Technician will review the currency envelopes in the safe that have not been released or returned to owner (with the exception of Best Evidence) and create a deposit Treasurers Receipt (TR) that includes the case number and currency amount for each case being deposited into the Police Held Money Fund account (PHMF) or General Fund account.
 - b. All Treasurers currency deposits shall be prepared and verified by the property and evidence technician and transported to the City Hall Treasurers Department by two Property and Evidence Technicians. Large envelopes of currency shall be sealed and initials by both property and evidence technicians prior to the transportation of the deposit.
 - c. The large currency envelope shall be unsealed by the cashier in the Treasurers Department and all currency within the envelope shall be counted in the presence of both Property and Evidence Technicians. At no time shall the currency be left out of site before the final count is verified.
 - d. A receipt for the deposit must be given to the Property and Evidence Technicians at the time of deposit and before leaving the cashier.
 - e. The Property Management System will be updated to show that the currency was deposited with the Treasurer Department.
 - f. If a Detective authorizes the release of a currency item after it has been deposited, Property personnel will request the Finance Department to send a check to the owner from the PHMF account.
 - g. Foreign currency shall be stored in the safe, separate from U.S. currency. Upon approval for disposition, foreign currency shall be release to the owner or sent to auction (with the approval of the Finance Director).

- h. Counterfeit money shall be stored in a 6x9 evidence envelope and placed with all other evidence. Counterfeit money shall not be stored in a currency envelope in the safe.

J. Disposal of Digital Media Storage Devices

1. Before a device (e.g., computer, smart phone, and tablet) can be auctioned, its hard drives or storage media shall be removed and destroyed. Contact central stores to set up media removal process.

K. Retention of Biological Evidence

1. The Property and Evidence Technician shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:
 - a. The defendant
 - b. The defendant's attorney
 - c. The appropriate prosecutor and Attorney General
 - d. Any sexual assault victim
 - e. The Investigative Services Division supervisor
2. Biological evidence shall be retained for a minimum period established by law (Penal Code § 1417.9), or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigative Services Division supervisor. Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office. Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of an applicable statute of limitations, the Investigative Services Division supervisor should be consulted and the sexual assault victim should be notified. [Lexipol 804.7.3]

III. AUCTION OF UNCLAIMED PROPERTY

- A. Disposition of Unclaimed Property - Stolen or Embezzled property (Penal Code § 1411)

1. Property which has been found and not claimed within 90 days, stolen or embezzled property which has not been claimed by the owner within 15 days of notification, or in any case in which such notice is not given, after the expiration of 60 days has passed from the date of conviction, can be auctioned.
2. Under the provisions of 4603 CMC, any unclaimed property not governed by statute after being held 90 days from the date the owner was notified by mail to claim the property, shall be auctioned, destroyed, maintained for Departmental use, or donated to a non-profit organization.
3. Bicycles which have been unclaimed for a period of 90 days, instead of being sold at public auction, may be turned over to a non-profit agency with prior Council approval.

B. Auction of Unclaimed Property

1. The Property Room contains an interim location for auction items. When an item is ready for destruction or release (and unclaimed), the item may be auctioned. This item will be moved to the auction area and an auction tag is attached. [APPENDIX A-11].
 - a. The case disposition must be signed-off by the Detective.
 - b. The property/evidence will be examined by Property and Evidence Technician to determine whether it should be auctioned or diverted for Departmental use. If the item is something the Department could use, or there is a request for, the Property and Evidence Technician shall notify the Records Manager.
 - c. The Property Management System is updated to show the property/evidence has been sent to auction.
 - d. Prior to transfer, The Property and Evidence Technician will generate a Property Auction Manifest. Included on the list are the case number, the auction tag, and a description of the property. [APPENDIX A-15]
 - e. When the auction items are ready for pick-up, call the auction company.
 - f. After the property/evidence has been picked up by the auction company, the Property Management System will be updated to show the final disposition of the property/evidence.

C. Property Retained for Agency Use

1. Upon adjudication of a criminal case, all unclaimed, found, safekeeping, evidence and property items may be retained and/or released to this Department, in lieu of public auction as provided by CC 2080.6 and PC

1411. A memorandum from the requester shall be forwarded to the Administrative Services Division Commander who shall request approval from the Deputy Chief or the Chief of Police. Once approved, the Property and Evidence Technician shall scan the approval into the Property Management System, and release the item to the requesting unit. The Property Management System shall be updated indicating the property has been Department utilized. Any items that have a serial number shall be entered into the Department of Justice automated Firearms/Property system showing agency utilization.

IV. APPEALS

A. Appeals period for Adjudicated Cases

1. Evidence may NOT be released or disposed of prior to the adjudication of the case and the expiration of the appropriate appeals period following sentencing (30 days following sentencing on misdemeanors and 60 days on felony cases) in accordance with CRC 8.320 and CRC 8.782 (Rules of Court). Pomona Police Department shall wait an additional 30 days beyond these dates to verify that no appeal has been initiated.

CHAPTER SEVEN

INSPECTION, AUDITS

AND INVENTORY

I. PROPERTY INSPECTIONS, AUDITS AND INVENTORIES

A. Property Room Inspections

Inspections deal with safety, cleanliness, functionally, and efficiency related to the Pomona Police Departments Property and Evidence warehouse.

1. The purpose of this inspection and audit shall be to determine that all procedures for the intake, processing, storage, transactions and final disposition of property and evidence under the control of the Pomona Police Department are being followed. In addition, the inspection and audit shall be used to ensure that all the property storage areas are kept in a clean and orderly condition, and that the integrity of all areas under the control of the Property and Evidence Technicians is maintained.
2. On a ***quarterly basis***, the Records Manager of the Property and Evidence unit shall make an inspection of the evidence storage facility and practices to ensure adherence to appropriate policies and procedures.[Lexipol 802.8]
3. When a specific issue is identified, a proposed resolution designed to ensure compliance with department policy shall be developed and forwarded to the Administrative Division Commander.
4. All inspection records shall be retained based on the Records Retention Schedule.

B. Property Room Audits

Audits will be conducted on both a routine and random basis. Audits will also be done when information is received that the integrity of the systems or facility is in question, when there is a change in the agency head, or when there is a change in Property and Evidence personnel. Audits focus on the systems in place to locate, track, and account for items of property and evidence in the custody of the Pomona Police Department. To ensure that all standards and policies are routinely followed; evidence is protected from damage or deterioration; and appropriate chain of custody processes are utilized. [Lexipol 802.8]

1. Property, weapons, money and controlled substances stored in the Property and Evidence warehouse must be audited on a ***quarterly basis*** to monitor the security of this property.
2. The authorized designee (Records Manager) will audit the following types of property, along with the associated records, on a quarterly and random basis, in random groups of ten and focus on the systems in place to locate, track and account for all items in custody. All items selected shall be chosen randomly, without personal bias. For example, a print out of all firearms or a specific model can be printed out on a spreadsheet where the auditor can highlight every 10 or 20 items until he/she selected 10 items to be audited.

- a. Property (Ten case numbers containing property)
 - b. Firearms (Ten case numbers containing weapons)
 - c. Currency (Ten case numbers containing currency)
 - d. Controlled Substances (Ten case number containing controlled substances)
3. A comparison between the description in the Property Management System and the actual item(s) barcode will be made. A review of packaged evidence seals for any evidence of tampering must be made. If seals have been broken, the contents must be verified and documented prior to resealing.
 4. Reporting Procedure

The Authorized Designee is responsible for documenting and reporting the quarterly audit results to the Administrative Services Division Commander. All audit procedures will be reported in writing and must be reviewed and signed by the person conducting the audit as well as the Administrative Services Division Commander. Any discrepancies discovered during the audit must be brought to the immediate attention of the Deputy Chief. A copy of the audit will be forwarded to the Deputy Chief.

C. **Inventories**

An inventory is an accounting of all items of Property and Evidence in the custody of the Pomona Police Department and a review of agency records. Inventories will also be done when information is received that the integrity of the systems or facility is in question, when there is a change in the agency head, or when there is a change in Property and Evidenced personnel.

1. Property and Evidence Personnel shall conduct a complete inventory at least **once a year** or anytime personnel changes are made. An inventory shall be started and completed in its entirety at the end of the calendar or fiscal year and all items in the evidence/property storage facility are accounted for and verified.
2. Every item placed into the property system must be accounted for. All property shall be included in the inventory process.
3. Upon completion, the inventory shall be filed with the Records Manager.
4. A copy of the inventory results shall be forwarded to the Administrative Services Division Commander, Deputy Chief and Chief of Police.
5. If an item is discovered missing, a written report shall be filed to explain the discrepancy and its resolution. Property and Evidence Personnel shall notify the Records Manager who will notify the Administrative Services Division

Commander, who will notify the Deputy Chief who will determine if an investigation is necessary.

(Note: A full Property and Evidence inventory cannot be done until all property items have been barcoded and are included in the new Property Management System)

6. INVENTORY SCHEDULE

- a. The below schedule shall be followed to ensure that inventories are done in a timely manner annually for all evidence:

MONTH	ITEMS	LOCATIONS
January	Evidence Shelves	Property Warehouse
February	Money	Safe
March	Biological	Refrigerator and Freezer
April	Biological	Refrigerator and Freezer
May	Guns	Long Guns
June	Narcotics	Narcotic Room
July	Narcotics	Narcotic Room
August	Guns	Handguns
September	Guns	Handguns
October	Money	Safe
November	Evidence Shelves	Property Warehouse
December	Evidence Shelves	Property Warehouse

CHAPTER EIGHT
CALIFORNIA CIVIL
CODES STATUTORY
REQUIREMENTS

I. 2080 California Civil Code - Duties of Finder

Any person who finds a thing lost is not bound to take charge of it, unless the person is otherwise required to do so by contract or law, but when the person does take charge of it he or she is thenceforward a depositary for the owner, with the rights and obligations of a depositary for hire. Any person or any public or private entity that finds and takes possession of any money, goods, things in action, or other personal property, or saves any domestic animal from harm, neglect, drowning, or starvation, shall, within a reasonable time, inform the owner, if known, and make restitution without compensation, except a reasonable charge for saving and taking care of the property. Any person who takes possession of a live domestic animal shall provide for humane treatment of the animal.

II. 2080.1. California Civil Code - Delivery to Police or Sheriff; Affidavit; Charges

(a) If the owner is unknown or has not claimed the property, the person saving or finding the property shall, if the property is of the value of one hundred dollars (\$100) or more, within a reasonable time turn the property over to the police department of the city or city and county, if found therein, or to the sheriff's department of the county if found outside of city limits, and shall make an affidavit, stating when and where he or she found or saved the property, particularly describing it. If the property was saved, the affidavit shall state: (1) from what and how it was saved. (2) Whether the owner of the property is known to the affiant. (3) That the affiant has not secreted, withheld, or disposed of any part of the property. (b) The police department or the sheriff's department shall notify the owner, if his or her identity is reasonably ascertainable, that it possesses the property and where it may be claimed. The police department or sheriff's department may require payment by the owner of a reasonable charge to defray costs of storage and care of the property.

III. 2080.2. California Civil Code - Restoration to Owner

If the owner appears within 90 days, after receipt of the property by the police department or sheriff's department, proves his ownership of the property, and pays all reasonable charges, the police department or sheriff's department shall restore the property to him.

IV. 2080.3. California Civil Code - Advertisement; Payment of Cost; Vesting of Title in Finder

(a) If the reported value of the property is two hundred fifty dollars (\$250) or more and no owner appears and proves his or her ownership of the property within 90 days, the police department or sheriff's department shall cause notice of the property to be published at least once in a newspaper of general circulation. If, after seven days following the first publication of the notice, no owner appears and proves his or her ownership of the property and the person who found or saved the property pays the cost of the publication, the title shall vest in the person who found or saved the property unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold at public auction. Title to the property shall not vest in the person who found or saved the property or in the successful bidder

at the public auction unless the cost of publication is first paid to the city, county, or city and county whose police or sheriff's department caused the notice to be published. (b) If the reported value of the property is less than two hundred fifty dollars (\$250) and no owner appears and proves his or her ownership of the property within 90 days, the title shall vest in the person who found or saved the property, unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold at public auction.

V. 2080.4. California Civil Code - Local regulations

Notwithstanding the provisions of Section 2080.3 or Section 2080.6, the legislative body of any city, city and county, or county may provide by ordinance for the care, restitution, sale or destruction of unclaimed property in the possession of the police department of such city or city and county or of the sheriff of such county. Any city, city and county, or county adopting such an ordinance shall provide therein (1) that such unclaimed property shall be held by the police department or sheriff for a period of at least three months, and (2) that thereafter such property will be sold at public auction to the highest bidder, with notice of such sale being given by the chief of police or sheriff at least five days before the time fixed therefore by publication once in a newspaper of general circulation published in the county, or that thereafter such property will be transferred to the local government purchasing and stores agency or other similar agency for sale to the public at public auction. If such property is transferred to a county purchasing agent it may be sold in the manner provided by Article 7 (commencing with Section 25500) of Chapter 5 of Part 2 of Division 2 of Title 3 of the Government Code for the sale of surplus personal property. If property is transferred to the local government purchasing and stores agency or other similar agency pursuant to this section, such property shall not be redeemable by the owner or other person entitled to possession. If the local government purchasing and stores agency or other similar agency determines that any such property transferred to it for sale is needed for a public use, such property may be retained by the agency and need not be sold.

VI. 2080.5. California Civil Code - Authority to Sell

The police department or sheriff's department may sell such property by public auction, in the manner and upon the notice of sale of personal property under execution, if it is a thing which is commonly the subject of sale, when the owner cannot, with reasonable diligence, be found, or, being found, refuses upon demand to pay the lawful charges provided by Sections 2080 and 2080.1, in the following cases: (1) When the thing is in danger of perishing, or of losing the greater part of its value; or, (2) When the lawful charges provided by Sections 2080 and 2080.1 amount to two-thirds of its value.

VII. 2080.6. California Civil Code - Public Agency; Adoption of Regulations

(a) Any public agency may elect to be governed by the provisions of this article with respect to disposition of personal property found or saved on property subject to its jurisdiction, or may adopt reasonable regulations for the care, restitution, sale or destruction of unclaimed property in its possession. Any public agency adopting such regulations shall provide therein (1) that such unclaimed property shall be held by such

agency for a period of at least three months, (2) that thereafter such property will be sold at public auction to the highest bidder, and (3) that notice of such sale shall be given by the chief administrative officer of such agency at least five days before the time fixed therefore by publication once in a newspaper of general circulation published in the county in which such property was found. Any property remaining unsold after being offered at such public auction may be destroyed or otherwise disposed of by the public agency. In a county having a purchasing agent, the purchasing agent may conduct such sale, in which case the provisions of subdivisions (2) and (3) of this section shall not be applicable. Such sale shall be made by the county purchasing agent in the manner provided by Article 7 (commencing with Section 25500) of Chapter 5 of Part 2 of Division 2 of Title 3 of the Government Code for the sale of surplus personal property. If the public agency determines that any such property transferred to it for sale is needed for a public use, such property may be retained by the agency and need not be sold. (b) "Public agency" as used in this section means any state agency, including the Department of General Services and the Department of Parks and Recreation, any city, county, city and county, special district, or other political subdivision.

VIII. 2080.7. California Civil Code - Abandoned Property

The provisions of this article have no application to property which has been intentionally abandoned by the owner.

IX. 2080.10. California Civil Code – Safekeeping Property

(a) When a public agency obtains possession of personal property from a person for temporary safekeeping, the public agency shall do all of the following: (1) Take responsibility for the storage, documentation, and disposition of the property (2) Provide the person from whom the property was taken with a receipt and instructions for the retrieval of the property. The receipt and instructions shall either be given to the person from whom the property was taken at the time the public agency obtains the property or immediately mailed, by first-class mail, to the person from whom the property was taken. (3) If the public agency has knowledge that the person from whom the property was taken is not the owner, the agency shall make reasonable efforts to identify the owner. If the owner is identified, the public agency shall mail, by first-class mail, a receipt and instructions for the retrieval of the property. (b) The receipt and instructions shall notify the person from whom the property was taken that the property must be claimed within 60 days after the public agency obtains possession or the property will be disposed of in accordance with the disposal provisions of this article. Within 60 days, the person may do one of the following: (1) Retrieve the property. (2) Authorize in writing another person to retrieve the property. (3) Notify the public agency in writing that he or she is unable to retrieve the property, because he or she is in custody, and request the public agency to hold the property. If a person notifies the public agency that he or she is unable to retrieve the property within 60 days, or have an authorized person retrieve the property, the public agency shall hold the property for not longer than 10 additional months. (c) The public agency shall not be liable for damages caused by any official action performed with due care regarding the disposition of personal property pursuant to this section and the disposal provisions of this article. (d) As used in this section, "public agency" means any

state agency, any city, county, city and county, special district, or other political subdivision.

APPENDIX A FORMS, BARCODES AND CONTAINERS

APPENDIX A: FORMS, BARCODES AND CONTAINERS

The following pages contain various examples of forms, tags, barcodes and containers pertinent to the evidence/property function.

A-1	Property and Evidence Envelope
A-2	Currency Envelope
A-3	Field Property Receipt
A-4	LASD Crime Lab Receipt / Form
A-5	LASD Crime Lab Sexual Assault Kit Submission Form
A-6	Service Request
A-7	Court Retained Evidence Notification
A-8	Property and Evidence Warehouse Access Log
A-9	Best Evidence Notification Request
A-10	Firearms Received for Safekeeping Notification
A-11	Property and Evidence Auction Tag
A-12	Notification of Property Ready for Release
A-13	DOJ Law Enforcement Gun Release Application
A-14	DOJ Firearms Ownership Record
A-15	Property and Evidence Manifest
A-16	Property and Evidence Gun Destruction List
A-17	Petition and Order to Destroy and Release Property
A-18	Los Angeles County Court – Declaration (PG 1)
A-19	Los Angeles County Court – Declaration (PG 2)
A-20	SERRF Narcotic Destruction Manifest

A-21	SERRF Acknowledgment and Release
A-22	Handgun Box
A-23	Knife Box
A-24	Long gun Box
A-25	Syringe Container

DR # _____

POMONA POLICE DEPARTMENT

CURRENCY ENVELOPE

Evidence Found Property Bulk

OWNER:
 SUSPECT:
 FINDER: _____

CRIME: _____

DATE/TIME FOUND: _____

LOCATION FOUND: _____

CURRENCY:
_____ × \$ 100 = \$ _____
_____ × \$ 50 = \$ _____
_____ × \$ 20 = \$ _____
_____ × \$ 10 = \$ _____
_____ × \$ 5 = \$ _____
_____ × \$ 1 = \$ _____
_____ × \$ _____ = \$ _____
Subtotal = \$ _____

COIN:
_____ × \$ 1.00 = \$ _____
_____ × \$ 0.50 = \$ _____
_____ × \$ 0.25 = \$ _____
_____ × \$ 0.10 = \$ _____
_____ × \$ 0.05 = \$ _____
_____ × \$ 0.01 = \$ _____
_____ × \$ _____ = \$ _____
Subtotal = \$ _____

TOTAL AMOUNT: \$

Officer _____ Date _____

PROPERTY UNIT USE ONLY:

Opened By: _____ Date _____ Accurate? Yes No

Resealed By: _____ Date _____ Verified By: _____

[APPENDIX A-2] CURRENCY ENVELOPE

DR# _____ PROPERTY RECEIPT# 35602

FIELD PROPERTY RECEIPT

POMONA POLICE DEPARTMENT, CITY OF POMONA, CALIFORNIA

490 W. Mission Blvd., Pomona, CA 91766

Date: _____ Officer: _____ ID#: _____

<input type="checkbox"/> Held per 5150/8102 W&I Code	<input type="checkbox"/> Recovered
<input type="checkbox"/> Found Property (See Below)	<input type="checkbox"/> Evidence
<input type="checkbox"/> Stolen or Embezzled Property	<input type="checkbox"/> Bulk/Safekeeping
<input type="checkbox"/> 12028.5 P.C.	

Received from: _____
(Last Name) (First Name)

Address: _____

Property Description: _____

FOUND PROPERTY

When found property is held by a law enforcement agency, California Civil Code Section 2080 requires the following statement to be signed by the finder:

I declare under penalty of perjury that the above listed items were found, that all items found have been surrendered, and I do not know who the true owner is.

