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18-089  
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## **Protocol for Processing Homeless Property consistent with DPW's "Bag & Tag" Policy (Re-issue DB 16-091)**

The purpose of this Department Bulletin is to outline policy and procedure for processing the unattended personal property, abandoned property, or property subject to an incident of arrest of a homeless subject.

While enforcing the law, officers routinely encounter situations that require removal of unattended or abandoned personal property from public property. Officers may locate abandoned property that a member may reasonably believe belongs to a homeless individual.

### **Unattended Property vs. Abandoned Property**

Temporarily unattended property is different from abandoned property, which may be immediately discarded. In determining if property is abandoned, officers should evaluate the facts and circumstances surrounding the items. Unattended property is not abandoned if it is accompanied by signs of ownership – for example, an unattended tent that is filled with personal belongings, or items that are being stored in an orderly manner (i.e. packed up, wrapped, or covered). In addition, if there is a third party present who states s/he has been designated to watch or secure the items during the owner's temporary absence, the items are not considered abandoned. By contrast, abandoned items are unaccompanied by objective indications of ownership, for example, an empty or broken tent sitting by itself on a sidewalk with no other belongings.

Officers may determine that an individual who is arrested has an impractical amount of personal property or the individual's personal property is "infectious," "hazardous," or present an immediate health or safety risk due to presence of potential biohazards such as fecal matter, needles, etc. As such, items that present potentially infectious, hazardous, or immediate health or safety risk shall not be placed in a police vehicle nor brought into a station to avoid unnecessary exposure to other officers. Rather, officers shall contact DPW.

If officers arrest an individual in possession of an impractical amount of personal property, the officers shall contact DPW for removal.

### **Procedures for Processing Unattended or Abandoned Property**

Contact the Department of Public Works Radio Room at [REDACTED].

- Officers are to provide DPW the location, member's name and star number. Get an ETA (see below).
- DPW will respond and assess the material for health and safety risks.
- DPW will then take charge of the property.
- DPW will tag items to log the property as follows:
  - a. Date
  - b. Time
  - c. Location
  - d. Name of DPW employee and officer(s)
  - e. Name of arrestee if applicable
- If DPW response time is lengthy and with supervisor approval due to extenuating circumstances, officers may bring non-hazardous property to a holding area at the station where it can be picked up by DPW. Officers must provide the station keeper with an ETA from DPW, and an incident report generated.
- "Bag and Tag" on Rec and Park property. Contact [REDACTED] at Rec and Park for assistance: [REDACTED] or [REDACTED]
- "Bag and Tag" on Port Property. Contact the 24 hour main number at [REDACTED].

Officers seizing personal property that is evidence of a crime from an individual who is arrested shall refer to DGO 6.15 (Section III. A. 1.) and issue the individual a property receipt (SFPD 315) in duplicate. Describe the property in the incident report. If no one claims ownership of the property, then officers do not have to issue a property receipt.

In those cases where the personal property is evidence of a crime and the personal property presents a hazardous, infectious, health or safety risk:

- Contact DPW.
- DPW is to *confiscate*. (Take custody of what the arresting officer(s) deems as evidence supporting the arrest. Property shall be listed in the arrest report as evidence.)
- Photograph evidence in case.
- DPW will not bag and tag evidence that is "infectious," "hazardous," or present a health and safety risk due to presence of potential biohazards such as fecal matter, needles, etc. (See DPW Procedures 16.05.08.)
- SFPD will notify DPW when to release the personal property based on disposition of the case.

### Department of Public Works Policy

Only personal property, except for those items listed below, and evidence of a crime will be collected for storage at the DPW Maintenance Yard which is located at 2323 Cesar Chavez Street.

Items that will be discarded and not stored consistent with DPW's Procedure 16.05.08:


- a. Items that present an immediate health or safety risk.

- b. Items soiled with urine, fecal matter, or mold are destroyed.
- c. Furniture, mattresses, sheds, rolling structures, and bulky items.
- d. Perishable items, perishable food.
- e. Trash, garbage, and/or debris.
- f. Abandoned property.
- g. Property may be retrieved consistent with DPW's bag and tag policy unless it is evidence of a crime.
- h. If SFPD seizes property as evidence of a crime, SFPD shall inform DPW to store the items in DPW's secure area. SFPD will notify DPW when to release the personal property based on the disposition of the case.

Airport Bureau members shall follow the Airport Bureau Order for the Processing of Property.

References:

Department of Public Health – Homeless Outreach Team (H.O.T.) phone number: [REDACTED]

  
WILLIAM SCOTT  
Chief of Police

*Per DB 17-080, sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.*