



Procedure Number: **OPS - 031**
Policy: **Found or Recovered Property**
References: [MCA 70-5-101](#), [MCA 70-5-201,202](#), [MCA 70-6-201](#), 303, 70-9-808,
1CJS – section 9, Abandonment p. 15.
Approved by: Kenneth A. Willett, Director for Office of Public Safety

PROCEDURE:

Responsibilities of the Office of Public Safety

It shall be the responsibility of the Office of Public Safety to make every attempt to locate and identify the owner(s) of any property which is turned in to the Office of Public Safety.

- A. If there is any clue to the identity of the owner of the property efforts will be made as soon as practical to contact the owner by phone or certified mail so they may make recovery.
- B. If owner is not known diligent attempts will be made to locate similar property descriptions in theft or lost property reports or lost/found section of local newspapers and/or by advertisement.

Method of Identification

When property is turned into the Office of Public Safety a written report will be made including all pertinent information.

Release of Property

The owner's signature, address and date of release must be entered on the ORIGINAL desk report or its supplement.

Property Disposal

Property disposal is to be accomplished in the following manner:

- A. Property with a value of less than \$50 can be returned to the finder if they expressed an interest, donated to charity, used by the Office of Public Safety, or thrown away after holding for 120 days.

- B. Guns cannot be returned to the finder or auctioned. Found guns should be advertised and/or traced through ATF in order to find owner. If that owner cannot be found the weapon will be donated to the Montana State Crime Lab or kept by the Office of Public Safety for training purposes.

- C. When an owner of found property has been located and informed but does not claim the property within 4 weeks, a certified letter will be sent notifying the owner that after the property has been held for 120 days it will be disposed of within the guidelines stated above.

- D. Found or abandoned bicycles turned into the Office of Public Safety are subject to a \$3 per day storage fee. This fee can be waived if good reason for abandonment exists. (1CJS- section 9, abandonment p. 15)

- E. Bicycles held for more than 120 days will be auctioned, donated, or used by the Office of Public Safety. Auction proceeds will be placed into an account used for storage, maintenance, recovery, and management of bicycle recovery efforts.

- F. If cash is found and the owner cannot be located, the cash will be deposited into an account and held. After 4 ½ years a letter will be written to the apparent owner between July 1 and September 1 of the 5th year. After 5 years the cash funds will transfer to the Montana Department of Revenue with a verified report.

Records

The Office of Public Safety must retain all records, including desk reports and property logs for a minimum of five (5) years.