



**U.S. Customs and  
Border Protection**

AUG 28 2018

MEMORANDUM FOR: Directors, Field Operations  
FROM: Thomas Overacker  
Executive Director  
Cargo and Conveyance Security  
SUBJECT: Updated Procedures for Personal Effects

(b)(6); (b)(7)(C)

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The purpose of this memorandum is to notify all Office of Field Operations (OFO) personnel regarding an update to the Seized Asset Management and Enforcement Procedures Handbook (SAMEPH), Sections 5.1.6 and 5.10, "Personal Effects." Please distribute the attached muster to all OFO personnel.

#### **5.1.6 and 5.10 Personal Effects**

The handling, storage and disposition of personal effects is the responsibility of the seizing or arresting officer.

In cases where seizures are turned over to another Federal, State or local agency (STL), the seizing officer will transfer all personal effects along with the seized property. In cases where the arrestee is being turned over to another Federal or STL, the arresting officer will transfer all personal effects to that agency. Otherwise the seizing/arresting officer must attempt to transfer the personal effects to another party to whom the violator authorizes release.

If the personal effects are not accepted by the other agency, owner or the violator's designee at the time of seizure or arrest, the seizing/arresting officer shall take custody. The seizing/arresting officer will be required to conduct an inventory, package and store the personal effects in a designated secure location until final disposition. No SEACATS line item will be created for the cases that involve personal effects being retained. Personal effects are prohibited from being stored in a certified OFO permanent seizure vault or temporary seized property storage area (Section 6.7 of the SAMEPH). Fines, Penalties and Forfeitures (FPF) personnel are only responsible for seized property, not personal effects or non-forfeitable currency. FPF personnel must not be involved with the handling, storage or disposition of personal effects or non-forfeitable currency.

If there is non-forfeitable currency in the possession of a violator who is arrested and the funds cannot accompany the violator the following are required:

- A collection should be made under class code (b)(7)(E) with a reference number created to assist in identifying the funds, should the owner return to claim the funds within three (3) years.
- The Port's designated office assigned to monitor the (b)(7)(E) Report is responsible for monitoring the age of the collection and moving the collection after three (3) years to class code (b)(7)(E) or contacting the National Finance Center to move the funds.

Should you have any questions, please contact (b)(6); (b)(7)(C) Fines, Penalties and Forfeitures Division at (b)(6); (b)(7)(C) Seized Property Branch at (b)(6); (b)(7)(C) or (b)(6); (b)(7)(C) Oversight and Uniformity Branch at (b)(6); (b)(7)(C)