

5-04/150.00 - Property for Safekeeping

Deputy personnel may confiscate personal property from a member of the public for the purpose of safekeeping leading towards possible return of the item to the individual or his designee. Likewise, a member of the public may surrender an item to the custody of the Department for the same reason. Property for safekeeping may consist of personal property items (typically firearms and/or weapons) that require safekeeping as a result of the owner's infirmity, accident, or arrest. Property of this nature coming into the possession of the Department shall be entered into PRELIMS as Safekeeping (CATEGORY).

If the item confiscated for safekeeping is a firearm, the owner must submit authorization from the Department of Justice (DOJ) prior to the investigating officer authorizing the release of the firearm to the owner. Upon presentation of the DOJ authorization by the owner, the investigating officer and lieutenant or designee shall authorize the release of the firearm to the owner in PRELIMS, generate an *Authorization to Release Property or Evidence* (SH-AD-121) in PRELIMS, and give it to the owner. The Central Property custodian shall release the firearm to the owner upon the presentation of both the DOJ authorization and *Authorization to Release Property or Evidence* (SH-AD-121).

If the items is confiscated or surrendered due to Section 5150 of the Welfare and Institutions Code and/or Section 8102 of the Health and Safety Code and 72 hours have elapsed, both the DOJ form and a court order authorizing release of the firearm is required.

See Section 5-04/180.30 Release of Property/Evidence to Owner – Firearms.
