

Procedure

3.18

**EFFECTIVE
DATE
2-15-22**

**Eugene
Police Department**



Handling of Suspected Stolen Used Merchandise

3.18.1 PURPOSE AND SCOPE

This policy is designed to outline procedures for Eugene Police Department (EPD) officers or detectives who are processing and possibly seizing suspected stolen property from used merchandise dealers, as defined in the *Eugene Code 4.989*, and the subsequent release of such property.

3.18.2 PROCESSING OF SUSPECTED STOLEN PROPERTY

- a. Once an item in possession of a used merchandise dealer has been identified by members of the Eugene Police Department as being suspected stolen property, a confirmation of the stolen status must be completed.
- b. An officer should photograph the suspected stolen property.
- c. One of the following actions should be taken:
 1. Take possession of the property after obtaining a voluntary release of the property from the used merchandise dealer or representative. The *Notice of Property Release* form or a signed statement by the employee on an *Evidence/Property Report* form can document the voluntary release. The store should receive a copy of the form.
 2. Place a hold on the suspected stolen property in accordance with *Eugene Code 4.989* by:
 - completing a hold slip (which the used merchandise dealer will have), or
 - by placing an electronic hold through the automated electronic reporting system. (Such a hold expires after 180 days.)
 - The placing of a 'hold' should be documented in the officer's report.
 3. Seize the suspected stolen property as evidence or as recovered property. Lodge the property at the Evidence Control Unit (ECU) for storage and any necessary processing. The used merchandise dealer should be provided with a receipt for the property.

- d. Anytime property is seized from a used merchandise dealer, or a hold is placed on the property, a copy of the report should be routed to the Eugene Police Property Crimes Unit.

3.18.3 RELEASE OF USED MERCHANDISE

- a. Property which was voluntarily released by a used merchandise dealer can be released to a person who an officer reasonably believes to be the property owner, or lodged at ECU as recovered property or evidence, as appropriate.
- b. Property seized from, or released by, a used merchandise dealer can be released to another law enforcement agency if it is confirmed involved with one of their cases. The other agency's case number of the investigation should be documented along with the circumstances of the release, in the EPD officer's report.
- c. Otherwise, release of property to a person other than the used merchandise dealer may occur only under one of the following circumstances:
 - 1. If a case related to the property has been adjudicated and the court has directed the disposition of the property, EPD will dispose of the property as directed by the court.
 - 2. If an owner reports property stolen, subject to an appeal under *Eugene Code 2.021*, the property may be released to the person when the department sends or delivers a copy of the *Notice of Property Release* form to the used merchandise dealer's place of business.
 - a. If no appeal is filed by the used merchandise dealer within 15-days of mailing or personal delivery of the "Notice of Property Release" form, EPD will release the property to the owner who reported the property as stolen.
 - b. If an appeal is filed by the used merchandise dealer within 15-days of mailing or personal delivery of the "Notice of Property Release" form, a hearing will be held, and EPD will dispose of the property as directed.
- d. Responsibility for the release of property will normally rest with the officer assigned to the case. If assistance is needed, a pawn detail detective may be contacted to assist.

Chris Skinner
Chief of Police