Signature of Finder: _____


This form constitutes notification of your rights according to law. Your signature is not an admission of responsibility but indicates that you have received a copy of this notice. **Please review the back of this sheet for an explanation of your rights.**

SIGNATURE OF PERSON RECEIVING FPR: _____


PPD-89 REV. 5/09 ORIGINAL- Citizen PINK- Property YELLOW- Records

[APPENDIX A-3] FIELD PROPERTY RECEIPT

K616331

AGENCY / STATION		CHARGE			
NAME OF SUBJECT (PLEASE PRINT)					
LAST		FIRST			
NAME OF VICTIM (PLEASE PRINT)			FILE / DR NUMBER		
LAST		FIRST			
INVESTIGATOR / PHONE		REC'D FROM	REC'D BY	DATE / TIME	
CRIME LAB Personnel ONLY					
DESCRIPTION OF EVIDENCE (PLEASE PRINT)				# PKG(S):	BLOOD URINE
.....				Lab Personnel	
				BLOOD ALCOHOL	
				NARCO (Solid Drugs)	
				TOX (Drugs in Urine or Blood)	
				TRACE	
				BIOLOGY/DNA	
				FINGERPRINTS	
				FIREARMS	
				DOCUMENTS	
				SPLITS	
PHOTO LAB					
NIBIN					
DRYING SHED					
ANALYTICAL RESULTS -Lab Personnel ONLY (Date/By)			SAFETY CHECK (DATE / BY)		
			FIREARMS Personnel ONLY		
RELEASED TO - SIGNATURE / ID #			RELEASED BY		
NAME (Print)		AGENCY	DATE		

[APPENDIX A-4] LASD CRIME LAB RECEIPT/FORM

	Los Angeles County Sheriff's Department		DR#:
	Sexual Assault Kit Submission Form		Agency:
	Inv. Name:	Emp #:	
	Phone #:	E-mail:	

*This Sexual Assault Kit Submission Form MUST be filled out by the assigned case detective or their supervisor and MUST be attached to the OUTSIDE of the evidence package (e.g. The SAK Kit or clothing package and it is MANDATORY that the evidence and form are submitted to the laboratory. **Only attach one form per case.***

Please complete all of the information below as appropriate:

- What is the current case status? (Choose only one)
- If the case is a DA reject, will DNA results change the rejection?
- Does the urine sample require blood alcohol or toxicology examination?
If yes, see the contact information below.
- Is there a known suspect?
If yes, answer the following questions:
- Has a suspect reference sample been obtained?
Enter the lab receipt number for the reference: _____
- Has the suspect been arrested?
- Is the suspect still in custody?
- Does the suspect have a profile in CODIS?
(Please check RAPS or CCHRS and look for "Typed & Uploaded".)
- Did the victim have consensual sex within five days of the assault?
- If yes, has a consensual partner reference sample been obtained?
Enter the lab receipt number for the reference: _____

Please contact the appropriate supervisor(s) from each section to request analysis:
 Blood Alcohol Analysis – Annette Asamoto, 562-940-0269 x286, ARAsomot@lasd.org
 Toxicology Analysis – Susan Perez, 562-940-0239 x231, SLPerez@lasd.org

Date of Incident: _____	SAK Lab Receipt(s): Victim _____ Suspect _____
Victim's Age: _____	Additional Lab Receipt(s): _____
Suspect's Age: _____	
Charge: _____	

Describe the case circumstances:



POMONA POLICE DEPT.
FORENSIC INVESTIGATIONS

SERVICE REQUEST FORM

DR# Crime: _____

Address: _____

Requester: _____

ID: _____

Date: _____

TYPE OF REQUEST

- PROCESSING / PRINTS SUBMIT TO LAFIS COMPARISON PHOTO/VIDEO
 PROCESSING / TRACE OTHER

ITEM TO BE PROCESSED

- FIREARM / AMMO WEAPONS CURRENCY VEHICLE: color | make | model | plate #
 (YOU MUST DNA THE FIREARM TOOLS MISC. PAPER
 PRIOR TO SUBMITTING.) NARCOTICS OTHER:

COMMENTS (be as specific as possible): ITEM #

SUSPECT INFO

Last Name, First M.	DOB	SID#	ID
#1			<input type="checkbox"/> Yes <input type="checkbox"/> No
#2			<input type="checkbox"/> Yes <input type="checkbox"/> No

FOR FORENSIC PERSONNEL ONLY

Processing Date: _____

Photography Date: _____

Date of Completion: _____

Lifted	Comp	AFIS Quality
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No

LAFIS Date: _____

Comparison Date: _____

Verification Date: _____

PROCESSING

- PRINT POWDER CYANOACRYLATE
 NINHYDRIN/DFO ARDROX
 PHOTOGRAPHY RHODAMINE

FIREARMS

- Semi-Auto Caliber: _____ Model: _____
 Revolver Manufacturer: _____
 Rifle Serial # _____
 Shotgun

DISPOSITIONS:

Continued next page

Subpoena List

Latents: _____ Comparison: _____

000 60 000 1 001/000

Exemplar: CA Dept. of Justice LA County Sheriffs Dept.

**POMONA POLICE DEPARTMENT
COURT RETAINED EVIDENCE**

DR# _____

The following items were retained as evidence on _____
and are no longer in the custody of the Pomona Police Department:

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____
- 7) _____
- 8) _____
- 9) _____
- 10) _____

RELEASE INFORMATION

Agency/Court

Signature

Phone Number

Officer's Signature

**POMONA POLICE DEPARTMENT
PROPERTY ROOM ACCESS LOG**

DATE	NAME	ID #	TIME IN	TIME OUT	REASON FOR ENTRY

[APPENDIX A-8] PROPERTY AND EVIDENCE WAREHOUSE ACCESS LOG

DATE _____

TO: DETECTIVE SERGEANT _____ DETECTIVE ASSIGNED _____
FROM: PROPERTY AND EVIDENCE
SUBJECT: MONEY HELD AS BEST EVIDENCE

DR NUMBER _____ TYPE CASE _____

On _____, under the above D.R. number, \$ _____ was booked into evidence.

The money will be held in Best Evidence Safe Deposit for a period of seven (7) working days from the date of this notice, and will be deposited in the Police Held Money Fund on _____ with out further notice unless we are advised of its Best Evidence evidence need.

Please complete the below and return this notice prior to the transfer date.

THIS SECTION TO BE FILLED OUT BY OFFICER OR DETECTIVE RECEIVING NOTICE.

- () The above evidence WILL NOT be needed as best evidence and can be deposited in the Police Held Money Fund.
- () The above evidence WILL be needed as best evidence.

Signed _____

Approved by _____ Date _____
SERGEANT

THIS SECTION TO BE FILLED OUT BY PROPERTY PERSONNEL

___ Notice returned by officer/detective _____
date

___ No notice returned by officer/detective, money transferred to the
Police Held Money Fund _____
date

By _____

[APPENDIX 12] BEST EVIDENCE NOTIFICATION REQUEST

DATE: May xxx, 2014
TO: Detective _____
FROM: Alicia Vasquez, Property & Evidence
SUBJECT: FIREARM(S) RECEIVED FOR TEMPORARY
CUSTODY, 12028.5 PC.

On 05/XX/14, two (2) firearm(s) were booked into Property and Evidence under DR # 14-XXXXXX SAFEKEEPING. The JDIC teletype indicates that the weapon is (x) Code 30 () Stolen.

Unless the firearms are required as evidence, a letter will be sent to the owner advising him that the weapons are available for release. Attached to this letter will be a DOJ Gun Release Application, as well as instructions for filling out the application. Once the owner has been notified, we will hold the gun for 180 days. After 180 days the gun will be destroyed.


Please mark the below section and return to property and evidence as soon as possible.

-
- () The firearm listed on this DR number MAY be released to the specified person.
 - () The firearm listed on the DR number is needed as evidence and shall be held until a disposition of the case has been made.

SIGNED _____

DATE _____

cc: Detective Sergeant

 DATE INVENTORY		ARTICLE OR KIND OF MATERIAL		TAG NO. 128	
AVERTY DENNISON 128		COUNTED BY		ARTICLE OR KIND OF MATERIAL	
AMOUNT		SIZE		COUNTED BY	
BLDG.		SEC.		FLOOR	
LOCATION		PRICED BY		CHECKED BY	
REMARKS		TOTAL VALUE		DATE	
* Unit means Singles, Pairs, Pcs., Lbs., Ft., Yds., Gals., Reams, Etc. Enter only one item on tag. All tags must be accounted for.				If notations are made on back mark X here	

[APPENDIX A-11] PROPERTY AND EVIDENCE AUCTION TAG

Paul Capraro
Chief of Police

THE CITY OF
POMONA

Office of the Chief of Police

DATE: 08/00/14



"Working Together
Pomona's Future..."

XXXX XXXXX
1234 MISSION BLVD
POMONA, CA 91767

DR NUMBER 14-123456

NOTIFICATION OF PROPERTY BEING HELD AND READY FOR RELEASE

DATE FOUND/BOOKED 08/00/14 PROOF OF IDENTIFICATION
DESCRIPTION OF REQUIRED YES
BICYCLE PROOF OF OWNERSHIP
REQUIRED _____

Our records indicate that the above property, which is being held at the Pomona Police Department, is available for release to you. Please call (909) 620-2147 or 620-2103 or 620-2135 to **make an appointment** to have your property released to you. Property is **not released** on **Mondays, Fridays, weekends or holidays.**

Bring this letter and your personal identification with you. If you send an agent in your behalf, they must have a notarized authorization from you to obtain the property.

**NOTE: THE ABOVE DESCRIBED PROPERTY WILL BE HELD UNTIL 10/00/14
IF YOU FAIL TO CLAIM THIS PROPERTY BY THE AFOREMENTIONED DATE, THE PROPERTY
WILL BE DISPOSED OF IN THE MANNER PRESCRIBED BY LAW WITHOUT FURTHER
CONTACT.**

Thank you,

PAUL CAPRARO
Chief of Police

A.VASQUEZ
Property and Evidence

490 W. Mission Blvd., Pomona, CA 91766, (909) 620-2155; Fax 620-3692

[APPENDIX A-12] NOTIFICATION OF PROPERTY READY FOR RELEASE



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Law Enforcement Gun Release Application**

(Penal Code Section 33855)



This form is to be used only by the owner of a firearm which is in the custody or control of a law enforcement agency or court to redeem the firearm. It only establishes the applicant's eligibility to lawfully possess firearms at the time the application is processed. It cannot be used to transfer a firearm, or to prove ownership of a firearm. (Instructions on Reverse)

A. Owner Information					
Last Name:		First Name:		Middle Name:	
Alias Last Name (if any):		Alias First Name:		Alias Middle Name:	
Residence Street Address:			City:	State:	Zip Code:
Mailing Address (if different):			City:	State:	Zip Code:
Date of Birth (mm/dd/yyyy):		Place of Birth (state or country):		Sex:	Phone No. (include area code):
U.S. Citizen? <input type="radio"/> Yes <input type="radio"/> No	If no, enter Alien Registration No. or I-94 No.:		Country of Citizenship:		
Enter your California driver license (CDL), California ID (CID), Military ID (MIL), or Out-of-State ID (OSID) number in the ID number box to the right. If using military identification you must send a copy of your permanent duty station orders stating you are stationed in California. If using an out-of-state driver's license or identification number you must send a notarized copy of your driver's license or identification card.				ID Type (check one): ID Number:	
				CDL <input type="checkbox"/> MIL <input type="checkbox"/>	
				CID <input type="checkbox"/> OSID <input type="checkbox"/>	
B. Firearm Information (Mark one of the following circles to describe the firearms you are reporting)					
<input type="radio"/> Reporting only long guns. Proceed to Part D. (Agency Information)					
<input type="radio"/> Reporting only handguns or handguns and long guns.					
Identification information for each handgun MUST be entered below in Part C. Descriptive information is not required for long guns.					
C. Handgun Information (To report additional handguns copy and attach additional applications)					
Handgun Type: <input type="radio"/> Semiauto <input type="radio"/> Revolver <input type="radio"/> Single-shot <input type="radio"/> Other: _____			Color:	Serial Number:	
Make:	Model:	Caliber:	Handgun Origin:	Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM.	
Handgun Type: <input type="radio"/> Semiauto <input type="radio"/> Revolver <input type="radio"/> Single-shot <input type="radio"/> Other: _____			Color:	Serial Number:	
Make:	Model:	Caliber:	Handgun Origin:	Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM.	
D. Agency Information					
Name of Law Enforcement Agency or Court in Possession of the Firearm(s):					
Address:		City:	Zip Code:	Case Number:	
E. Declaration					
<i>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am the lawful owner of all firearms that I seek to have returned. I expressly authorize the Department of Justice to perform firearms eligibility checks of all relevant state and federal databases, including the Federal Bureau of Investigation's National Instant Criminal Background Check System. I also understand that if I currently possess or own firearms and the results of this check reveal that I am ineligible either to lawfully possess or purchase firearms, I must relinquish any and all firearms in my possession.</i>					
Signature _____			Date _____		
DOJ USE ONLY					
<input type="checkbox"/> AFS REFLECTS APPLICANT AS OWNER. <input type="checkbox"/> UNABLE TO VERIFY OWNERSHIP OF FIREARMS VIA AFS. COURT OR LEA MUST CONFIRM.					
Date Received:	Date Paid:	Date Processed:	Processed By:	NTNW:	

[APPENDIX A-13] DOJ LAW ENFORCEMENT GUN RELEASE APPLICATION



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Firearm Ownership Record**



*Processing fee of \$19.00 per firearm must accompany application.
(Instructions on Reverse)*

A. Owner Information							
Last Name:			First Name:		Middle Name:		
Alias Last Name (if any):			Alias First Name:		Alias Middle Name:		
Residence Street Address:				City:		State:	Zip Code:
Mailing Address (if different):				City:		State:	Zip Code:
Date of Birth (mm/dd/yyyy):		Place of Birth (state or country):			Sex:	Phone No. (include area code)	
U.S. Citizen? <input type="radio"/> Yes <input type="radio"/> No	If no, enter Alien Registration No. or I-94 No.:			Country of Citizenship:			
Enter your California driver license (CDL), California ID (CID), or Military ID (MIL) number in the ID number box to the right. If using military identification you must send a copy of your permanent duty station orders stating you are stationed in California.				ID Type (check one): CDL <input type="checkbox"/> CID <input type="checkbox"/> MIL <input type="checkbox"/>	ID Number:	Handgun Safety Certificate (HSC) No.:	

B. Firearm(s) Information (To report additional firearm(s) copy and attach additional applications)							
Firearm Type: <input type="radio"/> Long Gun <input type="radio"/> Handgun	If Long Gun: <input type="radio"/> Rifle <input type="radio"/> Shotgun	If Handgun: <input type="radio"/> Semiauto <input type="radio"/> Revolver <input type="radio"/> Single-shot <input type="radio"/> Other: _____	Serial Number:				
Make:	Model:	Caliber:	Firearm Origin:	Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM.			
Color:	Date Acquired (mm/dd/yyyy):	Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): _____ <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: _____					
Firearm Type: <input type="radio"/> Long Gun <input type="radio"/> Handgun	If Long Gun: <input type="radio"/> Rifle <input type="radio"/> Shotgun	If Handgun: <input type="radio"/> Semiauto <input type="radio"/> Revolver <input type="radio"/> Single-shot <input type="radio"/> Other: _____	Serial Number:				
Make:	Model:	Caliber:	Firearm Origin:	Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM.			
Color:	Date Acquired (mm/dd/yyyy):	Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): _____ <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: _____					
Firearm Type: <input type="radio"/> Long Gun <input type="radio"/> Handgun	If Long Gun: <input type="radio"/> Rifle <input type="radio"/> Shotgun	If Handgun: <input type="radio"/> Semiauto <input type="radio"/> Revolver <input type="radio"/> Single-shot <input type="radio"/> Other: _____	Serial Number:				
Make:	Model:	Caliber:	Firearm Origin:	Barrel Length: <input type="radio"/> IN. <input type="radio"/> CM.			
Color:	Date Acquired (mm/dd/yyyy):	Acquired From: <input type="radio"/> Firearms Dealer <input type="radio"/> Family Member (Specify Relationship): _____ <input type="radio"/> Private Party <input type="radio"/> Gun Show <input type="radio"/> Other: _____					

C. Declaration	
<p><i>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I expressly authorize the Department of Justice to perform firearms eligibility checks of all relevant state and federal databases, including the Federal Bureau of Investigation's National Instant Criminal Background Check System. I also understand that if I currently possess or own firearms and the results of this check reveal that I am ineligible either to lawfully possess or purchase firearms, I must relinquish any and all firearms in my possession.</i></p>	
Signature _____	Date _____

City of Pomona Property Manifest

Name or Department Police - Property & Evidence
 Pickup Address 910 W. Fourth Street
909620-2147

Date _____
 Pg. Number 1

Line #	Qty.	Description	Serial #	Your Reference Numbers	
				Tag #	DR #
1	1				
2	1				
3	1				
4	1				
5	1				
6	1				
7	1				
8	1				
9	1				
10	1				
11	1				
12	1				
13	1				
14	1				
15	1				
16	1				
17	1				
18	1				
19	1				
20	1				
21	1				
22	1				
23	1				
24	1				
25	1				

Manifest Detail Verified:

<input type="checkbox"/> At Pick Up <input type="checkbox"/> At Processing Center <i>(Count Final; discrepancies will be reported promptly).</i>

Print Name: _____

ID Check Required

ID Checked

[APPENDIX A-15] PROPERTY AND EVIDENCE AUCTION MANIFEST

POMONA POLICE DEPARTMENT
 GUN DESTRUCTION
 BOX / BARREL # _____ YEAR _____

	DR NUMBER	SERIALNUMBER	MAKE	CODE	CAL	TYPE	CAT	MODEL	BARREL SIZE
1									
2									
3									
4									
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14									

Date Cancelled _____

[APPENDIX A-16] PROPERTY AND EVIDENCE GUN DESTRUCTION LIST

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES
DECLARATION

I, Alicia Vasquez, hereby declare:

1. That I am the Property and Evidence Technician employed by the City of Pomona Police Department;

2. That part of my duties involve the storing and safekeeping of controlled substances, paraphernalia, contraband, firearms and property seized by Peace Officers in the City of Pomona in the performance of their duties;

3. That Exhibit "A" (consisting of ___ pages) lists controlled substances/paraphernalia/contraband/firearms and property for cases which have been adjudicated by a Court; with no notice of appeal received, and/or no charges filed with the Court by the District Attorney, expired statute of limitations, turned in for destruction or unclaimed, be disposed of pursuant to the Laws of the State of California and the policies of the Pomona Police Department;

4. Research involved may include: review of Disposition and Arrest of Court Action forms received from the Courts advising status of the case, Sustain review, automatic appeal notification arrangements with the Courts, review of Remittiturs with the District Attorney's office, review of Pomona Police Department's Office Master File to determine if District Attorney Rejection or Dismissal received, if unclear review with District Attorney's office for clarification, and Statue of Limitation considerations. All cases are then reviewed with handling detective for Release/Destruction direction prior to being placed on this Order;

1 5. That this request is made under the alias of "John Doe's" because
2 to file what would be literally hundreds of these requests would amount to an
3 unnecessary burden on the Court and People and that there are no other
4 interested parties to my knowledge whose rights are abused or violated by
5 this procedure;

6 6. That all property taken pursuant to a Search Warrant or retained as
7 Court Exhibits for the listed cases, have to the best of my knowledge, been
8 disposed of by plea, conviction, dismissal, rejection or otherwise;

9 7. WHEREFORE, declarant respectfully requests an Order for the
10 destruction, return and/or disposal of said items by the City of Pomona
11 Police Department.

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Executed under penalty of perjury this ____ day of _____, 2013 at
Pomona, California.

Alicia Vasquez, Affiant
Property and Evidence Technician
Pomona Police Department
490 W. Mission Bl.
Pomona, CA. 91766
(909) 620-2147

CITY OF LONG BEACH



DEPARTMENT

CHRISTOPHER J. GARNER
DIRECTOR

2400 EAST SPRING STREET • LONG BEACH, CA 90806
(562) 570-2000 • FAX (562) 570-2008

www.lbgo.org

DATE: _____

Ms. Roberta Seavey
Property & Evidence
Pomona Police Department
490 W. Mission Blvd.
Pomona, CA 91766

SUBJECT: NARCOTICS DESTRUCTION MANIFEST

Attention: Property Officer

This will confirm that your department will burn narcotics at SERRF on _____
at _____ am/pm. Approximately _____ pounds of
drugs will be destroyed. Prior to the burn, SERRF must have a signed
ACKNOWLEDGEMENT AND RELEASE from your organization.

This will be the official record of the burn and remain on file at SERRF for inspection by
permitting agencies and the public.

List below the drugs to be burned by their weight in pounds.

Please sign a copy of this letter and deliver it to SERRF on the day of the burn.

Sincerely,

Weight and Content Certified

For SERRF

For Responsible Agency

Electric Generation Bureau
120 Pier S Avenue
Long Beach, CA 90802-1039
12007.100

BUSINESS OPERATIONS
(562) 570-2084

ENGINEERING/CONSTRUCTION
(562) 570-2131

GAS SERVICES
(562) 570-2110

OIL OPERATIONS
(562) 570-3050

OIL PRODUCTIONS/SUBSIDENCE
(562) 570-3800

S.E.R.R.F.
(562) 670-1198

ACKNOWLEDGMENT AND RELEASE

FOR GOOD AND VALUABLE CONSIDERATION, including the right to use the Southeast Resource Recovery Facility (SERRF), owned and operated by the City of Long Beach, for the disposal of solid waste in the form of controlled substances (also known as narcotics), the Pomona Police Department, in the State of California (collectively herein referred to as or us as the context requires) hereby acknowledges and accepts the terms and conditions established by SERRF in The Southeast Resource Recovery Facility (SERRF) Procedure for the Destruction of Narcotics (hereinafter referred to as procedure). We further acknowledge and agree that if we fail to follow any procedure we shall be denied access to SERRF and our request to use SERRF shall be denied.

WE HEREBY RELEASE, WAIVE, DISCHARGE, AND RELINQUISH THE CITY OF LONG BEACH, ITS OFFICIALS, EMPLOYEES, AND AGENTS FROM ANY AND ALL CLAIMS, DEMANDS, DAMAGE, CAUSES OF ACTION, LOSS OR LIABILITY ARISING FROM OR CONNECTED WITH THE CITY'S DENIAL OF ACCESS TO SERRF OR THE CITY'S DENIAL OF OUR REQUEST TO USE SERRF, WHETHER SAME SHALL ARISE BY NEGLIGENCE OR OTHERWISE.

