

## Chapter III- Evidence

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### • 3-3 Evidence Handling Procedures, Hazardous Substance, PCP and Disposal

**NARCOTICS BUREAU**

**DETECTIVE DIVISION**

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**

Bureau Order Number: **3-3**

Subject: **EVIDENCE HANDLING PROCEDURES, HAZARDOUS  
SUBSTANCE, PCP AND DISPOSAL**

Effective Date:	08/11/2008	Last Date Revised:	04/01/2021
Last Date Reviewed:	04/01/2021	Next Review Date:	04/01/2022

#### I. CONCEPT AND ISSUES

##### A. Purpose

The purpose of this order is to provide specific guidance to personnel responsible for the handling of evidence coming into the possession of the Narcotics Bureau. These guidelines are intended to provide for strict security and compliance with all applicable laws and Departmental regulations.

This Bureau order is not intended to supersede the Departmental Manual of Policy and Procedures Sections 5-09/465.00 – 5-09/465.60 (Seizure of High Value Property During Search Operations) but rather to provide additional guidance for Narcotics Bureau personnel in following these procedures.

## B. Background

The handling of evidence is a very complicated and difficult process due to the volume of items processed on a daily basis. It is also recognized that without specific guidelines and procedures there is a great potential for the mishandling or loss of control of evidence. Such circumstances in the past have led to the criminal use, theft and corruption relating to narcotic evidence or simply a perception of impropriety in dealing with narcotics.

## C. Scope of Policy

This order is directed to Narcotics Bureau personnel, who handle narcotics evidence.

## D. Accountability

All Bureau personnel are responsible for being aware of and adhering to this policy. All Bureau supervisors are responsible for ensuring their subordinates are trained in the provisions of this policy. Due to the seriousness of evidence handling, **absolute adherence to this order is required.**

## E. Training

Narcotics Bureau Sergeants will ensure that all personnel under their direction have been thoroughly briefed and trained on all aspects of this policy. Special attention will be given to newly assigned personnel to ensure they are properly trained and familiar with all aspects of this order. This training will be incorporated in the Deputy Orientation Program.

## **F. Conclusion**

The intent of this order is to provide the guidelines necessary to ensure that all handling of evidence is done in a thorough, accurate, and uniform manner.

## **II. POLICY**

### **A. Handling of Narcotics Evidence Received from Patrol and Custody Deputies**

1. The Narcotics investigator shall assist station personnel and the Scientific Services Bureau's civilian evidence courier, as needed, with the processing of evidence. The Narcotics Crew sergeant shall make sure that a key to the narcotics evidence locker is clearly marked and maintained with the station watch sergeant, and a second key is maintained the Narcotics Bureau office.
2. All narcotics evidence shall be packaged and sealed in accordance with the Manual of Policy and Procedures sections 5-04/100.30 and 5-04/120.25. Improperly packaged evidence shall not be accepted, but shall be referred to the Watch Sergeant for correction and re-submission (MPP 5-04/030.05).
3. The narcotics investigator shall utilize the Property Evidence Laboratory Information Management System (PRELIMS) to document the booking, storage, transportation, and change of custody status of all narcotic evidence.
  - a. When initially booking narcotic evidence seized by Narcotics Bureau personnel (i.e. from a search warrant), all pertinent information will be entered into PRELIMS and a label generated for its container. A Sergeant will then ensure that each item is booked properly. He/she will scan their approval into PRELIMS.
  - b. When booked narcotic evidence is received by an investigator for any purpose, he/she will without delay scan that item into their possession in PRELIMS. When narcotic evidence is released to authorized civilian personnel, the civilian shall scan the item into PRELIMS and enter their password. The investigator will then enter their password in order to complete the custody transfer. A copy of the lab receipt will be obtained and placed in the case file.
  - c. Narcotics investigators shall only accept PCP evidence in safe containers and

amounts no larger than can be safely sealed in a heavy heat-seal (KAPAC) bag. The bag is then sealed in a narcotics evidence transparent plastic bag (generally 2-3 oz. maximum). Deputies shall not re-pour PCP from an unsafe container to another container in order to package it for evidence storage. For larger quantities of PCP, or PCP which requires re-pouring into safe containers, the Allied Laboratory Enforcement Response Team (ALERT) shall be called if there is a criminal case requiring follow up investigation or chemical analysis.

