

4-4 Handling of Seized Currency By The Asset Forfeiture Unit

NARCOTICS BUREAU

DETECTIVE DIVISION

LOS ANGELES COUNTY SHERIFF DEPARTMENT

Bureau Order Number: **4-4**

ASSET Subject: **HANDLING OF SEIZED CURRENCY BY THE FORFEITURE UNIT.**

Effective Date:	01/26/2009	Last Date Revised:	05/26/2015
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I. PURPOSE

The purpose of this order is to establish policy and procedures for the Asset Forfeiture Unit, specifically related to the receipt, counting, transporting and depositing of seized currency.

II. SCOPE

This order applies to the Asset Forfeiture Unit and all personnel assigned to Narcotics Bureau who submit currency to the Asset Forfeiture Unit.

III. POLICY

Uncounted currency brought to Headquarters Narcotics Bureau for evidence or asset forfeiture proceedings shall be transported in transparent serialized sealed evidence bags by a lieutenant and at least one other sworn member (if \$10,000 or greater), or by a sergeant and at least one other sworn member (if less than \$10,000).

Occasionally, cash received from patrol station personnel for forfeiture proceedings has been packaged in envelopes and not in narcotics evidence bags. While discouraged, these may be accepted by the Asset Forfeiture Unit if properly sealed and initialed.

SUBMISSION OF UNCOUNTED CURRENCY TO THE ASSET FORFEITURE UNIT

During Business Hours

The cash shall be taken directly to the Asset Forfeiture sergeant or a Narcotics Bureau lieutenant for deposit into the safe via the hopper located behind door #1. The Asset Forfeiture sergeant or Narcotics Bureau lieutenant will inspect the bag(s), verify the numbers, and ensure they have been properly sealed and show no signs of tampering.

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The uncounted currency may be temporarily placed into the Asset Forfeiture sergeant's safe until witnessing deputies can be assembled for a count. **Uncounted currency shall not be left in the Asset Forfeiture sergeant's safe overnight.** Any overnight storage of uncounted currency shall be in the Narcotics Bureau money evidence safe and a ledger entry made.

After Hours

During non-business hours (or in the absence of the Asset Forfeiture sergeant), the transporting lieutenant or sergeant, along with one other sworn personnel, shall place the uncounted currency, still in the sealed evidence bags, into the Narcotics Bureau money evidence safe via the hopper located behind door #1, and enter it into the safe master ledger as uncounted currency. The evidence bag numbers shall be noted in the

ledger. The transporting personnel shall notify the Asset Forfeiture Unit of the entry and request a count be completed as soon as practical.

In all cases where currency is placed in the Narcotics Bureau money evidence safe, in addition to documenting the entry in the safe master ledger, the transporting personnel shall confirm that PRELIMS has been updated, indicating the new location of the currency (NARCO HQ SAFE 1).

CONDUCTING THE COUNT

Security and accurate counting of currency is one of the primary responsibilities of the Asset Forfeiture Unit.

Counts shall be completed by at least three personnel from the Asset Forfeiture Unit; one a sworn supervisor and the others sworn at the rank of deputy or above. The counting and witnessing personnel shall not be the personnel who seized or transported the uncounted currency unless the Unit Commander has given express written authority for them to do so. Under these circumstances, the supervising sergeant shall prepare a memo to the Unit Commander requesting such authorization prior to the count.

The Asset Forfeiture Unit doors shall be closed during the counting. The outside doors shall be locked. The inner door shall be closed (to prevent excess traffic) but unlocked during the count. The secretary, if present, shall answer telephones to prevent interruption of the counting process. Non-sworn members shall not witness the count.

The Asset Forfeiture sergeant and one additional sworn member shall remove the sealed evidence bags from the money evidence safe and carry it directly to the Asset Forfeiture counting room. The evidence bags shall be opened, the money counted, and the bags resealed in full view of the video cameras within the counting room. Money counting machines shall be used to count the money, and two consecutive confirming counts shall be made. The two counting machine tapes showing the note tally and total count will be preserved in the Asset Forfeiture Unit files. Any identified counterfeit notes will be separated from the final tally and their discovery and disposition documented in a supplemental report. The final count shall be documented in the Asset Forfeiture Unit case file.