We further acknowledge that Section 895.2 of the California Government Code applies and that we and the City of Long Beach each assume the liability imposed on it, its officials, employees or agents for injury caused by a negligent or wrongful act or omission relating to the disposal of controlled substances at SERRF to the same extent that such liability would be imposed in the absence of Section 895.2. To that end, we shall defend, indemnify and hold harmless the City of Long Beach, its officials, employees, and agents and the City of Long Beach shall defend, indemnify and hold us harmless for any claim, demand, damage, cause of action, loss liability, cost or expense that may be imposed on either the City of Long Beach or us solely by virtue of Section 895.5.

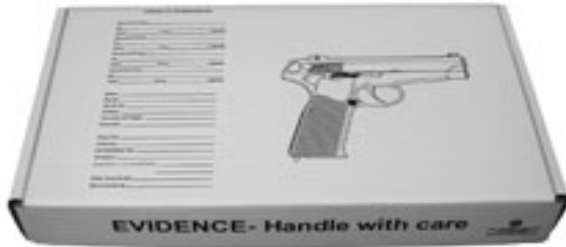
ACKNOWLEDGED AND AGREED
Pomona Police Department
Evidence/Property Section

By: _____

Title: _____

Date: _____

12007.100



[APPENDIX A-22] HANDGUN BOX



[APPENDIX A-23] KNIFE BOX



[APPENDIX A-24] LONG GUN BOX



[APPENDIX A-25] SYRINGE CONTAINER

APPENDIX B
LEGAL AND
REGULATORY
REFERENCES

APPENDIX B

Legal and Regulatory References

PURPOSE

The Property and Evidence function must operate in accordance with Federal, State, and Local statutes and ordinances related to the storage, handling, and disposition of Property and Evidence. All applicable codes and statutes must be referenced appropriately when developing policies and procedures related to the Property and Evidence function. Failure to comply with statutes or the Pomona Police Department policies and procedures can not only lead to unsuccessful prosecution, but to charges against personnel, loss of employment, and civil sanctions.

CATEGORY TABLE

The following list is an alphabetized reference of legal/regulatory codes pertinent to the Property and Evidence function. Use this list (provided by California Commission on Peace Officer Standards and Training [POST] Law Enforcement Evidence and Property Management Guide) as a reference to abbreviations used for statutes cited within this appendix.

Category	Code
Business and Professions Code	BPC
Civil Code	CC
Code of Civil Procedure	CP
Code of Regulations	CR
Evidence Code	EC
Family Code	FC
Government Code	GC
Health and Safety Code	HS
Penal Code	PC
California Rules of Court	CRC
United States Code	US
Vehicle Code	VC
Welfare and Institutions Code	WI

REGULATORY CODES BY TYPE OF EVIDENCE/PROPERTY

The codes identified in this section link to the website for California Legislative Information. This site provides direct access by category to specific codes.

ABANDONED PROPERTY

Bicycles/Toys	217 WI
Currency: District Attorney or Court Clerk Possession.....	1420-1422 PC
Exhibits: Court Clerk Possession	1417.5 PC
Firearms/Weapons.....	34000 PC
Found.....	2080.1 CC
Intentionally Abandoned.....	2080.7 CC
Stolen.....	1411 PC

ADVERTISEMENT

Auction.....	2080.4, 2080.6 CC
Currency: District Attorney or Court Clerk Possession.....	1420-1422 PC
Found.....	2080.3 CC
Sale	
• Found/saved/unclaimed	2080.4, 2080.6 CC
• Seized pursuant to narcotics arrest.....	11488.6 HS
• Vehicle Lien	3071 CC

AFFIDAVIT

Controlled Substances	11479 HS
Found or Saved.....	2080.1 CC
Hazardous Chemicals	11479.5 HS
PCP Destruction.....	11479.1 HS

AMMUNITION

Prohibition against Possession by Convicted Felon.....	30305(a) PC
--	-----------------------------

APPEALS

Appeal Period on Felony Convictions (within 60 days)	8.308 CRC
Appeal Period on Misdemeanor Convictions (within 30 days)	8.782 CRC

AUCTION

Auction.....	2080.3 CC
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BICYCLES/TOYS

Unclaimed/Diversion to Juvenile Programs.....	217 WI
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CONTRABAND/CONTROLLED SUBSTANCES

Ammunition: Armor Penetrating	34350-34370 PC
Booby Traps	16310, 20110 PC
Counterfeit/Forged	
• Counterfeiting equipment	480 PC
• Forged public or corporate seals	472 PC
• Forged keys.....	466.5-466.8 PC
• Identification card or drivers license	470a, 470b PC

B. Legal and Regulatory References and Issues

• Lottery	319–326, 328, 329 PC
Destruction	
• Controlled substances/contraband as exhibit.....	1417.6 PC
• Court order.....	11474 HS
• Large quantities of dangerous substances.....	11479 HS
• Property with conviction	11473 HS
• Property without conviction	11473.5 HS
• Transportation of exempt controlled substances.....	66261.4 CR
Destructive Device.....	18710–18780, 18800 PC
Diversion from Adjudicated Cases for Training.....	11367.5 HS
Firearms/Weapons	11370.1, 11550(e) HS / 25850(c)(5) PC
• Altered marks or number.....	23900, 23920, 23925 PC
• Prohibited persons	29800–29875 PC
• Commission of crime.....	1417.6 PC
• Confiscate	18000, 18250 PC
• Nuisance	19190, 21390, 21590, 25700, 29300 PC
• Prohibited persons	29800–29875 PC
• Prohibited weapons.....	29900–29905 PC
Forfeiture	11470 HS
• Containers.....	11470(c) HS
• Currency	11470(f) HS
• Materials and equipment.....	11470(b) HS
• Science equipment: Division for schools.....	11473(b), 11473.5(b) HS
• Written materials, books, or information.....	11470(d) HS
Hypodermic Needle	4141–4149.5 BPC
Knives.....	20310, 21590 PC
Mental Health.....	8103(f)(1) WI
Narcotics	
• Destruction: Controlled substances.....	11473, 11473.5, 11475, 11476 HS
• Forfeiture of substances, property, or valuables	11470 HS
• Possession: Controlled substances	11350, 11357 HS
• Science equipment for education.....	11473, 11473.5 HS
Paraphernalia	11364 HS
PCP (Large Quantity)	11479.1 HS
Receipt for Property Taken.....	11488(b) HS
Seizure	
• Plants	11476 HS
• Recovery of expenses.....	11470.1 HS
• Schedule 1 substances	11475 HS
• Vehicles	11470(e) HS
Serialized Property	537e PC
Silencer.....	17210 PC
Sniper Scope	468 PC

Stun Gun.....	<u>22610 PC</u>
Tear Gas.....	<u>22810 PC</u>
COSTS	
Found Property	
• Agency storage	<u>2080.1(b), 2080.2 CC</u>
• Publication notice	<u>2080.3 CC</u>
Controlled Substances/Material Seized: Recovery of Expenses.....	<u>11470.1 HS</u>
Restitution to Agency.....	<u>1203.1(a)(3) PC</u>
Vehicle	
• Lien sale.....	<u>3073 CC</u>
• Recovery by lien holder (low-value vehicle)	<u>22851.2 VC</u>
• Recovery from lien sale.....	<u>3074 CC</u>
COUNTERFEITING	
Destruction: Dies and Plates.....	<u>480 PC</u>
COURT	
Controlled Substances (Claim for Third-party Interest in Property Seized)	<u>11488.5 HS</u>
Motion to Return Property or Suppress Evidence	<u>1538.5 PC</u>
Notification of Court-held Property	<u>1417.7, 1420 PC</u>
Orders	
• Destruction: Narcotics	<u>11473.5, 11474 HS</u>
• Exhibits.....	<u>1417, 1417.1 PC</u>
• Mental health restriction/Authorization Certificate for Firearm	<u>8103 WI</u>
• Motion to challenge order: 10 days	<u>1008 CP</u>
• Search warrant.....	<u>1536 PC</u>
• Stolen or embezzled property.....	<u>1408 PC</u>
Vehicle/Components Seizure Hearing	<u>10751 VC</u>
CURRENCY/VALUABLES	
Abandoned/Unclaimed	
• Exhibits.....	<u>1420 PC</u>
• Found	<u>2080-2080.3 CC</u>
• Stolen	<u>1411 PC</u>
Controlled Substances	
• Valuables seized upon conviction	<u>11470 HS</u>
• Disposition of proceeds from sale of forfeited property	<u>11489 HS</u>
DECLARATION OF OWNERSHIP	
Stolen/Embezzled Property	<u>1413(b) PC</u>
DESTRUCTION/DISPOSAL	
Controlled Substances:	
• Controlled substances/paraphernalia	<u>11474 HS</u>
• Large quantities of dangerous substances.....	<u>11479 HS</u>
• Without conviction	<u>11473.5 HS</u>
Counterfeiting Dies, Plates, Etc.	<u>480 PC</u>

B. Legal and Regulatory References and Issues

Cremated Remains (Human).....	7104 HS
Destructive Devices.....	18710, 18800 PC
Firearms/Weapons.....	34000 PC
• Nuisances.....	18000, 19190, 21390, 21590, 25700, 29300(a) PC
• Official use no longer needed.....	34005 PC
Lottery/Gambling Devices.....	335a PC
Machine Guns.....	32750 PC
Obscene Material.....	312 PC
PCP (Large Quantity).....	11479.1 HS
Unclaimed Property.....	2080.4, 2080.6 CC
Vehicles/Components.....	10751 VC
DISCOVERY	
Effect of Discovery.....	1054 PC
Exclusive Means, Procedures.....	1054.5 PC
DISPOSITION	
Explosives.....	12355 HS
Firearms/Weapons	
• Destruction requirements.....	34000 PC
• DOJ notification requirement.....	34010 PC
• Firearms to crime lab.....	34005(b)(2) PC
• Nuisances.....	25700 PC
Found/Saved.....	2080.6 CC
Funds	
• Sale of forfeited property.....	11489 HS
• Sale proceeds.....	11495 HS
Identification Marks.....	537e, 1413 PC
Narcotics	
• Liens on seized property.....	11488.6 HS
• Property: Seized.....	11495 HS
• Property: Third-party interest or forfeiture.....	11488.5 HS
Search Warrant.....	1536 PC
Vehicle	
• Lien holder cost recovery.....	22851.12 VC
• Lien sale proceeds.....	3073 CC
• Low valued.....	22851.10, 22851.2, 22851.8 VC
• Numbers removed.....	10751 VC
DIVERSION/DELIVERY	
Agency Use	
• Found or saved: Unclaimed.....	2080.4, 2080.6 CC
• Stolen: Unclaimed.....	1411 PC
• Firearms/Weapons	
– Agency: Law enforcement use.....	34005(b) PC
– Firearms: Military use.....	34005(a)(1), 34005(c)(2) PC

Bicycles/Toys	217 WI
Controlled Substances	
• Agency: Delivery to for destruction	11474 HS
• Forfeiture: Vehicles	11470(e) HS
• Science equipment: School use	11473(b) HS
Stolen/Embezzled Property	
• County officer	1411 PC
• Owner	1408-1411, 1413(b) PC
• Pawnbroker	1411 PC
DNA EVIDENCE	
Post-conviction	
• Disposal	1417.9(b) PC
• Retention	1405 PC, 1417.9(a) PC
DOMESTIC VIOLENCE	
Liability: Officer (Good Faith Actions)	18500 PC
Weapons	
• Court-ordered retention	6389(f) FC
• Disposal process	18415 PC
• Prior cases/holding of evidence	1109(e) EC
• Receipt/seizure	18255 PC
• Stolen	18270 PC
• Time-frame for holding	18265(c) PC
• Unclaimed	18275 PC
EMBEZZLED PROPERTY (see <i>Stolen Property</i>)	
EMPLOYEE IN CHARGE OF PROPERTY SECTION	
DMV Confidentiality	1808.4(22) VC
Liability	1413(d), 18500 PC
EVIDENCE	
Admissibility: Relevant	350, 351 EC
Defined	140 EC
Retaking: Illegal Attempt to Obtain Evidence from Officer	102 PC
EXPLOSIVES	
Disposal	12355 HS
Return: Petition	12353, 12354 HS
Storage	12353 HS
FIREARMS/WEAPONS	
Assault Weapons	
• Definition	30510, 30515, 30710 PC
• Possession	30605 PC
• Relinquishment	30605 PC
• Nuisance	30800 PC

B. Legal and Regulatory References and Issues

Delivery	
• Lawful owner	18005(b) PC
• Military agency	34005(a) PC
Destruction/Sale/Preservation	18005 PC
• Destructive devices	19000 PC
• Exhibit in criminal action	34000 PC
• Machine guns	32750 PC
• Nuisances: Other weapons	18010 PC
Domestic Violence	
• Conviction	29805 PC
• Federal laws	18 [921(a)(33)(A), 922(d)(9), 922(g)(9) US
• Firearms storage fees	6389(e) FC
• Petition for destruction	18400 PC
• Relinquish firearms	6389(c) FC
• Restraining orders	29825 PC
Eligibility: Personal Firearms Eligibility Check	30105 PC
Exhibit: Use in Commission of Crime	1417.6 PC
Found Firearms	
• Return to finder	16960(i) PC
• DOJ notification	11108 PC
Identification Mark/Serial Number: Assigned by DOJ	23910 PC
• Serial number restoration plan	11108.9 PC
Mental Health	
• Prohibition and return	8100–8103 WI
Minors	
• BB guns: Furnish to minor	19915 PC
• Sale of BB device	19910 PC
Notification	
• ATF: Trace firearm used in crime (Crime Firearms, used in)	11108.3 PC
• DOJ for firearm used in crime	11108 PC
• Retention or destruction	34010 PC
Retention	
• Certification	32005 PC
– Official use	34005(b) PC
• Sale	18005(a) PC
• Firearm storage fees	33880 PC
Short-Barreled Shotguns/Rifles: Permit for Use as Props	33300 PC
Transfer of Firearm from Prohibited Person	29810 PC
Unclaimed Firearms: Disposition	18275, 34000 PC
Violent Use of Firearm: Offenses	23515 PC
FOUND PROPERTY	
Abandoned	2080.7 CC
Affidavit	2080.1 CC

Controlled Substances/Paraphernalia	11473.5(a) HS
Firearms: Return to Finder	16960(j) PC
Illegal Appropriation: Known Owner	485 PC
Public Employee as Finder	2080.3(b) CC
Requirements	
• Advertisement:	
– Auction	2080.4–2080.6 CC
– Value over \$250	2080.3(a) CC
• Legislative body: Adopted regulations	2080.4 CC
• Public agency: Adopted regulations	2080.6 CC
• Submission to agency	2080.1(a) CC
Restoration to Owner	2080.2 CC
Serialized/Non-Serialized Property: Report to DOJ	11108 PC
Storage Costs: Agency	2080.1(b) , 2080.2 CC

GAMBLING DEVICES

Antique Slot Machines	330.7 PC
Destruction/Notice of Intent to Destroy	335a PC

HEARINGS

Controlled Substances:	
• Seized property	11488.1 , 11488.5 HS
• Third-party interest	11488.5 HS
Explosives	12353 HS
Firearms/Weapons	
Mental health	8102 , 8103 WI
Pawnbrokers/Second-Hand Dealers	21647 BPC
Stolen Property	1413(c) PC
Vehicles:	
• Lien sale	3071 VC
• Low-valued	22851.8 VC
• Post-seizure	10751 VC
• Storage	22852 VC

IDENTIFICATION NUMBERS

Altered/Removed:	
• Property	537e PC
• Vehicles/components	10751 VC
Requirements/Notifications	
• DOJ: Firearms	
– Destruction or agency retention	34010 PC
– Firearm history	11108.3 PC
– Sheriff: Release for academy training	34005(d) PC
Serialized/Uniquely Marked Property	11108 PC
• Notice to owner of stolen serialized property	11108.5 PC

B. Legal and Regulatory References and Issues

INVENTORY

Annual County Property.....[24051 GC](#)

LIENS (see [Vehicles](#))

LOTTERY DEVICES (see [Gambling Devices](#))

MENTAL HEALTH

Weapons

- Hearing[8102, 8103 WI](#)
- Prohibition
 - Giving weapon to mental patient.....[8101 WI](#)
 - Patient prohibition (5 years)[8103 WI](#)

MONEY (see [Currency/Valuables](#))

NOTICES

Auction: Found, Unclaimed, Perishable, or Saved Property[2080.4–2080.6 CC](#)

Controlled Substances

- Sale of seized property[11488.6 HS](#)
- Third-party interest in seized property.....[11488.5 HS](#)

Firearms/Weapons

- ATF: Trace of firearm used in crime.....[11108.3 PC](#)
- Department of Health Services: Firearm Injury Report (Juvenile).[23685 PC](#)
- DOJ
 - Agency recovery of firearms.....[11108 PC](#)
 - Destruction/retention of firearms[34010 PC](#)
 - Firearm acquired by operations of law[27875, 27870 PC](#)
 - Serial number restoration plan.....[11108.9 PC](#)
 - Sheriff: Use of weapons for academy/training (AFS)[34005\(d\)\(2\) PC](#)
- Owner: Notice prior to destruction of stolen[18005\(d\) PC](#)

Found Property

- Finder affidavit.....[2080.1\(a\) CC](#)
- Value over \$250.....[2080.3\(a\) CC](#)

Gambling Devices.....[335a PC](#)

Serialized/Uniquely Marked Property.....[11108 PC](#)

- Notice to owner of stolen serialized property[11108.5 PC](#)

Stolen/Embezzled Property

- Owner: Return to identifiable owner[1411 PC](#)
- Ownership claim: Person from whom property was taken[1413 PC](#)
- Pawnbroker[21647 BPC](#)

Vehicles

- DMV
 - Disposal of low-valued vehicle to dismantler.....[22851.10 VC](#)
 - Lien holder notification (low-valued vehicle).....[22851.8 VC](#)
 - Removal of low-valued vehicle.....[22851.2 VC](#)

- Vehicle seizures/impounds.....	10751 VC
- Vehicle storage: No owner notification.....	22852, 22853 VC
• Lien sale	
- Application.....	3071 CC
- Value \$4000 or less.....	3072 CC
NUISANCES	
Destructive Device.....	19000 PC
Firearms/Weapons	
• Unclaimed/abandoned.....	18275, 34000 PC
• Used in commission of crime: Upon conviction.....	29300 PC
Machine Guns.....	32750 PC
Weapons Classified as Nuisances.....	18010 PC
OBSCENE MATERIALS	
Destruction upon Conviction.....	312 PC
PAYMENT	
Found Property	
• Finder: Cost of publication (property over \$250 value).....	2080.3(a) CC
• Storage costs.....	2080, 2080.1(b), 2080.2 CC
Pawnbroker: Cost Recovery/Surrender of Stolen Property.....	21647 BPC
PHOTOGRAPHS	
Controlled Substances	
• Large quantities/Hazardous.....	11479(b) HS
• PCP (large quantities).....	11479.1(a)(2) HS
Exhibits.....	1417.7 PC
• Toxic/hazardous introduced in court.....	1417.3(b) PC
Stolen/Embezzled: Notification upon Release to Owner.....	1413(b) PC
RECORDS/FORMS/REPORTS	
Controlled Substances, Materials, or Property	
• Receipt requirement.....	11488 HS
• Large quantities/hazardous (samples, photographs, court orders).....	11479 / 11479.1 HS
Court Clerk	
• Money: Unclaimed exhibits.....	1420 PC
• Photographic record of exhibits.....	1417.3(a), 1417.7 PC
Firearms/Weapons: Delivery to Military.....	34005(a) PC
Found Property: Affidavit.....	2080.1 CC
Reports: Misdemeanors/Felonies: Notice to DOJ.....	11107 PC
Search Warrant: Receipt.....	1535 PC
Serialized/Uniquely Marked Property: Notice to DOJ.....	11108 PC
Stolen/Embezzled Property	
• Photographic record.....	1413(b) PC
• Receipt to person property taken from.....	1412 PC
• Record of property.....	1413(a) PC

B. Legal and Regulatory References and Issues

Vehicle	
• Storage: Notice to DOJ	22853 VC
• Lien: DMV prescribed forms	3067.1CC
• Lien satisfaction: Notice to DMV	22851.6 VC
REGULATIONS (ADOPTING)	
Found/Saved Property: Public Agency	2080.6 CC
Unclaimed Property	
• Local legislative body	2080.4 CC
• Public agency	2080.6 CC
RELEASE (see Return and Release)	
REPORTS (see Records/Forms)	
RETENTION FOR OFFICIAL USE	
Firearms for Official Duties	34005(b) PC
Unclaimed Property	
• Exhibits	1417.5(c)(2) PC
– Currency	1420 PC
– Found	2080.4 , 2080.6 CC
– Stolen	1411 PC
• Untaminated science equipment for schools	11473(b) , 11473.5(b) HS
RETURN AND RELEASE	
Controlled Substances	
• Lawfully possessed	11473.5(a) HS
• Seized property	11488.5 HS
Explosives	12353 , 12354 HS
Firearms/Weapons	
• Mental health hold	8102 , 8103 WI
• Stolen weapon: Notification to owner prior to destruction	18005(d) PC
• Used in crime without owner's knowledge	18005(d) PC
Found Property	2080.1 , 2080.2 CC
Motion to Return Property: Defendant	1538.5 PC
Pawnbroker	
• Claim to unclaimed stolen property	1411 PC
– Stolen property held	21647 BPC
Stolen/Embezzled Property to Owner	1408 , 1411 PC
• Declaration of ownership	1413(b) PC
Vehicles	
• Impounded on hit and run investigation	22655 VC
• Owner's interest: Vehicle possessed by lienor	3071.5 CC
• Stored	22853 VC