In the event there is no workable information for a criminal prosecution, the County Health-Fire Hazardous Material unit will be notified. The Hazardous Materials unit will contact the California Department of Toxic Substance Control to arrange for a private chemical disposal vendor to respond, remove and destroy the materials.

- d. Dry or liquid PCP and PCP contaminated substances or fentanyl, shall be packaged in separate containers.
  - e. Hazardous substances, whether PCP, fentanyl, or any other chemical, shall never be processed within the main buildings of a Station or Facility (MPP 5-04/100.30).
4. Narcotics investigators assigned to the Narcotics Bureau shall record all of the evidence they seize, into PRELIMS, maintained at each unit of assignment or at Narcotics Bureau Headquarters.
- a. This deviation from MPP 5-04/030.00 is to assure enhanced accountability for narcotics evidence by recording all evidence taken during narcotics investigations in one location.
  - b. All non-narcotic evidence shall be subsequently entered into either the Station Master Property Ledger or the Station Safe Ledger as soon as possible and cross referenced.
5. Station Narcotics Crews do not maintain evidence books to accept any evidence into their custody on a temporary or permanent basis. No evidence (controlled substances, paraphernalia, firearms or any other evidence) shall be stored in a Station Narcotics Crew facility. All evidence will be booked into and stored at the station property room (including

paraphernalia) or Central Property and Evidence if the quantity is too large for the station narcotics safe. Narcotics Bureau headquarters maintains an evidence book to accept temporary storage of evidence for headquarters units (e.g. Majors Teams) equivalent to a patrol station. The evidence must be removed and sent to Scientific Services Bureau for testing or to Central Property and Evidence for storage. The handling detective must call Scientific Services Bureau to schedule an appointment for delivery of evidence.

#### **B. Transportation of Evidence to Scientific Services Bureau**

1. Transportation of narcotic evidence shall be accomplished by a Deputy Sheriff and/or an authorized civilian employee.
2. A Scientific Services Bureau Evidence Receipt (SH-CR-126) is to be completed by Narcotics Bureau personnel or an authorized Property Custodian when evidence is to be transported to the Crime Lab.
3. Upon delivery of evidence to Scientific Services Bureau or courier pickup, the date and time shall be entered and the receipt initialed in the "received by" space by Scientific Services Bureau. The green copy of the receipt shall be retained by the submitting unit for control purposes. When the evidence is returned to the submitting unit, the green copy of the receipt shall be filed in the assigned case file.
4. One copy of the Scientific Services Bureau's analysis form shall be attached to the evidence container or the narcotics evidence transparent plastic bag.

#### **C. Transportation of Evidence to Court or Release to Another Agency**

1. The Narcotics Bureau investigating officer or designate shall ensure all case evidence is retrieved from the narcotics evidence unit available for delivery to court if required.

The Station Narcotics officer shall prepare an **Interim Removal Order (SH-CR-583)** in duplicate and obtain

the signature of the transporting officer on the form. The copy shall accompany the evidence to court and the original copy shall be retained by the Narcotics Property and Evidence Unit to account for the evidence.

- a. A copy of the form **(SH-CR-583)** shall be retained with the evidence until the evidence is returned or the required disposition information is provided by the deputy who took custody of the evidence.

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- a.
  2. Narcotics evidence or paraphernalia shall not be destroyed at a station or facility by members of the Narcotics Bureau. This does not prohibit members of the Narcotics Bureau from requesting a hazardous waste company to accept, sample and dispose of chemicals received from patrol deputies in the field or at a station or facility. This does not prohibit members from the Narcotics Bureau from disposing of large cultivations of marijuana in the field, after photographing, sampling and performing any other necessary evidence gathering procedures. (Narcotics Bureau Order #3-3, Section IV, Sub-section B)
  3. When evidence is released to another agency, a "Receipt for Property" (SH-CR-121) and a disposal order shall be completed by the investigating officer, and by a concerned Narcotics Bureau supervisor and presented to the Narcotics Property and Evidence Unit. The original copies of these forms shall be sent to Records Identification Bureau and copies placed in the Narcotics Unit case file.

