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TO: North Ogden City Mayor and City Council

FROM: Jonathan Call, North Ogden City Attorney

DATE: October 3, 2013

RE: Police Custody Property

The Police Department ends up with many items of personal property which we cannot legally dispose of unless we follow the statutory requirements. Every so often we need to clean out our evidence/property closets so we will be bringing a resolution similar to this one to the Council for approval.

Specifically the statute requires that any property which is used for a "public interest use" be approved by the local legislative body. A "public interest use" includes: keeping the property, such as small hand tools, or other items that any of our departments could use; donating items to a charitable organizations, such as Deseret Industries, or the Boys and Girls Club; and selling the property at auction and using the proceeds in the Department for maintaining future Police Custody Property.

Several of the items on the list will be destroyed because they have no real value. Though the Council does not have to approve the destruction of these items, it provides an additional opportunity for individuals who have lost items to find their items because of the additional notice requirements for our city council meetings.

We are asking that the council look at the resolution and attached property list and approve the Department's recommendations as to which property should be donated to a public interest use. There are a few items on the list which still need to be determined. Typically these items are in sealed containers or original packaging and we don't want to open them until we have exhausted our search for the real owner. Once the Council approves these items for a public interest use we will open the items, determine if there really is any useful life in the item, and then allocate the property according to its value.