SAFEKEEPING

Receipt/Retrieval Instructions [2080.10\(2\) CC](#)
Responsibilities of Public Agency..... [2080.10 CC](#)
Serialized Property: Notice to DOJ Required [11108 PC](#)

SALE

Auction: Found, Unclaimed, Perishable, or Saved Property [2080.4–2080.6 CC](#)
Controlled Substances Forfeiture Property
• Sale and distribution of proceeds from sale..... [11489, 11495 HS](#)
• Third-party interest [11488.5, 11488.6 HS](#)
Exhibits: Disposition [1417.5 PC](#)
Firearms/Weapons..... [18005\(a\) PC](#)
Found/Saved: Unclaimed [2080.4, 2080.6 CC](#)
• Advertisement
– Auction [2080.4–2080.6 CC](#)
– Value over \$250 [2080.3\(a\) CC](#)
• Legislative body: Adopted regulations [2080.4 CC](#)
• Perishables..... [2080.5\(1\) CC](#)
• Public agency: Adopted regulations [2080.6 CC](#)
• Public employee: Finder..... [2080.3 CC](#)
Stolen/Embezzled: Unclaimed [1411 PC](#)
Vehicle
• Identification number altered or removed [10751 VC](#)
• Lien sale
– Application..... [3071 CC](#)
– Cost recovery by lien holder [22851.2 VC](#)
– Lien sale proceeds [3073 CC](#)
– Recovery from lien sale [3074 CC](#)
– Vehicle value \$4000 or less..... [3072 CC](#)

STOLEN/EMBEZZLED PROPERTY

Agency Use of Unclaimed..... [1411 PC](#)
Disposition [1407 PC](#)
Firearms/Weapons
• Destruction of stolen firearms..... [34000 PC](#)
• Return to owner..... [18270, 18005\(b\), 18005\(d\) PC](#)
Pawnbroker
• Claim to unclaimed stolen property [1411 PC](#)
• Stolen property held [21647 BP](#)
Return to Owner
• Declaration of ownership/Photographs requirement..... [1413\(b\) PC](#)
• Ownership claim: Person from whom property was taken..... [1413\(b\) PC](#)
• Photographic record [1413\(b\) PC](#)
• Property in custody of court..... [1409 PC](#)

B. Legal and Regulatory References and Issues

• Property in custody of peace officer	1408 PC
• Return by order of the court	1410 PC
Receipt to Person Property Taken From.....	1412 PC
Record of Property.....	1413(a) PC
Sale of Unclaimed.....	1411 PC
Serialized Property: Notice to Owner	11108.5 PC

STORAGE

Explosives: Return of Seized	12353, 12354 HS
Found Property: Reasonable Costs Paid for Storage.....	2080/2080.1(b), 2080.2 CC
Stolen/Embezzled: Costs for Storage	1408, 1409, 1411 PC
Vehicles.....	22850–22854 VC

TIME REQUIREMENT

Controlled Substances	
• Affidavit with court: Large quantities/dangerous substances destruction	11479(d) HS
• Affidavit with court: PCP (large quantity).....	11479.1(3)(b) HS
• Claimant on forfeiture property seized	11488.5 HS
• Return of seized property/non-forfeiture.....	11488.2 HS
Currency: Possession of District Attorney or Court Clerk.....	1420 PC
DOJ Reports	11107, 11108 PC
Exhibits	
• Disposition	1417.1, 1417.5, 1417.7 PC
• Instruments used in the commission of crime	1417.6 PC
Explosives: Return to Petitioner	12353, 12354 HS
Firearms/Weapons	
• Convicted felon	29800(a)(1) PC
• Convicted of certain misdemeanors.....	29805 PC
• Destruction: Unclaimed firearm.....	34000 PC
• Domestic violence	
– Petition for holding by agency	18400 PC
– Temporary holding by agency.....	18250 PC
– Unclaimed.....	18275 PC
• Nuisances	18010, 18275 PC
Found Property	2080.2–2080.6 CC
• Finder claim.....	2080.3 CC
• Owner	2080.2 CC
Gambling Devices: Destruction	335a PC
Inventory: County Property	24051 GC
Mental Health	
• Hearing for weapon destruction	8102 WI
• Prohibition for committed persons.....	8103 WI
Motion by Defendant to Return Property.....	1538.5 PC
Pawnbroker: Property Hold Placed by Agency	21647 BP

Sexual Assault/DNA Evidence (statute of limitations)	803(f)-(h) PC
Stolen or Embezzled Property	
• Notice of claim: Person from whom property was taken.....	1413 PC
• Unclaimed: Notification to owner.....	1411 PC
Vehicles (see Vehicles: Controlled Substances)	
TOYS/BICYCLES	
Unclaimed: Use in Programs to Prevent Juvenile Delinquency	217 WI
UNCLAIMED PROPERTY	
Bicycles/Toys	217 WI
Exhibits	1417.5(c) PC
• Currency.....	1420 PC
Found.....	2080.4 , 2080.6 CC
Stolen.....	1411 PC
VEHICLES	
Controlled Substances	
• Forfeiture hearing on vehicles used to transport	11488.5 HS
• Return of property	11488.2 HS
• Seizure of vehicle used in narcotics crime.....	11470(e) HS
Identification Number Altered or Removed	10751 VC
Impound: Hit and Run Investigation	22655 , 22655.5 VC
Liens	
• Application for sale.....	3071 CC
• Lien holder cost recovery	22851.12 VC
• Lien sale: Proceeds.....	3073 CC
• Lien satisfaction: Notice to DMV.....	22851.6 VC
• Lien holder notification (low-valued vehicle).....	22851.8 VC
• Loss through trick, fraud, or device	22852.5 VC / 3070 CC
• Notice to DMV	3067.1 CC
• Recovery by lien holder (low-valued vehicle)	22851.2 VC
• Recovery from lien sale.....	3074 CC
• Service	3068 CC
• Vehicle value \$4000 or less.....	3072 CC
• Vehicle storage.....	22852 VC
– No owner notification.....	22853 VC
Low-Valued Vehicle	
• Disposal to dismantler	22851.10 VC
– Disposition.....	22851.2 , 22851.8 VC
– Notice to DOJ of removal.....	22851.2 VC
• Mobile homes: Non-applicable.....	3067.2 CC
• Owner's interest: Vehicle possessed by lienor	3071.5 CC
• Storage	
– Notice to DOJ.....	22853 VC
– Notice to owner	22852 VC

B. Legal and Regulatory References and Issues

VIDEO/DIGITAL MEDIA

Mobile Video System Tapes	34090.6 GC
Video Digital Media	1550, 1553 EC

APPENDIX C

LINK TO BIOLOGICAL

EVIDENCE

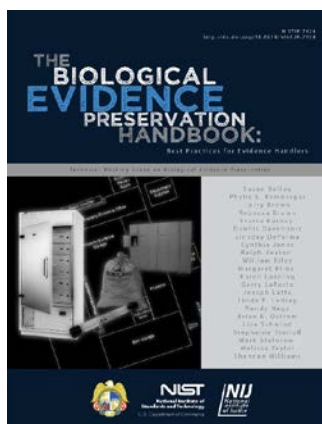
PRESERVATION

HANDBOOK



NISTIR biological
evidence preservatio

<http://nvlpubs.nist.gov/nistpubs/ir/2013/NIST.IR.7928.pdf>



APPENDIX D

RETENTION

REFERENCES

APPENDIX D

STATUTES OF LIMITATIONS

The Property and Evidence function must operate in accordance with the statute of limitations. Different types of property and violation codes are held for different lengths of time. Evidence items are held until such time they are no longer needed for trial or the *statute of limitations* expires.

Statutes of limitations are written laws passed by a legislative body in common law systems to restrict the maximum time after an event that legal proceedings may be initiated. Once the period of time specified in a statute of limitation passes, a claim can no longer be validly filed.

The intention of the *statute of limitations* is that most cases must be filed within a reasonable amount of time. Once a statute in a criminal action case expires the court no longer has jurisdiction to punish the defendant. The *statute of limitations* may vary depending on the seriousness of the crime, civil liability and other considerations. Some crimes, such as murder, are considered so terrible that they often have no *statute of limitation* period.

The following list is a retention reference for various violation codes. Use this list (provided by California Commission on Peace Officer Standards and Training [POST] Law Enforcement Evidence and Property Management Guide) as a reference.

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
B&P 119	Unlawful Use of Licenses, Certificates, Etc	1 Yr	802 PC	6 mo.	County Jail only
B&P 1700	Punishment	1 Yr	802 PC	10 days	County Jail only
B&P 1701 (W)	Second Conviction	1-3 Yrs	801 PC		Prior conviction make this a felony
B&P 1764	False Representation of License Status	1 Yr	802 PC	6 mo.	County Jail only
B&P 2052	Unauthorized Practice of Medicine	1 Yr	802 PC	6 mo.	County Jail only
B&P 2053	Patient	3 Yrs	801 PC		
B&P 2054	False Indications of License	1 Yr	802 PC	6 mo.	County Jail only
B&P 2474	Unauthorized Practice of Podiatric Medicine	1 Yr	802 PC	6 mo.	County Jail only
B&P 25658	Sale to and Consumption by Minors; Minor Decoys Used by Peace Officers to Apprehend Licenses, Employees, or Agents Violating Section	1 Yr	802 PC	6 mo.	County Jail only
B&P 25661	Possession or Presentation of False Identification	1 Yr	802 PC	32 hrs	Community service only
B&P 25662	Alcoholic Beverages in Possession of or Furnished to Minor - Seizure by Peace Officer	1 Yr	802 PC	6 mo.	County Jail only
B&P 2795	Unauthorized Practice of Nursing	1 Yr	802 PC	1 Yr	County Jail only
B&P 2796	Unlawful Representation of Nursing	1 Yr	802 PC	1 Yr	County Jail only
B&P 2885	False Representation of License Status	1 Yr	802 PC	1 Yr	County Jail only
B&P 2886	Impersonation of Applicants	1 Yr	802 PC	1 Yr	County Jail only
B&P 3123	Alteration of Certificates	1 Yr	802 PC	1 Yr	County Jail only
B&P 3124	Use of Fraudulent Certificates	1 Yr	802 PC	1 Yr	County Jail only
B&P 3127	Unauthorized Practice	1 Yr	802 PC	1 Yr	County Jail only
B&P 4149	Sale or Distribution by Nonresident Distributors	1 Yr	802 PC	6 mo.	County Jail only
B&P 4324	Unlawful Use of Prescriptions	3 Yrs	801 PC		
B&P 580	Sale of Degrees, Certificates, Transcripts of Medical Records	3 Yrs	801 PC		
B&P 581	Diplomas of Medical Records	3 Yrs	801 PC		
B&P 582	Use of Fraudulent Diplomas, Certificates, Etc. of Medical Records	3 Yrs	801 PC		
B&P 583	False Statement in Writing or Document Required or Applicant of Medical Records	3 Yrs	801 PC		
B&P 584	Impersonation During Examination or Medical Records	3 Yrs	801 PC		
B&P 729	Sexual Exploitation by Physician and Surgeon, Psychotherapist, or Alcohol and Drug Abuse Counselor	1-3 Yrs	801 PC	16 mo.-3 Yrs	One victim-misdemeanor. More than one victim-felony.
H&S 109575	Penalties - Imitation Controlled Substance	1 Yr	802 PC	6 mo.	County Jail only
H&S 109580	Penalties for Distribution to Minors - Imitation Controlled Substance	1 Yr	802 PC	1 Yr	County Jail only
H&S 11162.5	Prescription Blanks-Counterfeit	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
H&S 11350	Unlawful Possession Of Drugs	1 Yr	802 PC		Simple possession of heroin, cocaine, listed controlled substances.
H&S 11351	Unlawful Possession Drugs For Sale	3 Yrs	801 PC	2-4 Yrs	Narcotics
H&S 11351.5	Possession or Purchase of Cocaine for Sale	3 Yrs	801 PC	3-5 Yrs	
H&S 11352	Unlawful Possession Drugs Transportation	3-6 Yrs	801 PC	3-5 Yrs	Narcotics
H&S 11353	Adult's Employment of Minor for Unlawful Transactions	6 Yrs	800 PC	3-9 Yrs	
H&S 11353.5	Selling or Giving Controlled Substance to Minor	6 Yrs	800 PC	5-9 Yrs	
H&S 11353.7	Preparation for Sale or Sale of Controlled Substance to Minor in Public Park	6 Yrs	800 PC	3-9 Yrs	
H&S 11354	Minor's Employment of Fellow Minor for Unlawful Transactions	3 Yrs	801 PC		
H&S 11355	Delivery of Falsely Represented Items	3 Yrs	801 PC		
H&S 11357(a)	Possession of Marijuana-concentrated cannabis	1 Yr	802 PC		Simple possession of concentrated cannabis.
H&S 11357(b)	Possession of Marijuana	1 Yr	802 PC		Less than 28.5 grams-fine only
H&S 11357(c)	Possession of Marijuana	1 Yr	802 PC	6 mo.	More than 28.5 grams-county jail only
H&S 11357(d)	Possession on School Grounds-Punishment	1 Yr	802 PC	10 days	Less than 28.5 grams-over 18 yrs old
H&S 11357(e)	Possession on School Grounds-Punishment	1 Yr	802 PC		Less than 28.5 grams-under 18 yrs old
H&S 11359	Possession of Marijuana for Sale	3 Yrs	801 PC		Marijuana 28. 5 grams or more
H&S 11360	Possession of Marijuana Transportation	3 Yrs	801 PC	2-4 Yrs	Marijuana 28.5 grams or more
H&S 11361	Employment of Minors for Unlawful Transactions	3 Yrs	801 PC	3-7 Yrs	
H&S 11363	Planting and Harvesting Peyote	3 Yrs	801 PC		
H&S 11364	Possession of Paraphernalia for Unlawful Use	1 Yr	802 PC		
H&S 11364.7 (W)	Furnishing or Manufacturing Drug Paraphernalia; Furnishing to Minors; Forfeiture of Business License	1-3 Yrs	801 PC		Wobbler based on controlled substance type
H&S 11366	Maintenance of Location for Unlawful Activities	3 Yrs	801 PC		
H&S 11366.5	Management of Location Used for Unlawful Manufacture or Storage of Controlled Substance	3 Yrs	801 PC		
H&S 11366.6	Use of Location to Suppress Law Enforcement Entry in Order to Sell Controlled Substances	3 Yrs	801 PC	3-5 Yrs	
H&S 11366.8	Imprisonment for Possession of False Compartment Designed for Storing Controlled Substances	3 Yrs	801 PC	16 mo.-3 Yrs	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
H&S 11370.1	Unlawful Possession of Controlled Substances While Armed With Loaded Firearm	3 Yrs	801 PC	2-4 Yrs	
H&S 11370.6	Possession of Funds in Excess of \$100,000 for Unlawful Purchase of Controlled Substances	3 Yrs	801 PC	2-4 Yrs	
H&S 11371	Offenses Carrying Mandatory State Prison	3 Yrs	801 PC		
H&S 11371.1	Prescription Fraud for Violation or for Inducing Violation by Minor	3 Yrs	801 PC		
H&S 11374.5	Manufacturer of Controlled Substances- Disposal of Hazardous Substances	3 Yrs	801 PC	2-4 Yrs	
H&S 11375	Possession for Sale of Designated Substances	3 Yrs	801 PC		
H&S 11377	Unlawful Possession of Drugs- Controlled Substances	1 Yr	802 PC		Simple possession of methamphetamine, ecstasy, GHB, listed substances.
H&S 11378	Unlawful Possession Drugs For Sale	3 Yrs	801 PC		
H&S 11378.5	Possession for Sale of Phencyclidine (PCP)	3 Yrs	801 PC	3-5 Yrs	
H&S 11379	Unlawful Possession Drugs Transportation	3-6 Yrs	801 PC	2-4 Yrs	
H&S 11379.2	Possession for Sale of Controlled Substance Containing Ketamine	3 Yrs	801 PC		
H&S 11379.5	Importation, Sale, Distribution of Phencyclidine (PCP)	6 Yrs	800 PC	3-9 Yrs	
H&S 11379.6	Manufacture of Controlled Substances	3 Yrs	801 PC	3-7 Yrs	
H&S 11380	Employment of Minors for Unlawful Transactions-Restricted Drugs	6 Yrs	800 PC	3-9 Yrs	
H&S 11382	Substitution of Fraudulently Represented Items	3 Yrs	801 PC		
H&S 11383	Possession for Manufacturing of Methamphetamine and Phencyclidine	3 Yrs	801 PC	2-6 Yrs	
H&S 11390	Cultivation of Spores or Mycelium Capable of Producing a Controlled Substance- Mushrooms	3 Yrs	801 PC		
H&S 11391	Transportation, Importation, Sale, or Furnishing of Spores or Mycelium Capable of Producing a Controlled Substance	3 Yrs	801 PC		
H&S 11550	Use Prohibited; Offense; Punishment - Controlled Substance	1 Yr	802 PC	90-180 days	County Jail only
H&S 8101	Vandalism to Cemeteries	3 Yrs	801 PC		
PC 100	Superintendent of state printing; collusion	3 Yrs	801 PC	1 Yr	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 102	Retaking of Property from Officer	1 Yr	802 PC		Misdemeanor
PC 107	Escape from Hospital or Reformatory	3 Yrs	801 PC	1 Yr	
PC 109	Assisting Escape from Hospital or Reformatory	3 Yrs	801 PC	1 Yr	
PC 110	Supplying Anything to Aid Escape from Reformatory	3 Yrs	801 PC	1 Yr	
PC 113	Manufacturing, Distributing, or Selling Documents to Conceal True Citizenship-Felony	3 Yrs	801 PC	5 Yrs	
PC 114	Using False Documents to Conceal True Citizenship - Felony	3 Yrs	801 PC	5 Yrs	
PC 115	Attempt to Record False or Forged Instrument	3 Yrs	801 PC	1 Yr	
PC 115.1	Use of Unauthorized Signature in Campaign Advertisement	3 Yrs	801 PC	1 Yr	
PC 115.2	Publication of Campaign Advertisement Containing false Depictions or Representation of Official Public Docs.	1 Yr	802 PC		Misdemeanor
PC 115.25	Production or Distribution of Document containing Inaccurate Emergency Service phone numbers-punishment	1 Yr	802 PC		Misdemeanor
PC 115.3	Alteration of Certified Copy of an Official Record	1 Yr	802 PC		Misdemeanor
PC 115.5	Forgery of Real Property Documents	3 Yrs	801 PC	1 Yr	
PC 116	Tampering with Jury List; Destruction of Jury Box of contents	3 Yrs	801 PC	1 Yr	
PC 116.5	Jury Tampering by Payment for Info.	1 Yr	802 PC		
PC 117	Certifying False Jury List	3 Yrs	801 PC	1 Yr	
PC 118	Perjury	3 Yrs	801 PC	2-4 Yrs	
PC 118.1	False Report Filed by Peace Officer	3 Yrs	801 PC	1-3 Yrs	
PC 1203.2(a)	Violation of Probation				May result in person losing ability to be on Probation
PC 127	Subornation of Perjury	3 Yrs	801 PC	2-4 Yrs	
PC 128	Perjury Resulting in Capital Punishment	Indefinite	799 PC	Death or Life w/o	
PC 132	Offering Forged or Altered Document as Genuine	3 Yrs	801 PC	1 Yr	
PC 132.5	Witness Accepting Payment for Information	1 Yr	802 PC		County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 133	Deceiving Witness to Affect Testimony	1 Yr	802 PC		Misdemeanor
PC 134	Falsifying Documents to Be Used in Evidence	3 Yrs	801 PC	1 Yr	
PC 135	Destroying or Concealing Documentary Evidence	1 Yr	802 PC		Misdemeanor
PC 136.1	Preventing or Dissuading from Attending or Giving Testimony	3 Yrs	801 PC	1 Yr	
PC 136.1(a)	Preventing or Dissuading from Attending or Giving Testimony	3 Yrs	801 PC	Up to 1 Yr	Involved party or witness in offense
PC 136.1(b)	Preventing or Dissuading from Attending or Giving Testimony	3 Yrs	801 PC	Up to 1 Yr	Victim of offense
PC 136.5	Carrying Deadly Weapon to Prevent Witness From Testifying	3 Yrs	801 PC	1 Yr	
PC 136.7	Persons Imprisoned for Sexual Offense Revealing Name and Address of Witness or Victim to Intimidate or Harass	3 Yrs	801 PC	1 Yr	Disclosure of Witness' or Victim's Name and Address to Another Prisoner to Initiate Unauthorized Correspondence
PC 137(a)	Inducing False Testimony-Bribery of Witness	3 Yrs	801 PC	1 Yr	Giving witness material information pertaining to crime to law enforcement official
PC 137(b)	Inducing False Testimony-Bribery of Witness	3 Yrs	801 PC	2-4 Yrs	Force or threat of force to induce false testimony
PC 137(c)	Inducing False Testimony-Bribery of Witness	1 Yr	802 PC		Misdemeanor
PC 138	Witness - Bribing or Receiving Bribe Not to Attend Trial	3 Yrs	801 PC	1 Yr	
PC 139	Threatening Witnesses	3 Yrs	801 PC	2-4 Yrs	
PC 140	Threat of Force or Violence Because of Assistance in Prosecution	3 Yrs	801 PC	2-4 Yrs	
PC 141	Peace Officer; Intentional Alteration of Physical Matter with Intent to Charge Person w/a Crime	3 Yrs	801 PC	2-5 Yrs	
PC 142	Officer Refusing to Receive or Arrest Criminal	3 Yrs	801 PC	1 Yr	Sheriff's Determination of Facility Purpose and Class of Prisoners
PC 145	Officer Delaying to Take Arrested Person Before Magistrate	1 Yr	802 PC		Misdemeanor
PC 146	Officer Acting Without Regular Process	1 Yr	802 PC		Misdemeanor
PC 146(a)	Officer Acting Without Regular Process	1 Yr	802 PC		Arrests any person or detains that person against his or her will-Misdemeanor
PC 146(b)	Officer Acting Without Regular Process	1 Yr	802 PC		Seizes or levies upon any property-Misdemeanor
PC 14601.5	Driving While Privileges Suspended for Failure to Take Chemical Test or for Driving With Specified Blood Alcohol Level	1 Yr	802 PC	6 mo.	County Jail only
PC 146a	Arrest or Search by Person Impersonating An Officer	1 Yr	802 PC	Up to 1 Yr	Misdemeanor
PC 146b	Simulating Official Inquires	1 Yr	802 PC		Misdemeanor