#### **D. Seizures of Large Quantities of Narcotic Evidence**

1. Powdered narcotics evidence (e.g. cocaine, methamphetamine, heroin) in excess of eight ounces, may not be transported by the Scientific Services Bureau's civilian evidence courier.
2. When a seizure of quantities larger than can be transported by SSB occurs during normal business hours for the Scientific Services Bureau, the handling crew shall transport the evidence to the Crime Lab for

testing and quantitative analysis as soon as practical (during normal business hours).

3. If the seizure occurs after the Crime Lab's normal business hours, the handling crew shall transport the evidence to the S.T.A.R.S. Center Headquarters Depository, or a station narcotics safe depository, if the quantity does not exceed the size of the container, for temporary storage.
  
4. After the Crime Lab has completed testing and analyzing the evidence, the handling crew shall return the evidence to the S.T.A.R.S. Center Headquarters Depository or the Central Property Depository for permanent storage while awaiting admittance into court or proper disposal.

A Zone Lieutenant or the Narcotics Bureau Evidence Sergeant shall be contacted to obtain entry into the S.T.A.R.S. Center Headquarters Depository room after normal working hours (1700 to 0830 hours, Monday thru Friday, Saturdays, Sundays and holidays).

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#### **E. Out of County Arrests by Bureau Personnel**

Narcotics seized during out-of-county investigations shall be handled as follows:

1. If a local agency is assisting and the case will be filed in that county, the evidence may be released to that agency's assigned investigator for analysis. The arrest report shall contain an itemized list of the evidence and to whom it was released. A completed Receipt for Property (SH-CR-121), signed by the assisting agency's assigned investigator, shall be filed in the Narcotics Unit case file.
  - a. If the case is to be filed in Los Angeles County, the seized evidence shall be brought back to Los Angeles County and handled routinely.

- b. If it is a joint investigation with another agency, the assigned investigating officer shall be responsible for handling the evidence in accordance with his or her Department's policy concerning evidence procedures, by agreement with the Zone Lieutenant.
2. Narcotics Bureau investigators, who seize evidence during out-of-county investigations, with no local assistance, shall transport the evidence to their unit of assignment and handle routinely.

### III. EVIDENCE OTHER THAN NARCOTICS

#### A. Seizure Guidelines for U.S. Currency

##### 1. General Guidelines

Money seized for asset forfeiture by members of the Narcotics Bureau or accepted from other units, shall be in amounts of \$1,000 or greater. All amounts of money less than \$1,000 that is seized as evidence shall be deposited in the Sheriff's Trust Fund pending return to the suspect by the investigating officer. Questions regarding this policy shall be directed to the supervisor of the Narcotics Bureau Asset Forfeiture Unit or the on-call investigator. Narcotics investigators shall insure that all seized money shall not be retained in a patrol station safe for more than **five days**. Money to be released to the Internal Revenue Services or the State Franchise Board, which is not picked up within **five days** at a station, shall be transported to the Narcotics Bureau Asset Forfeiture Unit for safekeeping.

##### 2. Money Seized by Patrol Personnel

Money seized and booked by patrol personnel for forfeiture shall be retrieved from the station safe by

Narcotics Bureau Personnel. If the money was packaged only in a sealed paper envelope, the intact envelope shall be placed into a narcotics evidence transparent plastic bag. The bag shall be signed by the Watch Commander to acknowledge receiving the serialized bag receipt. The transporting deputies shall ensure that the bag serial number is recorded in the Watch Commander's safe ledger. As soon as the transporting deputies confirm the count with the Asset Forfeiture Unit, the Watch Commander can then dispose of the bag receipt.

**Note: Two deputies are required to transport seized U.S. currency. Counted amounts of U.S. currency may be transported by two deputies of any rank. Uncounted amounts of U.S. currency must be transported by a Sergeant (or Lieutenant if the amount is more than \$10,000) and another sworn member.**

### 3. Money Seized by Disclaimer of Ownership of Currency

If money seized from the subject or suspect of a narcotics investigation, is estimated to be \$1,000 or more, and the person(s) disclaims any interest in the money, the person shall be asked to sign a copy of the Disclaimer of Ownership of Currency. A copy of the disclaimer and the completed flap receipt portion of the narcotics evidence transparent plastic bag, shall be given to the person or placed in his or her property. All reasonable efforts shall be made to identify the person claiming the currency.

