

**STATE OF NEW JERSEY -
FORFEITURE PROGRAM ADMINISTRATION
STANDARD OPERATING PROCEDURE**



05

Title: ***Accounting for Seized Currency***

Date Issued: **03/01/98**

Applicability: **All Sworn Law Enforcement Officers**

Supersedes:

5:1 Policy Statement

It is the policy of the Attorney General that all state law enforcement agencies, each of the state's twenty-one county prosecutor's and agency executives for municipal law enforcement agencies administer proper internal controls over United States Currency they receive as a result of seizures brought under the authority of N.J.S.A. 2C:64-1 et seq., (civil forfeiture), N.J.S.A. 2C:41-1 et seq., (racketeering), or from actions brought under N.J.S.A. 2C:21-25 et seq. (financial facilitation of crime), or under any other statute as directed by the Attorney General. These are the minimum procedures that should be instituted by a law enforcement agency. However, nothing in this standard operating procedure prohibits an agency from adopting more comprehensive procedures. If such a procedure is adopted, it shall be in written form and distributed to every member of the law enforcement agency. The Division of State Police shall account for seized currency under its specific divisional operating procedure.

5:2 Seizure of United States Currency

A. Accounting for Seized Currency

1. United States Currency seized by any sworn law enforcement officer shall be counted as soon as practical, but not later than the end of the seizing officer's tour of duty. The currency shall be counted by at least two officers, independent of one another, preferably at the location of the seizure. If it is impractical to count the currency at the location of the seizure, the currency should be transported, in a manner set forth in the agency's Standard Operating Procedures, to a secure location by at least two officers. Both officers must agree and certify the total dollar amount of the currency as well as assure the authenticity of the currency by randomly determining that the currency is not counterfeit. The officers shall record the seized currency on a form entitled United States Currency Seizure Report. This form shall include: claimant information (name, address, date of birth, social security number and home and work telephone numbers), name of seizing agency, seizing agency's ORI #, name and badge number of the seizing officer, date, time and location of seizure and

a breakdown by denomination of the currency and coins seized. The currency seized shall be listed by each denomination with a total for each denomination, a total of all coins and a grand total of all currency and coins seized. Upon completion, the form shall be signed by the officers conducting the count and the arrested party or their attorney. The original shall be maintained by the seizing officer, a copy shall be given to the arrested party or their attorney and two copies shall be maintained by each of the submitting officers.

2. A currency custodian shall be designated by the agency executive of each state law enforcement agency. Currency seized by a Division of the Department of Law and Public Safety shall be forwarded to the designated Division currency custodian, who shall in turn, follow the procedures outlined in Forfeiture Program Administration Standard Operating Procedure 02.
3. All currency seized by county or municipal law enforcement officers shall be forwarded to a custodian designated by the county prosecutor or agency executive of the municipal law enforcement agency. Seized currency shall be forwarded to the custodian, no later than forty-eight hours of seizure. The agency shall establish procedures for the security of currency and coins seized, prior to being forwarded to the designated custodian. Upon transfer of these funds, the submitting officers shall sign the United States Currency Seizure Report and include their badge number and date. The custodian of the funds shall also sign this form and return a copy to the officers.

Seized currency shall be deposited no later than the first business day after receipt by the designated custodian. The deposit slip shall be attached to the remaining copy and forwarded to the county treasurer or the individual designated by the agency executive of the municipal law enforcement agency. The seizing officer's copy shall be matched to the submitting officer's copy by the county treasurer or an individual designated by the agency executive and any discrepancies shall be immediately reported to the county prosecutor and the Division of Criminal Justice.

B. Security Procedures for Currency

Any officer that seized currency shall exercise due diligence in its handling, storage and security. Willful or gross negligence in currency security may subject a public employee to discipline or criminal charges.

5:3 Seizure of Foreign Currency

Any seizure of foreign currency shall be converted to United States currency on the first business day following the seizure at any banking institution.

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