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 146c	Designation of Nongovernmental Organization Composed of Law Enforcement Personnel	1 Yr	802 PC		Misdemeanor
PC 146d	Devices Promising Immunity From Law Enforcement	1 Yr	802 PC		Misdemeanor
PC 146e(a)	Disclosure of Residence Address or Telephone Number of Peace Officer or Agency Personnel	1 Yr	802 PC		Misdemeanor
PC 146e(b)	Telephone Number of Peace Officer or Agency Personnel	3 Yrs	801 PC		Felony
PC 147	Inhumane Treatment or Oppression of Prisoner	1 Yr	802 PC		Fine and removal from office
PC 148(a)	Resisting or Obstructing Public Officer, Police officer or Medical Technician	1 Yr	802 PC	Up to 1 Yr	Misdemeanor
PC 148(b)	Resisting or Obstructing Public Officer, Police officer or Medical Technician	3 Yrs	801 PC		Taking of firearm from public officer - imprisonment in county jail
PC 148(c)	Resisting or Obstructing Public Officer, Police officer or Medical Technician	3 Yrs	801 PC		Taking of firearm from public officer - imprisonment in state prison
PC 148(d)	Resisting or Obstructing Public Officer, Police officer or Medical Technician	3 Yrs	801 PC		Taking of firearm from public officer - imprisonment in county jail
PC 148.1	Falsely Reporting Planting of Bomb	3 Yrs	801 PC	Up to 1 Yr	
PC 148.10	Willful Resistance to Peace Officer - Cause of Death or Serious Bodily Injury	3 Yrs	801 PC	2-4 Yrs	
PC 148.2	Interfering With Discharge of Duty by Firearm or Emergency Personnel	1 Yr	802 PC		Misdemeanor
PC 148.3	Falsely Reporting Emergency	3 Yrs	801 PC		
PC 148.4	Tampering With Fire Alarm; Giving False Alarm	3 Yrs	801 PC		
PC 148.5	Falsely Reporting Crime	1 Yr	802 PC		Misdemeanor
PC 148.6	Falsely Alleging Police Misconduct, Civil Claims, Property Liens Against an Officer	1 Yr	802 PC		Misdemeanor
PC 148.7	Serving Sentence of Another	1 Yr	802 PC		Misdemeanor
PC 148.9	Giving False Identification	1 Yr	802 PC		Misdemeanor
PC 149	Assault and Battery by Officer - Third Degree	3 Yrs	801 PC	1 Yr	
PC 150	Refusal to Aid Posse or Assist in Making Arrest	1 Yr	802 PC		Fine only
PC 151 (W)	Advocating Injury, death of Peace Officer	3 Yrs	801 PC		No injury-misdemeanor or Injury-Felony
PC 153 (W)	Compounding or Concealing Crime	3 Yrs	801 PC		If crime was punishable by death or imprisonment in state prison-felony or crime not punishable by death or imprisonment in state prison-misd.

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 154(a)	Defrauding Creditors by Selling or Concealing Property	1 Yr	802 PC	1/2 Yr	Misdemeanor
PC 154(b)	Defrauding Creditors by Selling or Concealing Property	3 Yrs	801 PC		Value exceeding \$100
PC 155(a)	Defendant or Judgement Debtor	1 Yr	802 PC		Concealing or Selling of Property to be Used as Evidence in a Court Case
PC 155(b)	Defendant or Judgment Debtor	3 Yr	801 PC		Value exceeding \$100
PC 155.5(a)	Disposition of Property by Criminal Defendant to Avoid Making Restitution	1 Yr	802 PC		Misdemeanor
PC 155.5(b)	Disposition of Property by Criminal Defendant to Avoid Making Restitution	3 Yrs	801 PC		Felony
PC 156	Producing Spurious Heir	3 Yrs	801 PC	2-4 Yrs	falsely pretending it to have been
PC 157	Substitution of Child	3 Yrs	801 PC	2-4 Yrs	
PC 158	Common Barratry	1 Yr	802 PC	1/2 Yr	Exciting groundless judicial proceedings
PC 16150 (W)	Sale of Ammunition to Minor; Ammunition Onto School Grounds	1-3 Yrs	801 PC		On school grounds w/o permission-felony
PC 165	Giving or Offering Bribe to Councilman or Supervisor	3 Yrs	801 PC	2-4 Yrs	
PC 16590	Unlawful Possession of Illegal Weapons	3 Yrs	801 PC	1 Yr	
PC 166 (c)(1)	Contempts of Court	3 Yrs	801 PC		second conviction
PC 166(a)	Contempts of Court	1 Yr	802 PC		To exhibit disorderly conduct, Resistance, or to give false report in Court
PC 166(b)	Contempts of Court	1 Yr	802 PC	Up to 1 Yr	Willfully contacting a Victim by phone
PC 166(c)	Contempts of Court	1 Yr	802 PC	Up to 1 Yr	Willful violation of protective or stay away order
PC 167	Recording Jury Proceedings	1 Yr	802 PC		Misdemeanor
PC 168	Disclosing Warrant Prior to Execution; Exceptions	3 Yrs	801 PC		
PC 16860	Criminal Storage of Firearm	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 169	Picketing Near Court to Obstruct Administration of Justice	1 Yr	802 PC		Misdemeanor
PC 170	Maliciously Procuring warrant to Search or Arrest	1 Yr	802 PC		Misdemeanor
PC 171	Communication With Inmate of Reformatory	1 Yr	802 PC		Misdemeanor
PC 171b	Bringing Weapons or Deadly Weapons Into State or Local Public Building	3 Yrs	801 PC	Up to 1 Yr	
PC 171c	Bringing Loaded Firearm Into State Office, State Capitol Grounds or Public School Grounds	3 Yrs	801 PC	Up to 1 Yr	
PC 171d (W)	Bringing Loaded Firearm Into Residence of Governor or Constitutional Officer	3 Yrs	801 PC	Up to 1 Yr	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 172(b)	Selling Liquor in Prohibited Area Near College and State Institutions	1 Yr	802 PC		Prohibiting the Sale Within 1,900 feet of Youth Institution
PC 172(d)	Selling Liquor in Prohibited Area Near College and State Institutions	1 Yr	802 PC		Provision of distance to not be measured by Airline but by shortest highway as defined in Section 360 CVC
PC 173	Importation of Foreign Convict	1 Yr	802 PC		Misdemeanor
PC 17500	Deadly Weapon	1 Yr	802 PC		
PC 17510	Carrying Firearm or Deadly Weapon-Wearing Uniform of Peace Officer	1 Yr	802 PC		
PC 181	Involuntary Servitude and Sale of Slaves	3 Yrs	801 PC	2-4 Yrs	
PC 182(a) (W)	Conspiracy	3-6 Yrs	800 PC	5-9 Yrs	If two or more persons conspire
PC 185	Wearing Mask or Disguise	1 Yr	802 PC		Misdemeanor
PC 186.10	Acts Constituting Money Laundering	3 Yrs	801 PC	1-4 Yrs	
PC 186.22	Criminal Street Gang Activity	3 Yrs	801 PC	16mo-3 Yrs	
PC 186.26	Coercion of Minor to Participate in Street Gang a Felony or Misdemeanor	3 Yrs	801 PC	1-3 Yrs	
PC 186.28	Supplying or Selling Firearm Used in Criminal Street Gang Activity	3 Yrs	801 PC		
PC 187	Murder 1st Degree	Indefinite	799 PC	25 Yrs-life	
PC 187	Murder 2nd Degree	Indefinite	799 PC	15 Yrs-life	
PC 18710	Possession of Destructive Device Prohibited	3 Yrs	801 PC		
PC 18715	Possession of Destructive Device in Public Places	3 Yrs	801 PC	2-6 Yrs	
PC 18720	Intention to Make Destructive Device Without Valid Permit	3 Yrs	801 PC	2-4 Yrs	
PC 18725	Carrying or Placing Explosive on Transportation Vehicles	3 Yrs	801 PC	2-6 Yrs	
PC 18730	Sale or Transportation of Destructive Device Prohibited	3 Yrs	801 PC	2-4 Yrs	
PC 18735 (W)	Punishment For Possession or Transportation of Ammunition Greater Than .60 Caliber	1-3 Yrs	801 PC		Prior conviction make this a felony
PC 18740	Explosion of Destructive Device	3 Yrs	801 PC	3-7 Yrs	
PC 18745	Explosion of Destructive Device With Intent to Commit Murder	Indefinite	799 PC	Life w/poss.	
PC 18750	Explosion of Destructive Device Which Causes Bodily Injury	6 Yrs	800 PC	5-9 Yrs	
PC 18755 (W)	Explosion of Destructive Device Which Causes Death, Mayhem, or Great Bodily Injury	Indefinite	799 PC	Life w/o	If offense results in death-life w/o. If offense results in serious injury-life w/poss.
PC 191.5	Vehicular Manslaughter While Intoxicated; Multiple Convictions for Offenses Related to Driving While Under the Influence of Alcohol or Drugs	6 Yrs	800 PC	4-10 Yrs	
PC 192(a)	Voluntary Manslaughter	6 Yrs	800 PC	3-11 Yrs	Voluntary

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 192(b)	Manslaughter	3 Yrs	801 PC	2-4 Yrs	Involuntary
PC 192(c)	Manslaughter	3 Yrs	801 PC	16 mo-6 Yrs	Vehicular
PC 193.5	Manslaughter Committed During Operation of Vessel	3 Yrs	801 PC	2-6 Yrs	
PC 193.8	Adult Relinquishing Possession of Motor Vehicle to Minor Under Specified Conditions	1 Yr	802 PC	1/2 Yr	Conditions (1) Intoxicated (2) Violation of Section 23103 (3) No Lawful Right to Possession of Vehicle
PC 19910	Sale of BB Device to Minor	1 Yr	802 PC		
PC 19915	Furnishing BB Device to Minor Without Permission of Parent or Legal Guardian	1 Yr	802 PC		
PC 20010	Manufacture, Sale, Possession, or Use of Blowgun or Blowgun Ammunition	1 Yr	802 PC		
PC 20110	Boobytraps	3 Yrs	801 PC	2-5 Yrs	
PC 203	Mayhem-Dismemberment	6 Yrs	800 PC	2-8 Yrs	
PC 205	Aggravated Mayhem	Indefinite	799 PC	Life w/o	
PC 206	Torture: Proof of Pain Not Required	Indefinite	799 PC	Life	
PC 207	Kidnapping	6 Yrs	800 PC	3-8 Yrs	
PC 209	Kidnapping for Ransom or Extortion or to Commit Robbery or Sex Crime	Indefinite	799 PC	Life w/o	
PC 210	Posing as Kidnapper, Etc. - When Felony	3 Yrs	801 PC	2-4 Yrs	
PC 210.5	Taking Hostages	6 Yrs	800 PC	3-8 Yrs	
PC 211	Robbery	6 Yrs			
PC 212.5	Robbery 1st Degree	6 Yrs	800 PC	3-9 Yrs	
PC 212.5	Robbery 2nd Degree	3 Yrs	801 PC	2-5 Yrs	
PC 214	Train Robbery	3 Yrs	801 PC		
PC 215	Carjacking	6 Yrs	800 PC	3-9 Yrs	
PC 21510	Switchblade Knives	1 Yr	802 PC		
PC 218	Derailing or Wrecking Train	Indefinite	799 PC	Life w/o	
PC 219	Wrecking Train or Firing Bridge	Indefinite	799 PC	Life w/o	
PC 219.1	Common Carrier	3 Yrs	801 PC	2-6 Yrs	
PC 219.2	Throwing Missile or Shooting at Trains, Streetcars, or Vessels	3 Yrs	801 PC		
PC 219.3	Throwing Missile From Toll Bridge	1 Yr	802 PC		Throwing Object From Toll Bridge
PC 220	Assault with intent to commit mayhem or sex crimes	3 Yrs	801 PC	2-6 Yrs	
PC 222	Administering Controlled Substance or Anesthetic to Aid Felony	3 Yrs	801 PC		
PC 22610	Purchase, Possession, or Use of Stun Gun	1 Yr	802 PC		
PC 22810	Possession by Others-Qualifications	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 22900	Tear Gas or Tear Gas Weapon	1 Yr	802 PC	1 Yr	County Jail only
PC 22910	Alteration of Identification on Tear Gas Weapon	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 237 (W)	False Imprisonment	1-3 Yrs	801 PC		Involving violence-felony
PC 23900	Altering or Effacing Identifying Marks on Firearms	3 Yrs	801 PC		
PC 241	Assault Against Peace Officer or Other Specified Persons	1 Yr	802 PC	1/2 Yr	
PC 241.1	Assault on Custodial Officer	3 Yrs	801 PC		
PC 241.2	Assault on Any Person on School or Park Property	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 241.3	Assault on Public Transportation Provider's Property or Vehicle	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 241.4 (W)	Assault on School Police Department Member	1-3 Yrs	801 PC		If a reasonable person would have known it was an officer-felony
PC 241.6	Assault on School Employee	1 Yr	802 PC	Up to 1 Yr	Misdemeanor
PC 242	Battery-Definition	1-3 Yrs	801 PC	Up to 3 Yrs.	See various 243 sections for statute
PC 243(a)	Battery	1 Yr	802 PC	1/2 Yr	Battery-Against a Person w/minimal injuries (misd)
PC 243(b)	Battery	1 Yr	802 PC	Up to 1 Yr	Battery Against Public Duty Officer
PC 243(c)	Battery	3 Yrs	801 PC	16 mo.-3 Yrs	Battery Against Custodial Officer
PC 243(d)	Battery	3 Yrs	801 PC	2-4 Yrs	Battery-Against a Person w/major injuries (felony)
PC 243(e)	Battery	1 Yr	802 PC	Up to 1 Yr	Battery Against a Spouse or Whom They are Cohabiting With
PC 243.1	Battery Against Custodial Officer	3 Yrs	801 PC		
PC 243.2	Battery Committed on Any Person on School, Park or Hospital Property	1 Yr	802 PC	Up to 1 Yr	
PC 243.3	Battery Committed Against Public Transit Employee or Passenger	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 243.4	Sexual Battery	3 Yrs	801 PC	2-4 Yrs	
PC 243.6 (W)	Battery Committed Against School Employee	1-3 Yrs	801 PC	16 mo.-3 Yrs	Injury-felony
PC 243.7	Battery Committed Against Juror	3 Yrs	801 PC	16mo.-3 Yrs	
PC 243.8	Battery Committed Against Sports Official	1 Yr	802 PC	Up to 1 Yr	
PC 244	Throwing Acid or Flammable Substance With Intent to Disfigure or Burn; "Flammable Substance" Defined	3 Yrs	801 PC	2-4 Yrs	
PC 244.5	Assault with Stun Gun or Teaser	3 Yrs	801 PC	2-4 Yrs	
PC 245(a)(1)	Assault with a Deadly Weapon	3 Yrs	801 PC	2-4 Yrs	
PC 245(a)(2)	Assault with a Deadly Weapon-Firearm	3 Yrs	801 PC	2-4 Yrs	
PC 245(a)(3)	Gun	6 Yrs	800 PC	4-12 Yrs	
PC 245(b)	Assault with a Deadly Weapon-Semiauto Firearm	6 Yrs	800 PC	3-9 Yrs	
PC 245(c)	Assault with a Deadly Weapon-Other than Firearm	3 Yrs	801 PC	3-5 Yrs	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 245(d)	Assault with a Deadly Weapon-Firearm	6 Yrs	800 PC	2-8 Yrs	Against peace officer or firefighter
PC 245.2	Assault with a Deadly Weapon Committed Against Public Transit Employee	3 Yrs	801 PC	3-5 Yrs	
PC 245.3	Assault with a Deadly Weapon on Custodial Officer	3 Yrs	801 PC	3-5 Yrs	
PC 245.5	Assault with a Deadly Weapon on School Employee	3 Yrs	801 PC	3-5 Yrs	
PC 246	Firearms, Discharge of, at Inhabited Dwelling, Vehicle, or Aircraft	3 Yrs	801 PC	3-7 Yrs	
PC 246.3	Discharge of Firearm in Grossly Negligent Manner That Could Result in Injury or Death of Person	3 Yrs	801 PC		
PC 247	Discharging Firearm at Unoccupied Aircraft or Motor Vehicle or Uninhabited Building or Dwelling House	3 Yrs	801 PC		
PC 247.5	Discharging Laser at Aircraft	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 248	Shining Light at Aircraft with Intent to Impair Operation	1 Yr		Up to 1 Yr	
PC 25300	Carrying Firearm in Public Place While Masked to Hide Identity Prohibited	3 Yrs	801 PC		
PC 25400	Carrying Concealed Firearm	3 Yrs	801 PC	1 Yr	
PC 25800	Carrying Loaded Firearm With Intent to Commit Felony Is Armed Criminal Action	3 Yrs	801 PC		
PC 25850	Carrying a Loaded Firearm In Public	3 Yrs	801 PC	1 Yr	
PC 261	Rape	10 Yrs	803 PC		Retain 10 Years
PC 261.5(b)	Unlawful Sexual Intercourse w/a Minor	1 Yr			Age Difference is Within 3 Years
PC 261.5(c)	Unlawful Sexual Intercourse w/a Minor	3 Yrs	801 PC	1 Yr	Age Difference 3 Years Younger
PC 261.5(d)	Unlawful Sexual Intercourse w/a Minor	3 Yrs	801 PC	2-4 Yrs	\$ 21 years old and (v) under 16 years
PC 26100 (W)	Prohibition of Firearms in Vehicles; Discharging Firearm From Vehicle	1-3 Yrs	801 PC	16 mo.-3 Yrs	Person discharging firearm from vehicle-felony. Person driving vehicle, not discharging firearm-misdemeanor.
PC 262	Rape of Person Who Is Spouse of Perpetrator	10 Yrs	800 PC	5-9 Yrs	
PC 264.1	Defendant Acted in Concert With Another Person to Commit Rape	10 Yrs	800 PC	5-9 Yrs	
PC 265	Abduction to Force Marriage or Defilement	3 Yrs	801 PC		
PC 266	Procuring, Assignment, and Seduction	3 Yrs	801 PC		
PC 266a	Procuring Person by Force or False Inducement	3 Yrs	801 PC		
PC 266b	Compelling Illicit Relation by Menace	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 266c	Inducing Commission of Sexual Act Through False Representation Creating Fear	3 Yrs	801 PC	2-4 Yrs	
PC 266d	Paid Procuring of Person - Pandering	3 Yrs	801 PC		
PC 266e	Hiring Pandere	3 Yrs	801 PC		
PC 266f	Selling Person for Illicit Use	3 Yrs	801 PC		
PC 266g	Prostituting Wife	3 Yrs	801 PC	2-4 Yrs	
PC 266h (W)	Pimping - Punishment; Enhancement	3-10 Yrs	800 PC	3-8 Yrs	Felony if victim is under 16 years of age
PC 266i	Pandering	10 Yrs	800 PC	3-8 Yrs	
PC 266j	Providing or Transporting Child Under 16 for Purpose of Lewd or Lascivious Act	10 Yrs	800 PC	3-8 Yrs	
PC 267	Abduction for Prostitution	3 Yrs	801 PC		
PC 269	Aggravated Sexual Assault of Child	Indefinite	799 PC	15 Yrs-life	
PC 270	Child Neglect	3 Yrs	801 PC	Up to 1 Yr	
PC 270.5	Refusing to Accept Minor Child Into Home	1 Yr	802 PC		Misdemeanor
PC 270c	Neglect of Indigent Parent	1 Yr	802 PC		Misdemeanor
PC 271	Abandonment	3 Yrs	801 PC		
PC 271a	Failure to Provide For	3 Yrs	801 PC		child under 14 years of age
PC 272	Contributing to Delinquency of Minor	1 Yr	802 PC	Up to 1 Yr	
PC 273 (W)	Paying Parent for Adoption of Child	1 Yr	802 PC		Beyond Adoption Services
PC 273.5	Domestic Violence	3 Yrs	801 PC	2-4 yrs	Retain 10 Yrs 1109 Evidence Code
PC 273.55	Corporal Injury on Spouse or Cohabitant	3 Yrs	801 PC	2-5 Yrs	Punishment for Repeat Offender
PC 273.6 (W)	Protective Order Violations Pursuant to Family Code and Code of Civil Procedure	1 Yr	802 PC	Up to 1 Yr	If injury, additional jail term
PC 273.7	Disclosing Location of Domestic Violence Shelter	1 Yr	802 PC		Misdemeanor
PC 273a	Abusing or Endangering Health of Child	3 Yrs	801 PC	2-6 Yrs	
PC 273A	Cruelty to Child			2-6 Yrs	Retain 10 Yrs from last report 11169 PC
PC 273ab	Assault on Child With Force Likely to Produce Great Bodily Injury Resulting in Death	Indefinite	799 PC	25 Yrs-life	
PC 273d	Felony to Inflict Corporal Injury Upon Child	3 Yrs	801 PC	2-6 Yrs	Enhancement for Prior Conviction; Conditions of Probation
PC 273e	Sending or Permitting Minor to Enter Resort or Variety Theater	1 Yr	802 PC		Misdemeanor
PC 273f	House of Prostitutes	1 Yr	802 PC		Misdemeanor
PC 273g	Lewdness and Drunkenness in Presence of Child	1 Yr	802 PC		Misdemeanor
PC 274	Abortion-Exception	3 Yrs	801 PC		Abortions
PC 275	Woman Soliciting and Submitting to - Exception	3 Yrs	801 PC		Abortions