### 4. Money Seized for Forfeiture

Serialized narcotics evidence transparent plastic bags are to be utilized for forfeiture seizures of currency. The bags containing asset forfeiture money, should only be opened by a member of the Narcotics Bureau Asset Forfeiture Unit, in the performance of their duties.

When it is impossible to transport the currency to headquarters, and it becomes necessary to store it in the station safe, all department policies shall be adhered to, refer to MPP 5-09/465.40. Crew Sergeants and Zone Lieutenants shall make every reasonable effort to transport money seized for forfeiture to Headquarters rather than storage in a station safe. A serialized narcotics evidence transparent plastic bag shall be used for packaging all money seized by Narcotics Bureau personnel as evidence or for forfeiture.

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**a. Procedures for amounts under \$10,000**

When the amount is believed to be over \$1,000, but less than \$10,000, the money shall be placed into an evidence transparent plastic bag with the money described as “unknown amount of currency at time of seizure”. The completed flap receipt from the narcotics evidence transparent plastic bag shall be given to the suspect or left at the location with the search warrant and property receipt. The money shall be transported to and deposited in a station safe or Narcotics Bureau Headquarters, and entered into the safe for accounting by Narcotics Bureau Asset Forfeiture Unit personnel on the next business day.

**b. Procedures for Amounts of \$10,000 or Greater**

Notify the Zone Lieutenant who shall respond immediately.

Money seizures estimated to be \$10,000 or more shall be placed into a narcotics evidence transparent plastic bag. The suspect will receive the completed flap receipt, with the money described as an “unknown amount of currency at time of seizure”.

The money may be temporarily deposited into a station safe or transported by a Zone Lieutenant and a Deputy escort to Narcotics Bureau Headquarters and placed into the safe for counting by the Narcotics Bureau Asset Forfeiture Unit on the next business day.

If the headquarters safe will not accommodate the large quantity of money, a minimum of two (2) Narcotics Bureau deputies shall be assigned to safeguard the money. The deputies will maintain a guard on the outside of the locked and alarmed door to the safe room. The money will be locked in the evidence storage area of

the main money safe, under constant surveillance of the video monitor cameras. The deputies shall continue to provide security assistance upon the arrival of deputies from the Narcotics Bureau Asset Forfeiture Unit.

**Note: While it would be impossible to anticipate every possible circumstance which may arise in the seizure of large amounts of money, the overriding concern should be Narcotics Bureau personnel and Bureau integrity. If at all possible, the scene should be secured and protected pending arrival of the Zone Lieutenant. Unnecessary involvement by uninvolved deputies shall be deterred by the supervisor on scene.**

**c. Distribution and Accountability**

When a narcotics evidence transparent plastic bag is used to package seized money, the bag's serial number shall be indicated in the report.

**d. Procedures for Opening of Narcotics Evidence Transparent Plastic Bags**

The narcotics evidence transparent plastic bags shall be opened, with scissors, by cutting along the red cut line nearest the bottom of the bag.

The bag may be resealed by using a standard heat sealer. Whenever a bag is opened, the person opening the bag will write their name, employee number and date in the space indicated on the face of the bag.

Writing on the narcotics evidence transparent plastic bags shall be done with a ball point pen or permanent "Sharpie" marker, using indelible black or blue ink.

5. General Guidelines for Large Seizures of Money

- a. A primary consideration is control of the money.
- b. If it becomes necessary to leave the location prior to the arrival of a Lieutenant, i.e., officer safety, the nature of the investigation, etc., the money shall first be sealed in a narcotics evidence transparent plastic bag.
- c. The Narcotics Bureau Captain shall be notified of all noteworthy money seizures.
- d. Any questions regarding money seizures should be directed to the Narcotics Bureau Asset Forfeiture Unit supervisor.

**B. Weapons**

1. When a weapon is seized or booked as evidence at a patrol station, the case may be made a concurrent assignment with Station Detectives and the weapon shall be placed in the station evidence locker. Weapons violations shall not be handled by Narcotics Detectives without the concurrence of the Station Detectives. Narcotics Bureau station crews shall not store any evidence in their offices. All narcotics case evidence, including paraphernalia, is stored in the station narcotics safe depository or the station property room pending transportation to SSB or Central Property and Evidence. No seized weapons, ammunition or any other evidence shall be stored in station Narcotics crew offices. Departmental policy regarding the recording and storage of evidence shall be followed and the information regarding that action indicated in the first report.

