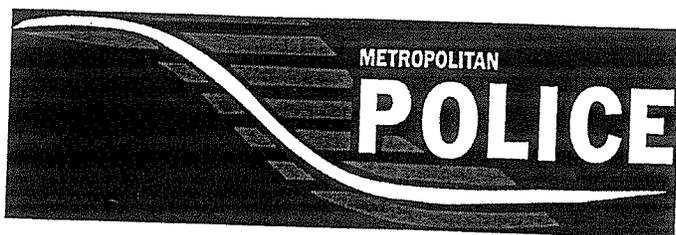


STANDARD OPERATING PROCEDURE



Title
**Conversion and Auction of Vehicles
by Civil Forfeiture**

Series / Number
SOP-ECD-02-01

Issue Date
February 1, 2002

DISTRICT OF COLUMBIA

1. PURPOSE:

To establish standardized business practices pertaining to the conversion and auction of vehicles subject to asset forfeiture while maintaining compliance with District of Columbia Code 5-161, 25-144, 33-552 and the D.C.M.R. Title 6A, and all other applicable statutes and regulations.

2. SCOPE:

This policy applies to the conversion and disposal of all vehicles subject to asset forfeiture. Any member assigned to perform tasks relating to vehicle seizure and forfeiture, temporarily or permanently, shall familiarize themselves with the contents of the procedures set forth and comply with them at all times.

3. DEFINITIONS:

These definitions shall be used as a general guide. Common sense shall prevail. In the event that a member has any question, and a clear understanding is not possible, then an ECD official shall be consulted.

- Vehicle- Any car, truck, bus, motorcycle, scooter, camper, recreational vehicle, or any item that has been, or is required to be titled or registered by any Department of Motor Vehicles, or any vehicle using motorized propulsion that can reasonably be capable of transporting a person(s) more than five (5) miles.
- Conversion- Transfer of ownership to the Metropolitan Police Department
- Auction- A sale to the general public by acceptance of offer from the highest bidder

4. PROCEDURES:

A. Conversion

- 1) Upon receiving a vehicle classified "Held for Civil Forfeiture", stamp the face of the PD 81 "Libeled", enter the vehicle valuation, and forward the PD 81 and PD 163 to the Financial Investigation Unit (FIU)
- 2) Upon approval from the Financial Investigation Unit, the Evidence Control Branch sends a Certified Letter to the owner and a notice of seizure is placed in the local newspapers for two (2) consecutive weeks, per D.C. Code.
- 3) The owner has thirty (30) days to respond and post a bond to halt the forfeiture process. If the owner has not responded within thirty (30) days, the vehicle is declared forfeited to the District of Columbia. The Director, Blue Plains Impound Lot, shall obtain title from the Department of Motor Vehicles in the name of the Metropolitan Police Department.
- 4) The Department can introduce forfeited vehicles in good condition into the fleet for use. For the current procedure, please refer to General Order 601.3.

B. Auctioning

- 1) Vehicles forfeited to the District of Columbia and not introduced into the fleet are sold at public auction. Auctions are held on a date pre-approved by the branch manager. The auction is advertised in the local newspaper for two (2) consecutive weeks.
- 2) The Evidence Control Branch prepares and certifies an auction list that contains specific information on each of the vehicles to be auctioned. Receipt books shall be prepared and will correspond with the information on the auction sheets.
- 3) The day before the auction, all vehicles slated for auction are moved to the front of the Blue Plains Impoundment Lot and are roped off to identify them as vehicles to be auctioned.
- 4) At 0630, the day of the auction, a meeting is held with key personnel who will be present at the auction to discuss the

auction process. A request is made to the districts to have at least two (2) Property Clerks available the day of the auction for security purposes.

- 5) Registration and vehicle preview will begin at 0800 and auctions will begin at 0900 hours.
 - a) Members of the Department will supervise the viewing process to insure that no vehicles are tampered with.
 - b) Only registered bidders are allowed on the lot.
- 6) Two (2) Sworn Officers are placed in the office at Blue Plains, one (1) for security and one (1) to collect the funds. A civilian employee is also assigned to the office to assist with the registration of bidders. There is one (1) auctioneer and one (1) assistant on the lot, both with certified auction sheets, as well as one (1) person with the receipt book containing the vehicle information.
- 7) During the auction, the bids are logged on both of the certified auction sheets and the receipt book independently, and all are matched up at the end of the auction.
- 8) DPW certified auctioneers at Blue Plains perform the calling of the auction. No member of any other agency handles any part of the M.P.D.C. Auction other than the auction calling. The auction continues until every vehicle is sold or until there are no more bids made on the remaining vehicles.

C. Payment and finalization of sale

- 1) Following the sale of the last vehicle bidders report to the office to pay for their purchase. The bidders are given a receipt. After showing the receipt to lot security, the bidder is then allowed to remove the vehicle from the lot. All vehicles purchased must be removed from the lot by the close of business on the day of the auction.
- 2) The auction sheets and receipt books are totaled and matched up with the actual proceeds from the auction. Two (2) sworn officers take the proceeds from the auction to the Evidence Control Branch along with the auction sheets and the receipt book.

- 3) The receipts are reconciled by the Evidence Control Branch Vault Manager and prepared for deposit within twenty-four (24) hours.
- 4) A report of auction will be completed by the Director, Blue Plains Impound Lot, forwarded to the Manager, Evidence Control Branch, reporting the number of vehicles sold and the sale price of each. Any issues related to the auction shall be addressed in this memo.



Keith L. Williams
Captain/Manager

KLW:tlh