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 276	Procure - Exception	3 Yrs	801 PC	Up to 1 Yr	Abortions
PC 277	Child Abduction	3 Yrs	801 PC	2-4 Yrs	Child Abductions
PC 278	Taking, Enticing Away, Keeping, Withholding, or Concealing Child by Person Without Right of Custody - Punishment	3 Yrs	801 PC	2-4 Yrs	
PC 278.5	Withholding, or Concealing Child in	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 280 (W)	Punishment or Removal or Concealment of Child Involved in Adoption Proceedings	1-3 Yrs	801 PC	Up to 1 Yr	Within or removed from county of abduction
PC 281	Bigamy; Proof	3 Yrs	801 PC		
PC 284	Punishment for Marrying Spouse of Another	3 Yrs	801 PC		
PC 285	Incest	3 Yrs	801 PC		
PC 286 (W)	Sodomy	3-10 Yrs	800 PC	Up to 8 Yrs	Age of victim and force used
PC 286.5	Assault -Animals	1 Yr	802 PC		Including Sexual Assault
PC 288	Sexual Offense Against a Child	10 Yrs	800 PC	3-8 Yrs	V Under the age of 14.
PC 288 (b)(1)	Unlawful Oral Copulation	3 Yrs	800 PC	3-8 Yrs	by force, violence, duress, menace, or fear
PC 288 (c)(2)	Unlawful Oral Copulation	3 Yrs	800 PC	3-8 Yrs	Against V will.
PC 288(a) (W)	Lewd Act on Child	3-10 Yrs	800 PC	3-8 Yrs	Child Under 14 years of Age
PC 288(b)(2)	Unlawful Oral Copulation	3 Yrs	800 PC	3-8 Yrs	against a dependent adult
PC 288(c)(1)	Unlawful Oral Copulation	3 Yrs	800 PC	3-8 Yrs	S more than 10 yrs older V under 14
PC 288.2	Distribution or Exhibition of Lewd Material to Minor	3 Yrs	801 PC		
PC 288.5	Engaging in 3 or More Acts of Substantial Sexual Conduct With Child Under Age 14	10 Yrs	801.1 PC	6-16 Yrs	
PC 289	Unlawful Sexual Penetration	6-10 Yrs	800 PC	3-8 Yrs	Against V will. Retain 10 Yrs.
PC 289.6	Detention Facility Prohibited From	3 Yrs	800 PC		
PC 29610 (W)	Possession of Pistol, Revolver, or Live Ammunition by Minor	1-3 Yrs	801 PC		Prior conviction make this a felony
PC 29800	Unlawful Person in Possession	3 Yrs	801 PC		
PC 29900	Person Previously Convicted of Violent Offense Prohibited From Possessing Firearms	3 Yrs	801 PC		
PC 302	Disorderly Conduct at Church Service	1 Yr	802 PC	Up to 1 Yr	
PC 303	Encouraging Sale of Alcoholic Beverage	1Yr	802 PC		Misdemeanor
PC 30315	Possession of Metal or Armor Penetrating Ammunition	3 Yrs	801 PC		
PC 30320	Manufacture, Sale, Possession, or Use of Metal or Armor Penetrating Ammunition	3 Yrs	801 PC		
PC 303a	Soliciting Purchase of Alcoholic Beverage	1Yr	802 PC		Misdemeanor
PC 30600	Manufacture, Transportation, Sale, or Possession of Assault Weapon	6 Yrs	800 PC	4-8 Yrs	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 30605	Manufacture, Transportation, Sale, or Possession of Assault Weapon	3 Yrs	801 PC		Firearm was registered as legal weapon
PC 307	Furnishing Foods containing Alcohol to Persons Under 21	1 Yr	802 PC		Misdemeanor
PC 308	Selling Cigarettes or Tobacco to Minor	1 Yr	802 PC		
PC 308.2	Sale of Cigarettes Not in Sealed and Properly Labeled Package	1 Yr	802 PC		Infraction
PC 308.5	Sale, Lease, or Offer of Video Games Alcohol or Tobacco Advertising to Minors	1 Yr	802 PC		Misdemeanor
PC 308b	Unsolicited Delivery of Tobacco	1 Yr	802 PC		Misdemeanor
PC 309	Admitting or Keeping Minor in House of prostitution	1 Yr	802 PC		Misdemeanor
PC 310	Attendance of Minor at Prizefight or Cockfight	1 Yr	802 PC		Misdemeanor
PC 310.2	Furnishing diet pills, diuretic, or Laxatives to Minors Athletic Team Members for Nonmedical Purposes	1 Yr	802 PC		Misdemeanor
PC 310.5	Victim of Unlawful Sex Act	1 Yr	802 PC		Misdemeanor
PC 311.1	Bringing Into State Matter Depicting Child in Sexual Conduct	3 Yrs	801 PC		
PC 311.10	Punishment for Distributors of Obscene Matter Depicting Person Under Age 18	3 Yrs	801 PC	2-4 Yrs	
PC 311.11	Possession or Control of Matter, Representation of Information, Data, or Image, Depicting Sexual Conduct of Person Under Age 18	3 Yrs	801 PC	2-6 Yrs	
PC 311.2	Bringing Obscene Matter Into or Distributing Within State	3 Yrs	801 PC	2-6 Yrs	
PC 311.3	Developing, Duplicating, Printing, or Exchanging Obscene Matter Depicting Sexual Conduct of Person Under Age 18	3 Yrs	801 PC		
PC 311.4	Using Minor to Assist in Distribution of Obscene Matter- Posing or Modeling Involving Sexual Conduct	6 Yrs	800 PC	3-8 Yrs	
PC 311.5	Advertising Obscene Matter	1 Yr	802 PC		Misdemeanor
PC 311.6	Engaging in Obscene Live Conduct	1 Yr	802 PC		Misdemeanor
PC 311.7	Requiring Acceptance of Obscene Matter as Condition for Receiving Other Merchandise	1 Yr	802 PC		Misdemeanor
PC 313.1 (W)	Distribution to Minors; Restricting Display, Sale, Rental, Video Recordings or Transmissions of Telephone Messages	1 Yr	802 PC	Up to 1 Yr	Infraction
PC 314 (W)	Indecent Exposure	3 Yrs	801 PC	Up to 1 Yr	Prior conviction of 288 PC of prior 314
PC 315	Keeping or Living in House of Prostitution	1 Yr	802 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 316	Keeping Disorderly or Assignment House	1 Yr	802 PC		Misdemeanor
PC 318	Pimping, Capping, or Soliciting Patrons	1 Yr	802 PC	6 mo.	County Jail only
PC 32	Accessories to Crimes	3 Yrs	801 PC	1 Yr	Accessory to felony
PC 320	Contriving, Proposing, or Drawing	1 Yr	802 PC		Contrives, prepares, Sets Up Lottery
PC 321	Selling Chances, Shares, or Tickets	1 Yr	802 PC		Misdemeanor
PC 322	Assisting by Printing or Advertising	1 Yr	802 PC		Misdemeanor
PC 323	Opening or Keeping Agency for Sale or Registration of Tickets	1 Yr	802 PC		Misdemeanor
PC 324	Insuring For or Against Drawing	1 Yr	802 PC		Misdemeanor
PC 326	Renting Premises For Lottery Purposes	1 Yr	802 PC		Misdemeanor
PC 32625	Possession or Transportation Illegal; Conversion of Firearms	3 Yrs	801 PC		
PC 32625	Possession or Transportation of Machine Guns	6 Yrs	800 PC	4-8 Yrs	
PC 327	Endless-Chain Schemes	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 330	Prohibited Gaming	1 Yr	802 PC	6 mo.	Games Played For Representative Value or Betting- County jail only
PC 330.1	Slot Machines Forbidden	1 Yr	802 PC	6 mo.	County Jail only
PC 330.4	Mere Possession Prohibited	1 Yr	802 PC	6 mo.	County Jail only
PC 330.8	Permissible Sale, Transportation, Storage, and Manufacture of Gambling Devices	1 Yr	802 PC		Misdemeanor
PC 331	Liability of Owner or Lessor of Gaming House	1 Yr	802 PC	6 mo.	Knowingly Permits- County Jail only
PC 332 (W)	Card-Monte, Trick and Sure-Thing Games	1 Yr	802 PC		Wobbler-based on dollar amount
PC 333	Witnesses in Prosecution	1 Yr	802 PC		Misdemeanor
PC 334	Use, Manufacture, or Sale of Hidden Mechanical Device or Obstruction-Razzle-Dazzle-Concession	1 Yr	802 PC		Misdemeanor
PC 33410	Possession of Firearm Silencers	3 Yrs	801 PC		
PC 335	Officers Charged w/Detection and Prosecution	1 Yr	802 PC		Misdemeanor
PC 336	Permitting minors to Play Games where Liquor is Sold	1 Yr	802 PC		Misdemeanor
PC 337	Receiving "Protection-Money" or Granting Privileges	3 Yrs	801 PC		
PC 337.1	False Persuasion in Betting- A Tout	1 Yr	802 PC	6 mo.	County Jail only
PC 337.3	Felony to Misrepresent Source of Information	3 Yrs	801 PC		
PC 337.5	Refusing to Leave a Race Track-Touting	1 Yr	802 PC		Misdemeanor
PC 337.7	Misrepresenting Self by Wrongful Use of Credential or License	3 Yrs	801 PC		
PC 337a	Pool Selling, Bookmaking or Wagering	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 337b	Bribing Player or Participant to "Throw" Sporting Event	3 Yrs	801 PC		
PC 337c	Accepting Bribe to "Throw" Sporting Event	3 Yrs	801 PC		
PC 337d	Bribing Judge of Sporting Event	3 Yrs	801 PC		
PC 337e	Accepting Bribe	3 Yrs	801 PC		
PC 337f	Doping" Race Horse - Entry of Horse Under Unregistered Name	3 Yrs	801 PC		
PC 337h	Administering Drugs to Any Animal Entered in Race or Other Competition	1 Yr	802 PC		Misdemeanor
PC 337i	Transmitting Race Information for Gambling Purposes	3 Yrs	801 PC		
PC 343	Withholding Register of Gold Bars From Officer	1 Yr	802 PC		Misdemeanor
PC 346	Tickets to Entertainment Events	1 Yr	802 PC		Misdemeanor
PC 347	Mingling Harmful Substance with Food of Drink	3 Yrs	801 PC	2-5 Yrs	
PC 347b	Poisoned Alcohol	1 Yr	802 PC	1 Yr	County Jail only
PC 350 (W)	Manufacture or Sale of Counterfeit Mark	1 Yr	801 PC	1-3 Yrs	Wobbler-based on dollar amount
PC 351a	Misrepresenting Name of Maker of Goods Sold	1 Yr	802 PC		Misdemeanor
PC 355	Removing Identifying Marks on Wreckage	1 Yr	802 PC		Misdemeanor
PC 356	Cutting or Altering Brands on Logs or Lumber	1 Yr	802 PC		Misdemeanor
PC 359	Solemnizing Illegal Marriage	1 Yr	802 PC	3 mo.-1 Yr	County Jail only
PC 360	In Absence of License-Marriage	1 Yr	802 PC		Misdemeanor
PC 362	Disobedience of Habeas Corpus Writ	1 Yr	802 PC		Misdemeanor
PC 363	Recommitting or Restraining Person Discharged on Return of Habeas Corpus	1 Yr	802 PC		Misdemeanor
PC 364	Evading Service of Writ of Habeas Corpus	1 Yr	802 PC		Misdemeanor
PC 365	Refusal to Accomodate Hotel Guest or Receive Passenger for Hire	1 Yr	802 PC		Misdemeanor
PC 365.5	Equal Access for Disabled Persons with Specially Trained Dogs	1 Yr	802 PC		Misdemeanor
PC 365.6	Interfering With Use of Guide Dog-Misdo	1 Yr	802 PC	6 mo.	County Jail only
PC 365.7	Guide Dog-Fraudulent Representation as Misdemeanor	1 Yr	802 PC	6 Mo	Misdemeanor
PC 367f	Sale of Human Organs for Purposes of Transplantation and Valuable Consideration	3 Yrs	801 PC	3-5 Yrs	
PC 368	Person Causing Pain, Suffering, or Injury to Elder or Dependent Adult; Theft or Embezzlement by Caretaker	3 Yrs	801 PC	2-4 Yrs	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 369b	Penalties for Rail Transit Related Traffic Violations	1 Yr	802 PC		only applies to counties with a population greater than 500,000
PC 369d	Leaving Right-of-way Gates Open	1 Yr	802 PC		Misdemeanor
PC 369g	Trespass on Railroad or Rail-Line Track	1 Yr	802 PC		Misdemeanor
PC 369h	Placing Light in Line of Vision Along Railroad Track-Exceptions	1 Yr	802 PC		
PC 369i	Trespass on Railroad or Rail Transit Related Property	1 Yr	802 PC		Misdemeanor
PC 37	Treason	Indefinite	799 PC	Death or Life w/o	
PC 374.3	Dumping Refuse on Public or Private Roads or Property; Commercial Quantities	1 Yr	802 PC		
PC 374.4	Littering on Public or Private Property	1 Yr	802 PC		Infraction
PC 374.7	Dumping Rubbish in Water	1 Yr	802 PC		Misdemeanor
PC 374.8	Depositing Hazardous Substance	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 374d	Leaving Carcass of Dead Animal on Highway	1 Yr	802 PC		Misdemeanor
PC 375 (W)	Gassing Theater, Restaurant, or Store-Making Gas	3 Yrs	801 PC		amount of injury
PC 377	False Representation to Procure Drug	1 Yr	802 PC		Misdemeanor
PC 38	Misprision of Treason	3 Yrs	801 PC	1 Yr	
PC 380	Sale or Distribution of Toluene to Persons Under 18 Years	1 Yr	802 PC		
PC 381	Possessing Toluene or Similar Substance With Intent to Inhale and Become Intoxicated	1 Yr	802 PC		Misdemeanor
PC 381a	Misrepresenting Quality of Dairy Products	1 Yr	802 PC	6 mo.	County Jail only
PC 381b	Nitrous Oxide-Penalties for use	1 Yr	802 PC		Misdemeanor
PC 382	Adulteration-Drugs, Liquor, and Food	1 Yr	802 PC		
PC 382.4	Only Veterinarian to Administer Succinycholine	1 Yr	802 PC		Misdemeanor
PC 382.5	Dinitrophenol Sale a Felony	3 Yrs	801 PC		Punishment - Exceptions
PC 382.6	Containing Diphenylamine,	3 Yrs	801 PC		
PC 382.7	Silicone Injection	1 Yr	802 PC		Misdemeanor
PC 383	Disposal of Adulterated Food, Drink, and Drugs	1 Yr	802 PC		
PC 383a	Process or Renovated Butter	1 Yr	802 PC		Misdemeanor
PC 383b	Kosher Meat Preparations-Sale	1 Yr	802 PC		Misdemeanor
PC 384	Emergency Use of Party Telephone Lines	1 Yr	802 PC		Misdemeanor
PC 384.5	Removing Minor Forest Products Without Permit or Bill of Sale	1 Yr	802 PC	6 mo.	County Jail only
PC 384a	Cutting or Destroying Shrubs	1 Yr	802 PC	6 mo.	County Jail only
PC 384f	Violation of 384b through 384f	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 384h	Killing or Injuring Domestic Animal	1 Yr	802 PC		Misdemeanor
PC 385	Near High Voltage Overhead	1 Yr	802 PC		Misdemeanor
PC 386	Willful Construction or Maintenance of Inoperable or Unsafe Fire Protection System	3 Yrs	801 PC	2-4 Yrs	
PC 387	Criminal Liability for Concealing Dangerous Business Practices	3 Yrs	801 Yrs	16 mo.-3 Yrs	Penalties; Definitions
PC 395	False Rumor to Affect Price of Goods	1 Yr	802 PC		Misdemeanor
PC 396	Increasing Prices for Consumer Goods or Services or Repairs or Reconstruction Services During an Emergency	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 396.5	Federal Food Stamp Act-Violations by Retail Food Store or Wholesale Food Concern	1 Yr	802 PC	90 days	County Jail only
PC 397	Selling Intoxicants to Common Drunkards or Incompetents	1 Yr	802 PC		Misdemeanor
PC 399	Allowing Vicious Animals at Large	3 Yrs	801 PC		
PC 399.5	Owner's Failure to Exercise Ordinary Care With Dog That Bites Human Being	1 Yr	802 PC	6 mo.	County Jail only
PC 401	Advising or Encouraging Suicide	3 Yrs	801 PC		
PC 402	Sightseeing at Scene of Emergency	1 Yr	802 PC		Misdemeanor
PC 402a	Adulterating Candy With Clay and Deleterious Mixtures or Selling Same	1 Yr	802 PC		Misdemeanor
PC 402b	Abandoning Refrigerator or Other Appliances	1 Yr	802 PC		Misdemeanor
PC 402c	Integral Lock Necessary for Refrigerator, Icebox, or Deep-Freeze Locker	1 Yr	802 PC		Misdemeanor
PC 403	Disturbing Assembly	1 Yr	802 PC		Misdemeanor
PC 404.6	Incitement to Riot	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 405	Punishment of Participants in Riot	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 405b	Lynching	3 Yrs	801 PC	2-4 Yrs	Punishment
PC 408	Participating in Rout or Unlawful Assembly	1 Yr	802 PC		Misdemeanor
PC 409	Refusal to Disperse When Ordered	1 Yr	802 PC		Misdemeanor
PC 409.5	Closing Areas in Emergencies	1 Yr	802 PC		Misdemeanor
PC 409.6	Closing Areas in Disasters-Avalanche	1 Yr	802 PC		Misdemeanor
PC 410	Duty to Suppress Riot or Rout	1 Yr	802 PC		Misdemeanor
PC 412	Prize Fighting Regulated	1 Yr			
PC 413	Guilt of Spectator	1 Yr	802 PC		Misdemeanor
PC 414	Leaving State to Evade	1 Yr			
PC 415	Fighting, Causing Loud Noise, or Using Offensive Words in Public Place	1 Yr	802 PC	90 days	County Jail only
PC 415.5	Unlawful Acts Committed in Buildings or Grounds of College or University	1 Yr	802 PC	90 days	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 416	Duty of Crowds to Disperse When Ordered; Restitution for Property Damage	1 Yr	802 PC		community service or restitution only
PC 417 (W)	Threatening With Weapon	3 Yrs	801 PC		Misdemeanor if done to public. Felony if done to peace officer
PC 417.25	Drawing or Exhibiting Laser Scope in Threatening Manner	1 Yr	802 PC		Misdemeanor
PC 417.3	Drawing or Exhibiting Firearm to Person in Motor Vehicle	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 417.4	Drawing or Exhibiting Imitation Firearm in Threatening Manner	1 Yr	802 PC		County Jail only
PC 417.6	Intentional Infliction of Great Bodily Injury with Weapon	3 Yrs	801 PC		
PC 417.8	Exhibiting Weapon at Peace Officer	3 Yrs	801 PC	2-4 Yrs	
PC 418	Forcible Entry or Detainer of Land	1 Yr	802 PC		Misdemeanor
PC 419	Reentry on Land After Legal Ouster	1 Yr	802 PC		Misdemeanor
PC 420	Obstructing Entry on Government Lands	1 Yr	802 PC		Misdemeanor
PC 422	Criminal Threats	3 Yrs	801 PC	1 Yr	
PC 422.6	Use of Force, Threats, or Destruction of Property to Interfere With Another's Exercise of Civil Rights	1 Yr	802 PC		Community service only
PC 422.7	Commission of Crime for Purpose of Interfering With Another's Exercise of Civil Rights	3 Yrs	801 PC		
PC 422.75	Commission of Hate Crime; Additional Term	3 Yrs	801 PC	1-3 Yrs	
PC 422.9	Violation of Civil Order Protecting Exercise of Civil Rights	1 Yr	802 PC		County Jail only
PC 424	Misappropriation of Public Funds	Indefinite	799 PC	2-4 Yrs	
PC 426	Misappropriation of Moneys Belonging to the State, or Any City, County, Town, District, or Public Agency	Indefinite	799 PC		
PC 428	Hindering Collection of Revenue	1 Yr	802 PC		Misdemeanor
PC 429	Failure to Collect State Imposed Telecommunications Fees	1 Yr	802 PC		Misdemeanor
PC 431	Misuse of Tax or License Receipt	1 Yr	802 PC		Misdemeanor
PC 432	Sale of License or Tax Receipt	3 Yrs	801 PC		
PC 436	Auctioneer	1 Yr	802 PC		Misdemeanor
PC 439	Procuring Insurance From Unlicensed Company	1 Yr	802 PC		Misdemeanor
PC 440	Refusal to Permit Inspection of Official Books	1 Yr	802 PC		Misdemeanor
PC 451	Arson	6 Yrs	800 PC	5-9 Yrs	Great Bodily Injury
PC 451	Arson	6 Yrs	800 PC	3-8 Yrs	Property/Dwellings
PC 451	Arson	3 Yrs	801 PC	2-4 Yrs	Land
PC 451.5	Aggravated Arson	Indefinite			\$5,000,000 loss or damage

