



**CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**



Lost and Abandoned Property

Eff. Date 03/09/2020

Pursuant to the requirements of Madison General Ordinances Sec. 8.44, Lost or Abandoned Property, the Madison Police Department (MPD) has developed the following procedures to provide guidance when to take possession of lost property and how to handle such property once it is recovered.

"Lost Property" means personal property, money, or other movable property that has been lost or abandoned or left on public property without the permission of the public owner. Lost property does not include items left on the terrace or in garbage or recycling containers for the scheduled sanitation pick up, items seized as evidence in police investigations, automobiles, or bicycles.

Determining that an item is lost is subjective and MPD staff is tasked to evaluate the facts and circumstances surrounding unattended items and to make an educated judgment on the appropriate disposition. When in doubt, MPD staff should err on the side of treating the item as lost property and subject to MGO 8.44, unless doing so would be detrimental to personal or public safety.

Pursuant to the provisions of MGO 8.44, MPD staff is authorized to immediately dispose of lost property that either:

1. Has an estimated aggregate replacement value of fifty dollars (\$50.00) or less;
2. Is perishable;
3. Poses a public health risk; or,
4. Has no sentimental, medical, or legal value. Sentimental items of value include, but are not limited to, photographs, family bible, jewelry, letters, drawings, or children's art.

The immediate disposal of items with sentimental, medical, or legal value that are estimated to be valued at fifty dollars (\$50.00) or less is permissible, but consideration to the nature and condition of the lost property should be taken when determining the appropriateness for disposal or recovery.

Before MPD staff takes custody of lost property, an attempt must be made to notify the rightful owner of the MPD's intent to take possession of the lost property. Notice will not be required when an item, in the opinion of MPD staff, presents a danger to the public health or welfare, or where such a notice would be impractical or ineffective. The appropriateness of notification should depend on the value of the lost property and the duration of time the property appears to have been unattended.

Once MPD takes possession of the lost property, it must be searched for contraband and perishable items. The property will then be packaged and entered into the records management system in accordance with MPD packaging guidelines.

MPD may be asked to assist Mall Concourse Maintenance and the Parks Department, by notifying the owner(s) of personal property that appears to be abandoned on public property. If the owner of the property is not present or is unknown, MPD will place written notification in a conspicuous place on the property. The notice serves to warn the owner of the potential removal of the property, by Mall Maintenance. This written notice is the Lost and Abandoned Property Notification form and includes the date and time that the property will be removed. MPD will not be responsible for the removal of the property, but may stand by with Mall Maintenance staff while they remove the property, if requested to do so.

ON PRIVATE PROPERTY

1. Make a determination as to whether the property is lost or abandoned property.
2. If it is determined that the property is indeed lost or abandoned, notify the property owner or designee that every effort will be made to assist in determining ownership and contact of the property owner.
3. Leave the property with the owner or designee of the private property.

Original SOP: 02/25/2015
(Reviewed Only: 01/09/2017, 12/26/2017, 01/31/2023, 01/31/2026)
(Revised: 03/09/2020)