**C. Small High Value Property**

1. Small high value evidence, such as a valuable jewelry box, which has been used to contain narcotics or prisoner property, shall be stored in the station safe pending further disposition. Items of a personal nature such as rings, watches, necklaces, etc., which are not evidence or of low value, shall be placed in the prisoner's property and recorded on the prisoner's booking slip.

#### **D. Vehicles - Storage of Forfeiture Vehicles**

1. Vehicles may pose some unique and difficult problems for a forfeiture case and all circumstances cannot be anticipated. Therefore, vehicles will be accepted for asset forfeiture proceedings on a case by case basis, only after approval by the supervisor of the Narcotics Bureau Asset Forfeiture Unit or the on-call investigator. The detective should provide the Asset Forfeiture Unit with the following information: year, make and model of the vehicle, whether there is a lien holder, overall condition of the vehicle, and mileage. When a motor vehicle is seized and meets forfeiture criteria, the following procedures shall apply:

If the vehicle is operable, it shall be driven to the S.T.A.R.S. center parking lot and parked as directed by the Asset Forfeiture personnel. The vehicle may be temporarily secured at the most convenient sheriff's station parking lot pending transfer to the S.T.A.R.S. Center.

If a tow truck is required, contact the supervisor of the Narcotics Bureau Asset Forfeiture Unit or the on-call investigator. Transportation of prospective forfeiture vehicles to S.T.A.R.S. Center or another facility will be at the direction of Asset Forfeiture personnel.

2. Vehicles seized by patrol deputies relative to narcotics cases, shall be processed by the respective narcotics crew. Narcotics Bureau personnel, not station personnel, are responsible for vehicle storage or impounds under these circumstances.

**NOTE: It is important that the vehicle be removed from vendor storage as soon as possible, to prevent the Department from incurring unwarranted storage costs.**

3. If forfeiture proceedings will not be instituted by this Department and members of the Internal

Revenue Service or the State Franchise Tax Board indicate they want possession of the vehicle, but are unable to determine when it can be picked up, the vehicle should be transported to a long term storage via County tow truck.

The Narcotics Bureau Captain shall send a letter of storage confirmation to the Internal Revenue Service or State Franchise Tax Board regarding the vehicle and its storage location. A copy of the letter shall be placed in the Narcotics Unit case file.

4. If the investigation reveals that a vehicle does not meet forfeiture criteria and no other agency has an interest in the vehicle, a notice shall be mailed to the owner. When feasible, a telephonic notification should be made to the owner to respond for a vehicle release.

#### **E. All Other Evidence**

1. All other procedures regarding evidence that are not addressed in this Bureau Order shall comply with Manual of Policy and Procedures, Property and Evidence Procedures, Volume 5, Chapter 4.

### **IV. DESTRUCTION OF EVIDENCE**

#### **A. Narcotics Evidence in General**

In all cases, great care should be taken to protect necessary evidence for prosecution. Narcotic evidence shall only be ordered destroyed or approved for release to another agency when it is known that the case has been adjudicated and/or no further court action is pending. Use of court records, including the Arrest Disposition Record (A.D.R.'s) or data systems, including the Prosecution Information Management System (P.I.M.S.) and/or the Trial Court Information System (T.C.I.S.) shall be used for this purpose. The case file shall also be reviewed. In cases with multiple defendants, the case investigator shall ensure that evidence for one

defendant, which may be destroyed, is not needed in another defendant's case. Cases assigned to other units and jointly assigned cases require approval by those units prior to destruction of evidence. When a case is not filed with the Office of the District Attorney or is rejected or dismissed and no further action is anticipated, the case shall be inactivated and evidence ordered destroyed. If there is any type of case litigation, the area lieutenant shall have PRELIMS updated and property held.