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 452	Unlawfully Causing a Fire	3 Yrs	801 PC	2-6 Yrs	
PC 453	Combustible Material or Incendiary	3 Yrs	801 PC		
PC 454	Punishment for Unlawful Burning Within Area of Insurrection or Emergency Proclaimed Because of Riot	3 Yrs	801 PC	3-7 Yrs	Probation Restricted
PC 455	Attempts	3 Yrs	801 PC	16 mo.-3 Yrs	Set Fire
PC 457.1	Person Required to Register With Chief of Police, Sheriff, or Campus Police Chief After Arson Conviction	1 Yr			Registration requirements only
PC 459	Burglary 1st Degree	3 Yrs	801 PC	2-6 Yrs	
PC 459	Burglary 2nd Degree	3 Yrs	801 PC	1 yr	
PC 459.5	Shoplifting	1 Yr	802 PC		Value not to exceed \$950
PC 463	Violations Committed During State of Emergency or Local Emergency - "Looting"	3 Yrs	801 PC		
PC 464	Use of Acetylene Torch or Explosive - Safe-Blowing	3 Yrs	801 PC	3-5 Yrs	
PC 466	Burglar Tools	1 Yr	802 PC		Misdemeanor
PC 466.1	Sale of Burglar Tools	1 Yr	802 PC		Misdemeanor
PC 466.3	Vending Machine Theft	1 Yr	802 PC		County Jail only
PC 466.5	Motor Vehicle Master Key-Motor Vehicle Wheel Lock Master Key	1 Yr	802 PC		Misdemeanor
PC 466.6	Motor Vehicle Ignition Key Made Other Than by Duplication of Existing Key	1 Yr	802 PC		Misdemeanor
PC 466.7	Unlawful Possession of Key Made Other Than by Duplication	1 Yr	802 PC		Misdemeanor
PC 466.8	Inspection	1 Yr	802 PC		Misdemeanor
PC 466.9	Possession of Code Grabbing Device With Intent to Use in Unlawful Act	1 Yr	802 PC		Misdemeanor
PC 468	Sniperscope	1 Yr	802 PC	Up to 1 Yr	County Jail only
PC 469	Duplication of Keys to State Buildings	1 Yr	802 PC		Misdemeanor
PC 470	Forgery	4 Yrs	801.5 PC	1 Yr	From time of discovery or crime
PC 470a	Forging Driver's License	3 Yrs	801 PC		
PC 470b	Possessing Forged Driver's License, Identification Card	3 Yrs	801 PC		
PC 471	Altering Entries in Books and Records	4 Yrs	801.5 PC		Forgery
PC 471.5	Altering Medical Records	1 Yr	802 PC		Misdemeanor
PC 472	State, Corporate, and Official Seals	4 Yrs	801.5 PC		Forgery
PC 473(b)	Forgery of Checks and Related Instruments	1 Yr	802 PC		Amount not to exceed \$950
PC 474	Sending False Message by Phone or Telegraph	3 Yrs	801 PC		
PC 475	Possessing , Receiving, or Uttering Forged Paper	4 Yrs	801.5 PC		Forgery

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 475a	Possessing , Receiving, or Uttering Forged Paper	4 Yrs	801.5 PC		Ref. subdivision (d) of Section 470
PC 476	Making, Passing, or Possessing Fictitious Bill, Note, or Check	4 Yrs	801.5 PC		Forgery
PC 476a	Making, Dragin or Passing Worthless Check, Draft, or Order	1 Yr	802 PC		Value not to exceed \$950
PC 477	Counterfeiting - Elements of Offense	3 Yrs	801 PC	2-4 Yrs	
PC 479	Having or Uttering Counterfeit	3 Yrs	801 PC	2-4 Yrs	
PC 480	Making or Having Counterfeit Die or Apparatus	3 Yrs	801 PC	2-4 Yrs	
PC 481	Counterfeiting or Altering Passenger Ticket	3 Yrs	801 PC		
PC 481.1	Counterfeiting or Altering Public Transportation Fare Media	3 Yrs	801 PC		
PC 482	Removing "Cancel" Mark From Passenger Ticket	1 Yr	802 PC	Up to 6 mo.	County Jail only
PC 483	Ticket Scalping	1 Yr	802 PC		Misdemeanor
PC 483.5	Deceptive Identification Document	3 Yrs	801 PC		Possession or Transportation Within State; Disclaimer Requirements; Defition; Penalty
PC 484	Acts Constituting Theft	1 Yr			
PC 484.1	Providing False Identity Information to Pawnbroker or Secondhand Dealer to Obtain Money or Valuables	1 Yr	802 PC		Theft
PC 484b (W)	Diversion of Construction Funds	3 Yrs	801 PC		under \$1,000 is a misdo, over is felony
PC 484c (W)	Obtaining Construction Funds by False Voucher as Embezzlement	3 Yrs			amount of funds
PC 484e (W)	Acquiring Access Card Without Cardholder's or Issuer's Consent	3 Yrs			
PC 484f	Forging Access Card or Cardholder's Signature	3 Yrs	801 PC		
PC 484g (W)	Using Access Card or Card Account Information to Obtain Items of Value Without Consent of Cardholder or Issuer	3 Yrs	801 PC		under \$400 is misdo, over is felony
PC 484h (W)	Offenses by Merchant-Knowingly Honoring Illegally Obtained Access Card; Receiveing Payment for Items Not Furnished	3 Yrs	801 PC		under \$400 is misdo, over is felony
PC 484i	Access Cards - Counterfeiting	3 Yrs	801 PC		
PC 484j	Publishing Access Card Number, Code to Avoid Payment or Defraud	1 Yr	802 PC		Misdemeanor
PC 485	Lost Property-Effort to Locate Owner	1 Yr	802 PC		Theft
PC 487	Grand Theft	4 Yrs	801.5 PC	1 Yr	
PC 487	Grand Theft	4 Yrs	801.5 PC	1.5-3 Yrs	Gun Stolen
PC 487a	Animal; Theft Feloniously; Grand Theft	3 Yrs	801 PC	16 mo.-3 Yrs	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 487b	Conversion by Severance From Real Property	3 Yrs	801 PC	16 mo.-3 Yrs	\$100 or more
PC 487c	Conversion by Severance From Real Property-Less Than \$100	1 Yr	802 PC	1 Yr	County Jail only
PC 487d	Gold Dust, Amalgam, or Quicksilver	3 Yrs	801 PC	16 mo.-3 Yrs	Grand Theft
PC 487e	Theft of Dogs-Value of \$400 or More	3 Yrs	801 PC	16 mo.-3 Yrs	Grand Theft
PC 487f	Theft of Dogs-Value of \$400 or Less	1 Yr	802 PC		Petty Theft section-misdemeanor
PC 487g	Theft of Animals - For Sale, Research, Commercial Use, or Slaughter	3 Yrs	801 PC		
PC 490.2	Larceny (Grand Theft)	1 Yr	802 PC		Value not to exceed \$950
PC 490.5	Petty Theft of Merchandise From Merchant or Library Facility or Operating Video Recording Device in Theater Without Authority	1 Yr	802 PC	6 mo.	County Jail only under \$950 is misdo, over is felony
PC 496 (W)	Stolen Property, Buying - Presumption	3 Yrs	801 PC		
PC 496(a)	Receiving/Concealing Stolen Property	1 Yr	802 PC		Value not to exceed \$950
PC 496a	Railroad, Telegraph, Gas or Power Company Material-Junk Dealer	3 Yrs	801 PC		
PC 496b	Books Bearing Mark of Library	1 Yr	802 PC	1 mo.	County Jail only
PC 498 (W)	Unauthorized Diversion, Tampering With, Connection, Reconnection, or Use of Utility Services	3 Yrs	801 PC		under \$400 is misdo, over is felony
PC 499	Enhancements for Repeat Offenses Involving Vehicles and Vessels	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 499b	Taking Bicycle or Vessel Temporarily	1 Yr	802 PC	3 mo.	County Jail only
PC 499c	Trade Secrets	3 Yrs	801 PC		
PC 499d	Aircraft - Stealing, Taking or Operating Without Consent of Owner	3 Yrs	801 PC		
PC 500 (W)	Receiving Money for Transmittal to Foreign Countries	3 Yrs	801 PC	16 mo.-3Yrs	under \$400 is misdo, over is felony
PC 502 (W)	Computer-Related Crimes	3 Yrs	801 PC	16 mo.-3 Yrs	under \$400 is misdo, over is felony
PC 502.7 (W)	Telephone and Telegraph Service	3 Yrs	801 PC		Felony if prior conviction of same section.
PC 502.8 (W)	Cellular Radiotelephone Service	3 Yrs	801 PC		Felony if prior conviction of same section.
PC 503	Embezzlement	3 Yrs	801 PC		Embezzlement of Public Funds- No Statute of Limitations
PC 504	Persons Liable - Officers, Clerks, and Servants	3 Yrs	801 PC		
PC 504a	Lessee or Bailee	3 Yrs	801 PC		Embezzlement
PC 504b	Debtor Selling Property Covered by Security Agreement	3 Yrs	801 PC		Embezzlement
PC 505	Carrier	3 Yrs	801 PC		Embezzlement
PC 506	Fiduciaries of Trust	3 Yrs	801 PC		Embezzlement

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 506a	Collector	3 Yrs	801 PC		Embezzlement
PC 506b	Violator of Civil Code '2985.3 or '2985.4	3 Yrs	801 PC		Embezzlement
PC 507	Bailee, Tenant, or Lodger	3 Yrs	801 PC		Embezzlement
PC 508	Clerk, Agent, or Servant	3 Yrs	801 PC		Embezzlement
PC 509	Taking Unnecessary	3 Yrs	801 PC		Embezzlement
PC 518	Extortion-Defined	3 Yrs	801 PC	2-4 Yrs	Extortion
PC 521	Extortion-When Under Color of Office	1 Yr	802 PC		Misdemeanor
PC 524	Attempt or Threat to Extort	3 Yrs	801 PC		
PC 527	Printing, Publishing, or Selling	1 Yr	802 PC		Misdemeanor
PC 528	Marriage by False Impersonation	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 529	Acts in Assumed Character	3 Yrs	801 PC	16 mo.-3Yrs	
PC 529.5	Manufacture, Sale, or Transfer of Document Purporting to Be Government-Issued Identification Card or Driver's License	1 Yr	802 PC	1 Yr	County Jail only
PC 529a	Manufacture, Sale, or Possession of False Birth Certificate or Baptismal Certificate	1 Yr	802 PC	1 Yr	County Jail only
PC 530 (W)	Receiving Property in Assumed Character	3 Yrs	801 PC		Punishable similar to Larceny
PC 531	Conveyance to Defraud Creditors and Others	1 Yr	802 PC		Misdemeanor
PC 531a	Making or Recording Deed Without Title	1 Yr	802 PC	1 Yr	
PC 532	False Pretenses-Obtaining Property, Labor or Services	3 Yrs	801 PC		Proof at Trial-Punishable similar to Larceny
PC 532a (W)	Financial Statement	3 Yrs	801 PC	16 mo.-3Yrs	
PC 532b	Veteran or Ex-Serviceman, False Personation of	1 Yr	802 PC	6 mo.	County Jail only
PC 532c	Land Lotteries	1 Yr	802 PC	6 mo.	County Jail only
PC 532d	Soliciting Charitable Contributions	1 Yr	802 PC	1 Yr	County Jail only
PC 532e	Rebates From Construction Funds	1 Yr	802 PC	6 mo.	County Jail only
PC 532f	Making False Statement Regarding Financial Condition When Applying for Real Property Loan	1 Yr	802 PC	1 Yr	County Jail only
PC 533	Selling Same Land Twice	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 534	Concealing Necessity That Spouse Join in Deed	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 535	Pretended or Mock Auction	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 536	Factor or Broker-Holding Out on Principal	1 Yr	802 PC	6 mo.	County Jail only
PC 536a	False Accounting	1 Yr	802 PC	6 mo.	County Jail only
PC 537 (W)	Nonpayment of Hotel, Lodging, Apartment, Bungalow Court, or Marina Accomodations	3 Yrs	801 PC	16 mo.-3 Yrs	under \$400 is misdo, over is felony
PC 537b	Defrauding Liveryman or Abusing Hired Horses	1 Yr	802 PC	6 mo.	County Jail only
PC 537c	Liveryman Using or Loaning Animal or Vehicle of Guest	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 537e (W)	Transfer of Possession of Articles From Which Serial Number Altered	3 Yrs	801 PC	16 mo.-3 Yrs	under \$400 is misdo, over is felony
PC 537f	Batteries-"Rebuilt"	1 Yr	802 PC	6 mo.	County Jail only
PC 537g	Alteration or Destruction of Owner Identification Number	1 Yr	802 PC	1 Yr	County Jail only
PC 538.5	Fraudulent Use of Wire, Radio, or Television Transmissions	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 538a	False Signature on Letter to Newspaper	1 Yr	802 PC	6 mo.	County Jail only
PC 538b	Using or Wearing Insignia	1 Yr	802 PC	6 mo.	County Jail only
PC 538d	Misrepresenting Oneself as Peace Officer	1 Yr	802 PC	6 mo.	County Jail only
PC 538e	Fireman, Fraudulent Personation of	1 Yr	802 PC	6 mo.	County Jail only
PC 538f	Employee of Public Utility or District, Fraudulent Personation of	1 Yr	802 PC	6 mo.	County Jail only
PC 539	Fraudulent Certification of Completion of Community Service	1 Yr	802 PC		
PC 548	Defrauding Insurer	3 Yrs	801 PC	2-5 Yrs	
PC 549	Solicitation or Referral for Purposes of Insurance Fraud	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 550 (W)	Making False or Fraudulent Claims	3 Yrs	801 PC	2-5 Yrs	under \$400 is misdo, over is felony
PC 551 (W)	Unlawful Referrals to Auto Repair Dealers	3 Yrs	801 PC	16 mo.-3 Yrs	under \$400 is misdo, over is felony
PC 555	Entry Without Permission	1 Yr	802 PC	6 mo.	County Jail only
PC 555.1	Destruction of Signs	1 Yr	802 PC	6 mo.	County Jail only
PC 556	Unlawful to Place Advertising Sign on Public Property Without Permission	1 Yr	802 PC	6 mo.	County Jail only
PC 556.1	Unlawful to Place Advertising Sign on Private Property Without Permission	1 Yr	802 PC	6 mo.	County Jail only
PC 558	Trespass at Scripps Institution of Oceanography	1 Yr	802 PC	30 days	County Jail only
PC 560	Issuance of False Documents of Title	3 Yrs	801 PC		
PC 560.1	Issuance of False Receipt for Goods	1 Yr	802 PC	1 Yr	County Jail only
PC 560.2	Delivering Goods Without Receiving Negotiable Instrument of Title	1 Yr	802 PC	1 Yr	County Jail only
PC 560.3	Fraudulent Negotiation of Document of Title	1 Yr	802 PC	1 Yr	County Jail only
PC 560.4	Issuance of Fraudulent Duplicate Document of Title	3 Yrs	801 PC		
PC 560.5	Failure to Show Warehousman's Ownership on Document of Title	1 Yr	802 PC	1 Yr	County Jail only
PC 560.6	Negotiation of Fraudulent Warehouse Receipt	1 Yr	802 PC	6 mo.	County Jail only
PC 565	Misdemeanor Dairy Equipment Offenses	1 Yr	802 PC	6 mo.	County Jail only
PC 566	Felony Dairy Equipment Offenses	3 Yrs	801 PC		
PC 570	Penalty for Unlawfully Subleasing	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 577	Bill of Lading, Receipt or Voucher	3 Yrs	801 PC		
PC 578	Warehouse or Wharf Receipt	3 Yrs	801 PC		
PC 580	Failure to Show That Receipt is "Duplicate"	3 Yrs	801 PC		
PC 581	Written Consent of Person Holding Receipt	3 Yrs	801 PC		
PC 587	Injuring or Obstructing Railroad Tracks, Rights-of-Way or Structures	3 Yrs	801 PC		
PC 587.1 (W)	Unauthorized Moving of Locomotives	3 Yrs	801 PC		Likelihood of injury makes this a felony
PC 587a	Injuring Brakes of Appliances on Cars or Engines	1 Yr	802 PC	6 mo.	County Jail only
PC 587b	Riding Engine or Train Without Authority	1 Yr	802 PC	30 days	County Jail only
PC 587c	Evading Payment of Fare	1 Yr	802 PC	6 mo.	County Jail only
PC 588	Injuring Public Road or Bridge	1 Yr	802 PC	6 mo.	County Jail only
PC 588a (W)	Depositing Glass, Tacks, or Other Substances	3 Yrs	801 PC		Likelihood of injury makes this a felony
PC 588b	Removing Barriers, Notices, or Danger Signals on Closed Road	1 Yr	802 PC	6 mo.	County Jail only
PC 590	Injuring Road Signs or Guide Posts	1 Yr	802 PC	6 mo.	County Jail only
PC 591	Injuring or Tapping Telegraph, Telephone, or Cable Television Line	3 Yrs	801 PC		
PC 592 (W)	Taking or Polluting Water by Injuring Ditch or Canal	3 Yrs	801 PC		under \$400 is misdo, over is felony
PC 593	Injuring Electric Power Line	3 Yrs	801 PC		
PC 593a	Driving Iron or Other Hard Substance into Trees, Saw-Logs, or Other Wood	3 Yrs	801 PC		Additional Punishment for Causing Bodily Injury
PC 593b	Tower or Pole Climbing	1 Yr	802 PC	6 mo.	County Jail only
PC 593c	Interference or Obstruction of Flow of Gas or Other Hazardous Liquids	3 Yrs	801 PC		
PC 593d	Unauthorized Connection With Multichannel Video or Information Services Provider	3 Yrs	801 PC		
PC 593e	Manufacture, Distribution, or Sale of Device for Intercepting or Decoding Subscription Television Transmissions	1 Yr	802 PC	1 Yr	Repeat offense carries 2 Yr sentence
PC 593f	Multi-Point Distribution Service or Instructional Television Fied Service	1 Yr	802 PC	90 days	County Jail only
PC 593g	Possession of Substance Hard Enough to Injure Saws or Wood Manufacturing Equipment	1 Yr	802 PC	1 Yr	County Jail only
PC 594 (W)	Vandalism	3 Yrs	801 PC		Amount of damage in dollars
PC 594.1	Giving or Selling Aerosol Containers of Paint to Minor	1 Yr	802 PC	90-240 days	Community service only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 594.2	Substance With Intent to Commit Vandalism	1 Yr	802 PC		
PC 594.3	Vandalism - Place of Worship	3 Yrs	801 PC		
PC 594.4	Vandalism of Structure With Butyric Acid or Similar Caustic Substance	3 Yrs	801 PC		
PC 594.7	Subsequent Conviction for Vandalism	3 Yrs	801 PC		
PC 596	Poisoning Animals	1 Yr	802 PC	6 mo.	County Jail only
PC 596.5	Abuse of Elephants	1 Yr	802 PC	6 mo.	County Jail only
PC 597	Killing, Maiming, or Abusing Animals	3 Yrs	801 PC		Counseling for Offenders
PC 597.1	Keeping Animal without Proper Care	1 Yr	802 PC	6 mo.	County Jail only
PC 597.5	Dog Fights - Training, Conducting, Attending	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 597a	Cruelty in Transporting Animals	1 Yr	802 PC	6 mo.	County Jail only
PC 597b	Animal Fights-Worrying Animals	1 Yr	802 PC	6 mo.	County Jail only
PC 597c	Training Animals to Fight-Attending Training Quarters or Fight	1 Yr	802 PC	6 mo.	County Jail only
PC 597e	Impounding Animal With Insufficient Food and Water	1 Yr	802 PC	6 mo.	County Jail only
PC 597f	Animal Neglect-Killing Neglected, Sick, or Useless Animal	1 Yr	802 PC	6 mo.	County Jail only
PC 597g	Poling or Tripping of Horses	1 Yr	802 PC	6 mo.	County Jail only
PC 597h	Animals Attached to Motor Vehicles	1 Yr	802 PC	6 mo.	County Jail only
PC 597i	Manufacture, Sale, or Possession of Gaffs, Slashers, or Sharp Implements	1 Yr	802 PC	6 mo.	County Jail only
PC 597j	Cock With Intention to Engage in	1 Yr	802 PC	6 mo.	County Jail only
PC 597k	Use of Bristle or Tack Bur on Animals	1 Yr	802 PC	10-175 days	County Jail only
PC 597l	Pet Shops	1 Yr	802 PC	90 days	County Jail only
PC 597m	Conducting Bullfighting Exhibitions	1 Yr	802 PC	6 mo.	County Jail only
PC 597n	Docking Horses	1 Yr	802 PC	6 mo.	County Jail only
PC 597o	Requirement for Transporting Equine to Slaughter	1 Yr	802 PC	6 mo.	County Jail only
PC 597r	Purebred Imported Horses	1 Yr	802 PC	6 mo.	
PC 597s	Abandoning Domestic Dog or Cat	1 Yr	802 PC	6 mo.	County Jail only
PC 597t	Mistreatment of Confined Animals	1 Yr	802 PC	6 mo.	County Jail only
PC 597x	Sale or Transport of Disabled Animal for Slaughter Out of State	1 Yr	802 PC	6 mo.	County Jail only
PC 597y	Violations	1 Yr	802 PC	6 mo.	County Jail only
PC 598	Killing birds or Robbing Nests in Cemeteries	1 Yr	802 PC	6 mo.	County Jail only
PC 598a	Killing or Possessing Dog or Cat With Intent of Selling or Giving Away Pet	1 Yr	802 PC	6 mo.	County Jail only
PC 598b	Possession, Importation, Exportation, Buying, or Selling of Pet for Food	1 Yr	802 PC	6 mo.	County Jail only
PC 599	Mistreatment of Poultry and Rabbits	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 599e	Added Authority for Killing Animal Outliving Usefulness	1 Yr	802 PC	6 mo.	County Jail only
PC 599f	Nonambulatory Animals	1 Yr	802 PC	6 mo.	County Jail only
PC 600	Punishment - Harming, Interfering With or Obstructing a Peace Officer's Horse or Dog	3 Yrs	801 PC	16 mo.-3 Yrs	
PC 600.5	Intentional Injury to or Death of Guide Dog	1 Yr	802 PC	1 Yr	Restitution and imprisonment
PC 601	Trespass - Threat to Cause Serious Bodily Injury	3 Yrs	801 PC		
PC 602	Trespass to Land	1 Yr	802 PC	6 mo.	County Jail only
PC 602.1	Interference With Busines by Obstructing or Intimidating Prersons Attempting to Carry on Business or Their Customers	1 Yr	802 PC	90 days	County Jail only
PC 602.10	Physical Obstruction of Student or Teacher From Attending or Instructing at the University of California, California State University, or Community Colleges	1 Yr	802 PC	1 Yr	County Jail only
PC 602.11	Obstructing Individual From Entering or Exiting Health Care Facility, Place of Worship, or School	1 Yr	802 PC	5-30 days	County Jail only
PC 602.4	Unauthorized Sales at Airports	1 Yr	802 PC	6 mo.	County Jail only
PC 602.5	Unauthorized Entry of Dwelling	1 Yr	802 PC	6 mo.	County Jail only
PC 602.6	Unauthorized Entry of Fairgrounds	1 Yr	802 PC	6 mo.	County Jail only
PC 602.7	Unauthorized Peddling on Rapid Transit District Property or Vehicles	1 Yr	802 PC		Infraction
PC 602.8	Trespass-Entering Cultivated, Fenced, or Posted Land	1 Yr	802 PC	6 mo.	County Jail only
PC 603	Injury to Dwelling House	1 Yr	802 PC	6 mo.	County Jail only
PC 604	Injuring Crops of Grain, Fruit, or Vegetables	1 Yr	802 PC	6 mo.	County Jail only
PC 605	Injuring Survey Marks or Monuments	1 Yr	802 PC	6 mo.	County Jail only
PC 607 (W)	Injuring Hydro-Power Equipment	1-3 Yrs	801 PC		Dollar amount of damage
PC 610	Endangering Navigation by Masked or False Light	3 Yrs	801 PC		
PC 615	Tampering With Coast or Geodetic Survey Monument	1 Yr	802 PC	6 mo.	County Jail only
PC 616	Tampering With Posted Legal Notice	1 Yr	802 PC	1 mo.	County Jail only
PC 617	Mutilating Writings	3 Yrs	801 PC		
PC 618	Opening or Disclosing Contents of Sealed Letter	1 Yr	802 PC	6 mo.	County Jail only
PC 620	Altering Telegram or Phone Message	3 Yrs	801 PC		
PC 621	Vandalism to Law Enforcement Memorial or Firefighter's Memorial	3 Yrs	801 PC		
PC 622	Destroying Monuments or Civic Improvements	1 Yr	802 PC	6 mo.	County Jail only
PC 622.5	Wilful Injury of Any Archeological or Historical Object	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 623	Destruction of Caves and Contents	1 Yr	802 PC	1 Yr	County Jail only
PC 624	Injuring Water Pipes	1 Yr	802 PC	6 mo.	County Jail only
PC 625	Using Water After Shuf-Off	1 Yr	802 PC	6 mo.	County Jail only
PC 625b (W)	Aircraft, Tampering With or Removing Parts From	1-3 Yrs	801 PC		If aircraft is rendered unsafe-felony
PC 625c	Transit Vehicle or System	3 Yrs	801 PC		
PC 626.10	Stabbing Instruments, Razors, Tasers, Stun or Pellet Guns on School Grounds	3 Yrs	801 PC		
PC 626.2	Suspended or Dismissed Student or Employee Willfully Entering Campus	1 Yr	802 PC	6 mo.	County Jail only
PC 626.4	Authority of Chief Administrative Officer to Revoke Authority of Person to Remain on Campus	1 Yr	802 PC	6 mo.	County Jail only
PC 626.6	Person Not a Student, Officer or Employee-Interference With Peaceful Conduct on Campus-Failure to Leave or Reentering Campus	1 Yr	802 PC	6 mo.	County Jail only
PC 626.7	Interference With Peaceful Conduct of Campus Activities	1 Yr	802 PC	6 mo.	County Jail only
PC 626.8	Person Upon or Near School Ground Without Lawful Business-Interference With Peaceful Conduct	1 Yr	802 PC	6 mo.	County Jail only
PC 626.85	Specified Drug Offender Upon or Near School Ground-Failure to Leave or Reentering Campus	1 Yr	802 PC	6 mo.	County Jail only
PC 626.9 (W)	Gun-Free School Zone Act of 1995-Bringing or Possessing Firearm on Grounds of Public or Private School, College, or University	1-3 Yrs	801 PC	2-5 Yrs	
PC 627.7	Failure or Refusal to Leave School Grounds Promptly	1 Yr	802 PC	6 mo.	County Jail only
PC 627.8	Subsequent Offenses	1 Yr	802 PC	6 mo.	County Jail only
PC 631	Wiretapping	3 Yrs	801 PC		
PC 632	Eavesdropping on or Recording Confidential Communications	3 Yrs	801 PC		
PC 632.5	Radio Telephone Communication	3 Yrs	801 PC		
PC 632.6	Intercepting or Receiving Cordless Telephone Communication	3 Yrs	801 PC		
PC 632.7	Recording Communications Via Cellular Radio, Cordless, or Landline Telephone Without Consent of All Parties	3 Yrs	801 PC		
PC 634	Trespassing for Purpose of Committing Invasion of Privacy	3 Yrs	801 PC		
PC 635	Manufacturing or Selling Devices Intended for Eavesdropping or Interception of Telephone Communications	3 Yrs	801 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 636	Eavesdropping on or Recording Conversation Between Person in Custody and His Attorney	3 Yrs	801 PC		
PC 636.5	Wrongful Interception and Divulgence of Police Radio Communication	1 Yr	802 PC		
PC 637	Wrongful Disclosure of Telegraphic or Telephonic Communication	3 Yrs	801 PC		
PC 637.1	Wrongful Obtaining of Telegraphic or Telephonic Communication	3 Yrs	801 PC		
PC 637.4	Use of Polygraph Examination as Prerequisite to Accusatory Pleading Prohibited	1 Yr	802 PC		Fine only
PC 637.5	Cable Television-Invasion of Privacy	1 Yr	802 PC		
PC 637.6	Disclosure of Personal Information Obtained in Establishment or Implementation of Carpool or Rideshare Programs Prohibited	1 Yr	802 PC	1 Yr	County Jail only
PC 639	Bribing Financial Institution Employee to Obtain Credit	3 Yrs	801 PC		
PC 639a	Financial Institution Employee Accepting Bribe	3 Yrs	801 PC		
PC 640	Infractions Committed on or in Facilities or Vehicles or Public Transportation System	1 Yr	802 PC	48 Hrs	Community service only
PC 640.5	Graffiti or Other Inscribed Material-Government Facilities and Vehicles of Public Transportation Systems	1 Yr	802 PC	1 Yr	County Jail only
PC 640.6	Graffiti or Other Inscribed Material-Real or Personal Property of Another	1 Yr	802 PC	1 Yr	County Jail only
PC 640.7	Graffiti and Vandalism-Highways	1 Yr	802 PC	1 Yr	County Jail only
PC 640a	Beating vending or Slot Machine	1 Yr	802 PC		
PC 640b	Beating Pay Phone	1 Yr	802 PC		
PC 641	Inducing Disclosure of Phone Message or Telegram by Bribery	3 Yrs	801 PC		
PC 641.3 (W)	Commercial Bribery	1-3 Yrs	801 PC	16 mo.-3 Yrs	under \$1000 is misdo, over is felony
PC 641.5	Volatile, Commercially Moisture-Free Solvent	1 Yr	802 PC		
PC 641.6	Use of Carbon Tetrachloride or Trichlorethylene by Onsite Dry Cleaner	1 Yr	802 PC		
PC 642 (W)	Removing and Keeping Articles From Corpse	1-3 Yrs	801 PC		under \$400 is misdo, over is felony
PC 643	Disposal of Fetal Remains	1 Yr	802 PC		
PC 646	Solicitation of Claims to Be Sued on Outside the State	1 Yr	802 PC	6 mo.	County Jail only
PC 646.5	Employment Solicitation to Obtain Authorization as Investigator	1 Yr	802 PC		
PC 646.6	Solicitation for Sale of Accident Photographs	1 Yr	802 PC		

