



**RESOLUTION NUMBER: 2019-46**

**Approving the Roosevelt County Sheriff's Office Policy Concerning Handling of Cash, Currency and Negotiable Instruments**

**WHEREAS**, pursuant to Section 4-38-1, NMSA, 1978 the powers of a County as a body politic and corporate shall be exercised by the Board of County Commissioners; and,

**WHEREAS**, Section 4-37-1 et seq. NMSA 1978 provides that Counties may adopt those Resolutions and Ordinances, not inconsistent with statutory or constitutional limitations placed on Counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the County and its inhabitants; and,

**WHEREAS**, the Board of County Commissioners wishes to approve the adoption of Roosevelt County Sheriff's Office Policy, Policy name: Handling of Cash, Currency and Negotiable Instruments, as a Roosevelt County Sheriffs Office Policy, and to also ratify the adoption of that policy as a County Policy by way of this Resolution; and

**WHEREAS**, the Board of County Commissioners in so doing wishes to provide safe guards for maintaining a cash handling system at the Roosevelt County Sheriff's Office, in order to protect the health, safety and welfare of the County's citizens and their property and/or to more efficiently perform the functions of County government; and

**NOW THEREFORE, BE IT RESOLVED**, effective upon passing of this Resolution the following Cash Handling Policy is adopted by the Roosevelt County Sheriff's Office and is approved as a Roosevelt County Policy by way of this Resolution.

1. **Policy and Purpose.** It shall be the policy of this agency to establish a thorough set of procedures and guidelines to be followed by all employees responsible for the handling of any cash, currency or other negotiable instruments (hereinafter "money") which may come into the possession of the Roosevelt County Sheriff's Office (RCSO).
2. **Harmonious Construction of this Policy.** This Policy has been adopted to define the specific practices and procedures to be employed by all RCSO personnel who handle cash, currency or other negotiable instruments which is obtained as a result of any criminal investigation, or which comes into the possession and care of the RCSO as a result of any actions taken by the RCSO, whether criminal in nature or not. This Policy expressly recognizes that there is a general policy for handling property and evidence at the RCSO, and that Roosevelt County has adopted the following other policies relating to handling of money, (which are adopted by reference herein including Roosevelt County Policy on Cash Handling, Resolution No: 2016-48. Roosevelt County Policy regarding Government Internal Control, Resolution No: 2016-53 and Roosevelt County Policy Board of Finance Investments and Deposits, Resolution No: 2016-46). To the extent this Policy conflicts with any of the policies enumerated above, it shall harmonize with any existing policy to give effect to the greatest degree practical to each of the policies adopted; and in the event of irreconcilable differences between this policy and those identified above, this policy shall control.



3. **Procedures for the Safekeeping of all Cash, In Handling any Currency or Other Negotiable Instruments.**

- A. The "two-person" rule shall be employed at any time that cash, currency or other negotiable instruments (money), which come into the possession of the RCSO, and this rule shall require that such money shall be counted by two (2) or more employees, and at each point when the money is physically handled outside of a sealed envelope, which shall be verified with each person's signature on a sealed currency envelope. The two (2) RCSO officers counting and verifying the money will each initial, sign, and seal a currency envelope to contain the money and date the envelope on the date of sealing. The envelope should also specify the denomination of the cash, currency (including coins) or other negotiable instrument or other identifier for negotiable instruments on the outside of the envelope.
- B. In the event negotiable instruments (bonds, checks, or stock certificates), have been seized or come into the possession of the RCSO such negotiable instruments should be photographed and a copy of the photograph shall be kept in a separate file. The "two-person" rule shall apply to the handling of all such negotiable instruments.
- C. All cash, currency or other negotiable instruments which contain physical evidence such as DNA evidence (blood or other bodily fluids) fingerprints, or other physical evidence upon the money shall be handled using the "two-person" rule, and shall also designate on the outside of the envelope that the money includes physical evidence with reference to the offense/incident number.
- D. A written ledger/log shall be kept of all monies recorded under this policy, reflecting the date, amount, and other identifiers as set forth above. It shall be initialed by the two officers who counted the money.
- E. All money comes into the possession of the RCSO as a result of any incident or investigative action which does not contain physical evidence shall be delivered to the Roosevelt County Treasurers Office to be deposited into a separate interest-bearing account after it has been logged in the ledger. The RCSO shall have the clerk sign a receipt reflecting the date such funds have been delivered including the amount as well as the other identifiers reflected on the outside of the envelope. All monies which contain physical evidence shall be held in the secured RCSO safe.
- F. In the event currency comes into the possession of the RCSO is determined by the Sheriff or is designated as a collector's note or other rare currency, the Sheriff shall place such rare note, coin or other rare or special currency in a safe which shall be placed in a locked safe kept in the RCSO evidence locker. The combination to such safe shall be securely maintained in the "two-person" rule shall apply to the opening and closing of such safe.
- G. The time period within which deposits shall be made will be in accordance with Roosevelt County Cash Handling Policy (Resolution No. 2016-46, or the most current version if applicable).





4. **Procedure of the Return or Other Disposition of Monies.**

- A. No money will be released by the RCSO for forfeiture without a District Court Order. Upon submission of a District Court Order, RCSO staff using the "two-person" rule shall deliver the forfeited funds to that entity or agency as designated in the District Court Order.
- B. When monies are to be returned to a citizen RCSO staff, at the conclusion of an investigation and after receiving written approval from the Ninth Judicial District Attorney's office RCSO staff using the "two-person" rule shall return the money to the citizen after obtaining proof of their identity and by counting the money in his/her presence and shall have such citizen sign a receipt acknowledging the return of such money.

**NOW, THEREFORE BE IT RESOLVED**, that this Policy is adopted and approved, and shall be carried into effect by the Roosevelt County Sheriff's Office. This Policy may be amended by further Resolution of the Commission upon a majority vote.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of December, 2019.

ATTEST:

*Stephanie Hicks*

Stephanie Hicks, Roosevelt County Clerk

**BODY OF COUNTY COMMISSIONERS  
ROOSEVELT COUNTY, NEW MEXICO**

*Lewis (Shane) Lee*

Lewis (Shane) Lee, Chairman – District III

Voted: ☒ Yes ☐ No ☐ Abstained

*Matthew Hunton*

Matthew Hunton, Vice Chairman – District II

Voted: ☒ Yes ☐ No ☐ Abstained

*Dennis Lopez*

Dennis Lopez – District I

Voted: ☒ Yes ☐ No ☐ Abstained

*Tina Dixon*

Tina Dixon – District IV

Voted: ☒ Yes ☐ No ☐ Abstained

*Paul Grider*

Paul Grider – District V

Voted: ☒ Yes ☐ No ☐ Abstained



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Stephanie Hicks, Roosevelt Co. Clk., Roosevelt, NM