An inactive supplementary report (SH-R-77) shall be written, closing the case. When any case is inactivated, LARCIS shall be updated and the original closure report sent to Records Bureau and a copy to the case file. Each piece of evidence to be destroyed shall be approved by the Crew Sergeant, who shall have the ultimate responsibility for verifying that each item is eligible for destruction. To fulfill this requirement, the Crew

Sergeant shall review and approve the inactive supplementary report, which documents the disposition of the evidence to be destroyed and ensure the items to be destroyed are properly updated in the Property Evidence Laboratory Information Management System (PRELIMS).

## **B. Destruction of Large Marijuana Cultivation Seizures**

1. Whenever a large cultivation seizure is made and it is not desirable to preserve the cultivation in place, or to transfer the harvested evidence to another location for storage because of rotting, insect infestation, etc., the Narcotics Bureau Commander may approve the destruction of the evidence per Health and Safety Code section 11479. (If the case in question involves claims of medicinal marijuana or a "cooperative" grow by the defendant(s), thought should be given to contacting a member of the Marijuana Eradication Team for guidance prior to any destruction.) In order to comply with this section as well as the District Attorney's Office and Central Property and Evidence guidelines, the investigator will identify for retention as evidence 15 pounds of bulk plant material, with five different random samples if applicable, and 25 intact plants with root balls. The remainder of the plant material to be destroyed will be booked as separate items and identified as such in the supplemental report. The handling detective shall respond to Central Property and Evidence and weighed the excess marijuana to be destroyed and complete the Pre-Trail Narcotics Destruction Authorization form (see attachment A) and the Property Disposition of Bulk Marijuana form (see attachment B) to be destroyed. A copy of those forms will be placed in the case file.

**NOTE: Health and Safety Code section 11479 and subsequent sections provide procedures for the disposal of large quantities of marijuana, PCP, other controlled substances and hazardous chemicals believed to have been used or intended for use in the manufacture of a controlled substance.**

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2. After all the requirements of Health and Safety Code section 11479 have been complied with, the evidence shall be transported to a secure, temporary location, pending the securing of a court order if necessary. The Evidence Lieutenant shall be consulted and a Narcotics Bureau Zone Lieutenant shall be present during the destruction procedure.

### **C. Destruction of Large Seizures of Narcotics Evidence**

1. Narcotics fulfilling the indicated criteria shall be retested prior to destruction. Cocaine and methamphetamine shall be retested if the total aggregate weight per case is one kilogram or more. Heroin shall be retested if the total aggregate weight per case is eight ounces (227 grams) or more.

This retesting requirement shall be accomplished by submitting a representative sample of both previously tested and/or untested evidence to the Crime Lab for analysis and comparing the results against the original Criminalist report. Any discrepancy shall be reported to the Zone Lieutenant immediately.

A representative sample for test purposes shall be defined as ten percent of the total amount of narcotics evidence per case. In cases, wherein multiple evidentiary containers (i.e. kilos, half-kilos, multiple gram containers) are held as evidence, at least three containers shall be submitted to the Crime Lab for retesting. If there are less than three containers, all containers shall be submitted for retesting.

**D. Destruction of Narcotic Paraphernalia, PCP and Hazardous Chemicals**

1. Health and Safety Code sections 11473, 11473.5 and 11474 provide procedures and authority for the destruction of seized narcotics evidence.
  
2. Narcotics evidence shall not be destroyed by the handling Narcotics Bureau crew, except for the indicated exceptions.
  - a. A Narcotics Bureau crew may order the destruction of hazardous chemicals by a hazardous waste disposal company.
  
  - b. A Narcotics Crew may seek a court order for the destruction of large cultivation seizures or destroy the cultivation pursuant to Narcotics Bureau Order #3-3, Section V, and Sub-Section B.
  
3. Narcotics evidence shall never be taken as souvenirs. Specific items may be taken for Departmental display cases or for training purposes pursuant to a court order.
  
4. All narcotics evidence, except hazardous waste, non-contaminated paraphernalia and large cultivation seizures, shall be delivered to the Central Property Narcotics and Evidence Section for disposal.
  
5. Non-narcotics evidence such as paperwork, packaging material, communications equipment, carrying cases, and uncontaminated vials, beakers, burners, scales, and other glassware, shall be delivered to the Station Evidence Custodians for proper storage and eventual disposal.