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 646.9	Stalking	3 Yrs	801 PC	2-4 Yrs	
PC 647	Disorderly Conduct Defined	1 Yr	802 PC		
PC 647(h)	Prowling or Loitering	1 Yr.	802 PC		
PC 647(i)	Peeping	1 Yr.	802 PC		
PC 647.6 (W)	Child Molesters-Punishment	3 Yrs	801 PC		Forced entry or second violation-felony
PC 647.7	Disorderly Conduct Involving Peeping	1 Yr.	802 PC	Up to 1 Yr.	County Jail only
PC 647.9 (W)	Child Molesters-Punishment	1 Yr	802 PC		Minor - 2 Yr Statute of Limitations
PC 647b	Loitering Around Adult Schools	1 Yr	802 PC	6 mo.	
PC 647c	Obstructing Movement on Street or Public Place	1 Yr	802 PC		
PC 647e	Counties May Prohibit Open Containers in Certain Locations	1 Yr	802 PC		Infraction only
PC 647f	Prostitution Following Prior Conviction and Positive AIDS Test	3 Yrs	801 PC		
PC 648 (W)	Uttering and Passing Counterfeit Paper	1-3 Yrs	801 PC		First offense-misdemeanor. Additional offenses-felonies.
PC 648a	Tokens or Slugs Imitating Coins	1 Yr	802 PC		
PC 649	Guests	1 Yr	802 PC		
PC 649a	Fraud in Procuring Hotel Guests	1 Yr	802 PC		
PC 651	Food Stanps, Selling of.	1 Yr	802 PC		
PC 652	Body Piercing of Unemancipated Minor	1 Yr	802 PC		Infraction only
PC 653	Tatooing Minor	1 Yr	802 PC		
PC 653.1	Balloons Made of Electrically Conductive Material-Restrictions	1 Yr	802 PC		
PC 653.22	Loitering With Intent to Commit Prostitution Unlawful	1 Yr	802 PC		
PC 653.55	False or Misleading Statment or Assertion of Fact	1 Yr	802 PC	6 mo.	
PC 653d	Failure to Keep Records on Sale of Mining Machinery	1 Yr	802 PC		
PC 653f (E/W)	Solicitation to Commit Felony	1-6 Yrs	801 PC	Up to 9 Yrs	Dependant on type of crime solicited
PC 653g	Loitering About Place Where Children Congregate Punishable as Vegrancy	1 Yr	802 PC	6 mo.	County Jail only
PC 653h	Sound Recordings	3 Yrs	801 PC	2-5 Yrs	
PC 653i	Leaving Scene of Skiing Accident	1 Yr	802 PC		Infraction only
PC 653j	Solicitation of Minor to Commit Felony	3 Yrs	801 PC	3-7 Yrs	
PC 653m	Harassing by Telephone	1 Yr	802 PC	1 Yr	County Jail only
PC 653n	Installation or Maintenance of Two-Way Mirror Permitting Observation of Certian Areas	1 Yr	802 PC		
PC 653o	Unlawful Import of Dead Animals for Commercial Purposes	1 Yr	802 PC		
PC 653q	Importation, Possession of Dead Seals for Commerce	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 653r	Possession with Intent to Sell Dead Animals or Products	1 Yr	802 PC		
PC 653s	Performance Recorded Without	3 Yrs	801 PC	2-5 Yrs	
PC 653t (W)	Interfering With Amateur or Citizen's Band Radio Frequency or With Emergency Communication Over Police Radio Frequency	1-3 Yrs	801 PC		If offense results in serious bodily injury or property loss in excess of \$10,000 occurs-felony
PC 653u	Recording of Article With Intent to Sell Without Owner's Consent	3 Yrs	801 PC		
PC 653w	Failure to Disclose Origin of Recording or Audiovisual Work	3 Yrs	801 PC	2-5 Yrs	
PC 653x	Telephoning 911 Emergency Line With Intent to Annoy or Harass	1 Yr	802 PC	6 mo.	County Jail only
PC 654.1	Transportation-Providing Without Permit Unlawful	1 Yr	802 PC		
PC 659	Counseling or Aiding Misdemeanor	1 Yr	802 PC		
PC 664(a)	Attempt to Commit	6 Yrs	800 PC		If original offense carries a prison term (not including life sentence or death). Carries half the prison term of the attempted offense.
PC 664(b)	Attempt to Commit	1 Yr	802 PC		County Jail only. Carries half the term of the original offense.
PC 664(c)	Attempt to Commit	1 Yr	802 PC	Fine only	Carries half the fine of the attempted offense.
PC 664/187	Attempted Murder	6 Yrs	800 PC	5-9 Yrs.	
PC 664/189	Attempted Murder	Indefinite	799 PC	Life w/poss.	Willful, deliberate, and premeditated murder.
PC 666	Conviction to Petty Theft After Serving Term for Other Theft	1 Yr.	802 PC		Regardless of the number of priors
PC 666	Conviction to Petty Theft After Serving Term for Other Theft	3 Yrs	801 PC	16 mo.-3 Yrs	Only applies for suspect with specific priors and certain elder abusers.
PC 666.5	Repeat Offenders-Enhancement for Felony Vehicle Theft or Felony Grand Theft Involving Motor Vehicle, Trailer, or Special Construction Equipment	3 Yrs	801 PC	2-4 Yrs	
PC 666.7	Sentence Enhancement Schedules	3 Yrs			
PC 67	Bribing Executive Officer	3 Yrs	801 PC	2-4 Yrs	
PC 67.5(a)	Bribing Ministerial Officer	1 Yr	802 PC		Petty Theft section-misdemeanor
PC 67.5(b)	Bribing Ministerial Officer	3 Yrs	801 PC		Grand Theft section-felony
PC 68	Officer Asking or Receiving Bribes	3 Yrs	801 PC	2-4 Yrs	
PC 69	Resisting or Deterring Officer	3 Yrs	801 PC	1 Yr	
PC 70	Asking/Accepting Gratuity for Official Act	1 Yr	802 PC		Misdemeanor
PC 71	Threat of Injury Made to Officer in Performance of His Duties	3 Yrs	801 PC	1 Yr	

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
PC 72	Presenting False Claim to Public Board or Officer	3 Yrs	801 PC	1 Yr	
PC 72.5	Costs Incurred for Political Functions -	3 Yrs	801 PC	1 Yr	
PC 73	Offering Gratuity for Appt. to Office	1 Yr	802 PC		Misdemeanor
PC 74	Receiving Gratuity for Appt. to Office	1 Yr	802 PC		Fine only
PC 76	Threatening Life of or Serious Bodily Harm to Public Official, Staff, of Member of Immediate Family	3 Yrs	801 PC	1 Yr	
PC 85	Bribing Legislators	3 Yrs	801 PC	2-4 Yrs	
PC 86	Accepting Bribes	3 Yrs	801 PC	2-4 Yrs	Legislature
PC 92	Bribery of Judicial Officer	3 Yrs	801 PC	2-4 Yrs	
PC 93	Accepting Bribes	3 Yrs	801 PC	2-4 Yrs	Judicial officer, juror, referee, arbitrator, or umpire
PC 94	Gratuity or Reward to Judicial Officer	1 Yr	802 PC		Misdemeanor
PC 94.5	Fees/Gratuities for Performing Marriage	1 Yr	802 PC		Misdemeanor
PC 95	Influencing Jurors, Referees, or Umpires	3 Yrs	801 PC	1 Yr	
PC 95.1	Threatening Jurors Following Verdict in Criminal Proceeding	3 Yr	801 PC	1 Yr	
PC 95.2	Providing Sealed Juror Identification Information to Defendant	1 Yr	802 PC		Misdemeanor
PC 95.3	Private Investigator Providing Criminal Defendant with Information on Jurors	1 Yr	802 PC		Misdemeanor
PC 96	Guilt of Juror, Referee, or Umpire	3 Yrs	802 PC		Misdemeanor
PC 99	State Printer Not to Be Interested in Public Contracts	3 Yrs	801 PC	1 Yr	
VC 10501 (W)	False Theft of Vehicle Reports	1-3 Yrs	801 PC	16 mo.-3 Yrs	Prior conviction make this a felony
VC 10752	Illegal Possession or Sale of Identification Number	3 Yrs	801 PC		
VC 10801	Owning or Operating Chop Shop	3 Yrs	801 PC	2-4 Yrs	
VC 10802	Tampering With Vehicle Identification Number	3 Yrs	801 PC	16 mo.-3 Yrs	
VC 10803	Buying or Possessing Vehicles With Altered Vehicle Identification Numbers	3 Yrs	801 PC	2-6 Yrs	
VC 10851	Vehicle Theft	3 Yrs	801 PC	2-4 Yrs	
VC 10854	Uncontested Action by Vehicle Bailee; Punishment	1 Yr	802 PC	1 Yr	County Jail only
VC 12500	Unlicensed Operation Unlawful	1 Yr	802 PC		
VC 13200	Speeding and Reckless Driving	1 Yr	802 PC		Revocation of license only
VC 13200.5	Driving in Excess of 100 Miles Per Hour	1 Yr	802 PC		Suspension of license only
VC 14610.5	Sale or Distribution of Crib Sheets; Impersonation of License Applicant	1 Yr	802 PC		
VC 20001	Hit and Run	3 Yrs	801 PC	2-4 Yrs	Great Bodily Injury, 1 Yr if not
VC 20002	Property Damage Reports and Notices; Punishment	1 Yr	802 PC	6 mo.	County Jail only

Law Enforcement Property and Evidence Statute of Limitations

Violation Code	Violation Description	Statute of Limitations	Statute Code Section	Possible Sentences	Considerations
VC 23152	Driving While Under the Influence of Alcohol or Drugs	1 Yr	802 PC	96 hrs.	County Jail only
VC 23153	Driving Under the Influence	3 Yrs	801 PC		Causing Bodily Injury
VC 23222	Open Alcoholic Beverage Container or Marijuana in Vehicle	1 Yr	802 PC		Fine only
VC 23223	Open Alcoholic Beverage Containers-Possession	1 Yr	802 PC		
VC 2800.2	Attempting to Evade Peace Officer While Driving Recklessly - Punishment	3 Yrs	801 PC		Disregard for Safety
VC 2800.3	Evasion of Peace Officer	3 Yrs	801 PC	3-5 Yrs	Causing Serious Injury or Death
VC 38318	Throwing Substances at Off-Highway Motor Vehicles	1 Yr	802 PC	6 mo.	County Jail only
VC 38318.5	Malicious Acts	1 Yr	802 PC	6 mo.	County Jail only
VC 42001.7	Littering	1 Yr	802 PC		Fine only
VC 4461	Unlawful Use of Forms of Registration, Plates, Permits, or Placards, or Validation Tabs	1 Yr	802 PC		
VC 4462	Unlawful Use or Possession of Vehicle Identification Documents	1 Yr	802 PC		
VC 4463 (W)	Falsifying Evidence of Registration, Ownership, or Identification; Falsifying or Loaning Disabled Person Placard	1-3 Yrs	801 PC	16 mo.-3 Yrs	Placard only-misdemeanor
VC 5500	Delivery of Evidence of Registration Before Disassembly	1 Yr	802 PC	6 mo.	County Jail only

