

# Property and Evidence

## **LOST AND FOUND PROPERTY**

From time to time citizens find lost or mislaid property. We encourage citizens to turn in such property to the Hubbard Police Department. In the event a citizen wishes to report found property to the police department, please contact dispatch (M.E.T.C.O.M.) at (503)982.2341 and an officer will be dispatched. An officer will seize the property and issue the finder a property report receipt. The finder may officially request to claim the property if the owner is not located, under the guidelines listed below. Oregon Revised Statutes pertaining to found property are listed below.

### **O.R.S. 98.005 RIGHTS AND DUTES OF FINDER OF MONEY AND / OR GOODS**

If any person(s) find money and/or goods valued at \$100.00 or more, and the owner of the money and/or goods is unknown such person(s), within (10) ten days after the date of the finding SHALL give notice of the finding in writing to the City of Hubbard Police Department. Within (20) twenty days after the date of the finding, the finder of the money and/or goods SHALL cause to be published in a newspaper of general circulation in the county of the finding a notice of the finding once each week for (2) two consecutive weeks. Each notice SHALL state the general description of the money and/or goods found, the name and the address of the finder, and the final date which such money and/or goods may be claimed.

### **O.R.S. 98.015 LIABILITY OF NON COMPLYING FINDER; FORFEITURE TO THE HUBBARD POLICE DEPARTMENT OF UN CLAIMED MONEY AND/OR GOODS.**

If any person(s) who finds money and/or goods valued at \$100.00 or more in value fails to comply with O.R.S. 98.005, the person(s) SHALL be liable, upon conviction for violation of O.R.S. 164.065, the Hubbard Police Department SHALL hold the money and/or goods in the manner provided in O.R.S. 98.005. If the owner has not re-claimed such money and/or goods and the value of such money and/or goods SHALL be placed in the general fund of the City of Hubbard to be used for payment of the general operating expense of the City of Hubbard.

### **O.R.S. 98.025 RIGHTS OF OWNER(S)**

If owner(s) of money and/or goods found by another person(s) appears and establishes a claim of such money and/or goods within the time period prescribed by O.R.S. 98.005 or O.R.S. 98-015, whichever applies, the owner(s) SHALL have full restitution of such money and/or goods of the value upon payment of all costs and charges incurred in the findings, giving of notice, care and custody of such money and/or goods.

## **PROPERTY EVIDENCE**

Property evidence that has been seized by the Hubbard Police Department for evidentiary purposes will be held as evidence until the case has been adjudicated by a lawful court. The evidence will only be returned to the property owner if the property was deemed by a lawful court to have no further evidentiary value. In that case, the property will only be returned to the property owner if the lawful court specifies the return of the property to the owner.

## **PRISONER PROPERTY**

If you had been arrested and were lodged at a correctional facility and your personal property was seized for safe keeping, the following applies;

The Marion County Correctional Facility and the Clackamas County Jail do not accept any forms of tobacco, lighters, sharpened edge weapons, tools, firearms, alcohol, and objects such as large backpacks. Any item(s) can be held upon the request of the person who has been arrested and lodged at a correctional facility. The person arrested will be issued a property report receipt and the prisoner property items will be held for a period of (72) seventy two hours following the release of the arrested person from an correctional facility. If the arrested person is incarcerated for more than (30) thirty days, the arrested person may authorize a third party person to claim the property on the arrested person's behalf. A written notice must be issued to the Hubbard Police Department listing that the authorized person has permission to claim the property. If no notice has been received and/or the property was not claimed after the described time frame the property will be destroyed.