

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

PAWN SHOPS AND SECONDHAND DEALERS
SUBJECT

DATE: March 10, 2009

NO: P-26

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Pawn Shops
Second Hand Dealers
Stolen Property

I. POLICY

The Stockton Police Department has a standardized policy regarding how personnel are to process stolen property located at a Pawnbroker or Secondhand Dealer. This policy serves to develop and maintain a cooperative working relationship with Pawnbrokers and Secondhand Dealers.

II. LAW

Officers should familiarize themselves with California Penal Code, Chapter 12, Section 1407-1413, which details how stolen property is returned to its rightful owner, and Business and Professions Code 21647 which relates to the disposition of stolen property located at a Pawnbroker or Secondhand Dealer.

III. PROCEDURE

- A. Any time a Stockton Police Officer has probable cause to believe property in possession of a Pawnbroker or Secondhand Dealer is stolen, the following procedures must be followed:
1. The Officer shall not return the stolen property to the victim or remove it from the premises during the initial investigation.
 2. The Officer shall advise the Pawnbroker or Secondhand Dealer that the item is suspected stolen property and is evidence in a police investigation. Obtain the name of the employee who was contacted and advise them that a written request from the Stockton Police Department, General Crimes Unit - Pawn Detail will be sent to their business as soon as the initial report is processed.
 3. If the Pawnbroker or Secondhand Dealer is in possession of stolen property and they have the original pawn/buy ticket, the Officer will take possession of it. The Officer will photocopy the ticket and make it an attachment to the report. The original will be booked as evidence.
- B. The Officer will route a copy of the investigative report to the Stockton Police Department, General Crimes Unit – Pawn Detail.
- C. The Pawn Detail will send a hold letter to the Pawnbroker or Secondhand Dealer pursuant to the provisions of Business and Profession Code Section 21647.
- D. The Pawn Detail will forward a copy of the letter to the assigned Detective and make it an attachment to the report.
- E. Once the case has been adjudicated, the Detective assigned to the case will notify the Pawn Detail.
1. The Pawn Detail will send a 60 day release letter to the victim or owner of the stolen

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property and the Pawnbroker or Secondhand Dealer holding the stolen property. The victim or owner of the stolen property is responsible for negotiating release of the property with the Pawnbroker or Secondhand Dealer.

F. If any disputes arise the parties will be referred to Civil Court for resolution.

I G. Outside Agency Assistance

1. Any outside agency wanting to place a hold on an item shall be directed to the Stockton Police Department, General Crimes Unit – Pawn Detail.



CITY OF STOCKTON

POLICE DEPARTMENT
22 East Market Street • Stockton, CA 95202-2876
www.stocktongov.com

Date

Inside Address

PROPERTY RELEASE:

The items listed below which were previously held may now be claimed at:

Pawnshop's name, Address, Phone Number.

Case Number / Ticket Number(s) Referenced:

The law allows you 60 days to claim the listed property. The law neither requires nor prohibits payment of a fee or any other condition in return for the surrender of the property, except when the person who reported the property lost or stolen does not choose to participate in the prosecution of an identified alleged thief, the person shall pay the pawnbroker, secondhand dealer, or coin dealer the "out-of-pocket" expenses paid in the acquisition of the property in return for the surrender of the property.

BLAIR ULRING

ASSISTANT CHIEF OF POLICE

DETECTIVE'S NAME, TITLE (IN CAPS)

INVESTIGATIONS DIVISION – GENERAL CRIMES UNIT

209-937-8323

BU/YOUR INITIALS (IN CAPS)



CITY OF STOCKTON

POLICE DEPARTMENT

22 East Market Street • Stockton, CA 95202-2876

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Date

Inside Address

REQUEST FOR 90 DAY HOLD OF PROPERTY:

I am making a formal request for the legal hold of property related to the listed ticket numbers.

Case Number / Ticket Number(s) Referenced:

Prior to releasing any items to any victims, you will receive a release letter or court order from the Stockton Police Department.

BLAIR ULRING

ASSISTANT CHIEF OF POLICE

DETECTIVE'S NAME, TITLE (IN CAPS)

INVESTIGATIONS DIVISION – GENERAL CRIMES UNIT

209-937-8323

BU/YOUR INITIALS (IN CAPS)



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PROPERTY RELEASE AUTHORIZED:

The below listed items that were previously held may now be released to:

_____ The person originally listed on the pawn/buy receipt.

_____ The following person: _____

Case Number / Ticket Number(s) Referenced:

The owner or person listed has 60 days to claim the listed property before you are legally allowed to sell or dispose of the listed property.

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ASSISTANT CHIEF OF POLICE

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Date

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PAWNBROKER / SECONDHAND DEALER:

Your business is not complying with the state and local laws concerning pawnbrokers and secondhand dealers. The license holder is responsible for the conduct of his or her employees. One or more of the below indicated violations have been noted:

- Fingerprint Missing
- Fingerprint Partial or Smearred
- Incomplete Ticket
- Improper Address
- Illegible Ticket
- Improper or Inaccurate Description of Property
- More than one item listed on ticket
- Transaction with a Minor
- Other:

Ticket Number(s) Referenced: _____

This letter constitutes an official admonishment. Continued violations of these requirements will result in the issuance of a criminal citation.

BLAIR ULRING

ASSISTANT CHIEF OF POLICE

DETECTIVE'S NAME, TITLE (IN CAPS)

INVESTIGATIONS DIVISION – GENERAL CRIMES UNIT

209-937-8323

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