The Operations Lieutenant, other Bureau lieutenant, Operations Sergeant, Training Sergeant, Training

Deputy, or any other sworn personnel authorized by the Unit Commander or his/her designee, if not involved in the original currency seizure and transportation, may witness the count if there is a shortage of Asset Forfeiture Unit personnel. Counts may be delayed in order to have a sufficient number of personnel.

The Asset Forfeiture sergeant shall watch over and not participate in the physical count unless there is another supervisor present who can oversee the count. The supervisor shall examine the sealed evidence bags for evidence of tampering, and shall oversee the opening of the bags, the counting of the currency, and the resealing of the counted currency. He or she shall also supervise the entry of the counted currency into the money safe and ledger.

POST-COUNT PROCEDURES

The sealed bags shall be re-entered into the safe master ledger and safe by the Asset Forfeiture sergeant and other sworn member pending final disposition of the currency.

Dispositions

- 1) Returned to owner if case not filed or asset forfeiture proceedings not initiated.
- 2) Deposited in the District Attorney's Asset Forfeiture account for state asset forfeiture Proceedings.
- 3) Deposited in the Sheriff's Department Trust Fund account if forfeiture proceedings not initiated and the currency not returned to the owner within five business days
- 4) Submitted to the appropriate federal agency for asset forfeiture proceedings

(a) The transfer of funds to the custody of federal authorities is best accomplished by converting the currency into a cashier's check via Bank of America, made payable to the appropriate federal agency, or depositing the currency in the Sheriff's Department Trust Fund account and a warrant requested, via Fiscal Services, payable to the appropriate Federal agency.

All dispositions will be documented in the case file.

Deposits

The counted currency may be transported in the sealed evidence bags to a local Bank of America branch and deposited. A deposit receipt shall be obtained and documented in the case file.

The sealed money bags will be opened by the bank personnel in the presence of the transporting deputies. The deputies will ensure that the deposit amount is confirmed with the bank prior to the cash being taken by bank personnel from the place where the

count is conducted. If a discrepancy is discovered, a recount will be requested to reconcile the deposit amount. Any unresolved discrepancy will be brought to the attention of the Asset Forfeiture sergeant or Operations Lieutenant immediately.

The emptied money bags will be returned to the Asset Forfeiture Unit where a photocopy will be made and placed in the case file before being destroyed.

SECURITY AND TRANSPORT OF DEPOSITS

The Captain, Operations Lieutenant, or Operations Sergeant will be notified before any cash is transported to the Bank of America cash vault for deposit.

Only counted amounts will be transported for deposit by the Asset Forfeiture Unit unless an excessively large amount is seized, and the Unit Commander personally authorizes an uncounted amount deposit.

Deposits will be transported by no less than a sergeant and lieutenant from the Asset Forfeiture Unit or other

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personnel authorized by the Operations Lieutenant or Unit Commander. Transporting personnel will ensure the evidence bags are sealed and there is no evidence of tampering. They will determine that the serial numbers of the bags are the same numbers as noted in the original safe ledger entry, and they will confirm the amount on the bags is consistent with the amount entered in the safe ledger.

The transporting deputies shall be armed with their duty pistols and equipped with a cellular telephone and portable Department radio for emergency communication. The radio shall remain on and tuned to the SCC access channel during transport.

A radio check shall be made prior to transport, and the starting and ending mileage shall be broadcast to SCC. The cash will be kept locked in the trunk of the car during transport. Deputies shall travel to the bank in a direct route from the Asset Forfeiture Unit. There shall be no stops for personal or non-emergent business. Upon arrival, the transporting deputies shall telephone the Asset Forfeiture sergeant or, in his absence, the Operations Sergeant or Lieutenant and advise of their safe arrival at the bank.

Any event which occurs that prevents non-delayed travel to the bank will be called into either the Asset Forfeiture sergeant, the Operations Lieutenant, or the Operations Sergeant. Emergencies will be broadcasted to SCC and backup or assistance requested as needed.

Amounts greater than **\$350,000** shall be transported by no less than three sworn personnel in two separate vehicles: a load car with two deputies and a security vehicle with at least one sworn member equipped with a cellular phone and Department radio.

UNCOUNTED US CURRENCY FOR DEPOSIT

When any amount of UNCOUNTED US Currency is to be deposited into the vault, a lieutenant shall be present during transport and shall remain until the currency is inside the facilities secured area.

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Unit

ORIGINAL SIGNED

LOYL. MCBRIDE, CAPTAIN

NARCOTICS BUREAU
