

# INSTRUCTIONS FOR FILING PROPERTY CLAIM FORM



*Please Note: If the property taken is contraband, property that is illegal to possess, it will be destroyed. Property which is taken and needed as evidence in a criminal investigation cannot be released until the criminal proceedings have concluded or the prosecuting authority determines that it can be released. Property subject to forfeiture can only be returned pursuant to the procedures set forth in the notice of seizure and intended forfeiture and applicable state law.*

You can seek return of your property by completing and signing the form on the reverse side of this notice. You must return this form to the Franklin County Sheriff's Office, 1015 N. 5<sup>th</sup> Ave., Pasco, WA 99301. Our business hours are 8:30 a.m. to 5:00 p.m. Monday through Friday. The review process may take up to four weeks; however, it will be expedited by accurate and complete information being provided. If the form is incomplete, your claim may be rejected. **YOU WILL BE CONTACTED DURING BUSINESS HOURS WHEN A DECISION HAS BEEN MADE AS TO WHETHER OR NOT THE CLAIMED PROPERTY CAN BE RELEASED.**

If your property is being held as evidence in a pending criminal matter, you should contact the prosecuting authority for a determination as to whether or not your property can be released to you. The County Prosecutor's Office is located at 1016 N. 4<sup>th</sup> Ave., Pasco, WA 99301. If you have been charged with a crime and are represented by an attorney, please have your attorney contact the appropriate prosecuting authority.

If the property was seized pursuant to a search warrant, you may also be able to seek return of the property by filing a motion for return of property pursuant to Superior Court Criminal Rule 2.3 (e) under the cause number assigned to the warrant. You can obtain the cause number by contacting the Franklin County Superior Court Clerk at 1016 N. 4<sup>th</sup> Ave., Pasco, WA between 8:30 a.m. and 5:00 p.m. Monday through Friday except court holidays. You must provide the clerk with the date when and location where the warrant was served. You may need the assistance of an attorney to obtain this information and in filing a motion for return of the property.

**Please Note: any property not claimed may be disposed of in accordance with Chapter 63.32 of the Revised Code of Washington. The return of firearms is controlled by Chapter 9.41 of the Revised Code of Washington which prohibits possession of firearms by convicted felons, persons convicted of prescribed domestic violence offenses, and persons subject to particular court orders.**

- SEE REVERSE -

FRANKLIN COUNTY SHERIFF'S OFFICE PROPERTY CLAIM FORM

Name, Last: \_\_\_\_\_ First \_\_\_\_\_ Day/Message Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Date Property Taken: \_\_\_\_\_ Incident No. \_\_\_\_\_

Are criminal charges pending against you or any other persons arising from this incident? Yes  No

Describe the criminal charges that have been filed or are pending and the corresponding cause numbers: \_\_\_\_\_

\_\_\_\_\_

Name of prosecutor assigned to the case: \_\_\_\_\_

Describe the property sought to be released: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe your legal interest in the property: \_\_\_\_\_

\_\_\_\_\_

I, the above named, declare under penalty of perjury under the laws of the state of Washington that I have a possessory interest in or am the owner of the aforementioned property and am entitled to lawful possession of such property and that the information provided herein is true and correct.

Signed in \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
(LOCATION)

\_\_\_\_\_  
(SIGNATURE)

Witness: \_\_\_\_\_

Residing at: \_\_\_\_\_

Official Use Only: Date Claim Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_  
Decision: Release to Claimant: YES  NO:  Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_