6. Tainted narcotics paraphernalia (i.e., used rock cocaine pipes), shall be processed by Narcotics Bureau personnel and stored by the station Property/Evidence custodian. Narcotics Bureau personnel shall transport this paraphernalia, within (90) days, to the Central Property/Narcotics Evidence section for permanent storage or destruction.
  
7. Hypodermic Syringes and Needles
  - a. All syringes and needles seized shall be photographed and placed in a "Sharps" container for delivery to the crime lab for disposal.
  
  - b. If a syringe or needle is required to be retained for investigative purposes, (i.e., homicide, officer involved shooting, administrative investigation), it shall be placed in a "BIOHAZARD Eva-Safe" plastic container. The container shall contain one syringe/needle per container. The container shall be taped closed and identified with a Property Label (SH-CR-35).
  
  - c. When a syringe or needle is no longer needed and it is already contained in a "BIOHAZARD Eva-Safe" container, re-packaging is not required. Place the container in a "Sharps" container or in a paraphernalia disposal bag.

**NOTE: Do not cut, bend, or break syringes. Personal injuries or biologically hazardous contamination (seen or unseen) can occur. Use only the indicated methods of disposal.**

8. Hazardous substances, such as PCP, shall never be processed within the interior of a station or other facility. All dry or wet PCP, or PCP dipped (laced) cigarettes, shall be sealed in "KAPAC" bags. Improperly packaged evidence, received from station personnel, shall not be accepted, but shall be returned to the Watch Sergeant. (MPP 5-04/030.05)

For quantities too large to seal in "KAPAC" bags, or for hazardous chemicals used to manufacture narcotics, contact the appropriate Zone Lieutenant or the Duty Lieutenant (if after normal business hours) to arrange for a hazardous materials disposal vendor's assistance. Only Narcotics Bureau Lieutenants or personnel assigned to the Allied

Laboratory Enforcement Response Team (ALERT) may authorize the use of a hazardous materials disposal vendor to respond to labs or pick up quantities that cannot be safely retained. The purpose of this procedure is to manage costs and to eliminate duplicate call outs and the possibility of the hazardous materials disposal vendor personnel refusing to respond.

9. When members of the Narcotics Bureau encounter a situation indicating they are dealing with an illicit laboratory, personnel from the Allied Laboratory Enforcement Response Team (ALERT) shall be contacted prior to continuing the investigation.

At the discretion of the Allied Laboratory Enforcement Response Team (ALERT) or the L.A. County Health/Fire Hazardous Materials Unit, they may call upon the appropriate Disposal Company to dismantle an illicit lab. They may also call the appropriate agencies to assure the public is properly safeguarded. This does not eliminate the necessity of notification to the appropriate Narcotics Bureau Zone Lieutenant.

#### 10. Evidence/Paraphernalia Transportation to Central Property

Regarding paraphernalia, CPE staff/runner will pick up the paraphernalia from the Narcotics Crew office at each station when CPE comes to that station to pick up the other evidence/property each month. CPE comes to each station once a month on a specific schedule – the dates are known a year in advance. CPE has agreed to have their staff (runner) pick up the paraphernalia directly from the Narcotics Crew office once a month **as long as the paraphernalia is in a PRELIMS Bulk Container and someone from Narco is present to facilitate this process.**

##### a. Narcotics Crews responsibilities:

1. They will need to remove the paraphernalia from the Narcotics mailbox and bring it to the Narcotics Crew office on a regular (weekly or daily depending on volume) basis.
2. Review each item in PRELIMS to make sure the item type is "**Paraphernalia**" **and not 'Narcotics' or 'Other.'** Edit the item type to 'Paraphernalia' if necessary. It is important to have the correct item type for statistical reporting.

3. Transfer the paraphernalia items to a Bulk Container in PRELIMS.
4. One person from the Narcotics Crew needs to be present when CPE comes to the station on the monthly runs. (A schedule will be provided by CPE so that crews can be available.
5. Narco Crews will no longer need to drive the paraphernalia to CPE. The paraphernalia can be moved to CPE on a regular basis, thus preventing it from building up at the stations.
6. **\*\*The only people that can handle the paraphernalia are the Narco Crews. Station Evidence and Property Custodian (EPCs), per their class specs, cannot handle narcotics items or items that may have a residue of narcotics. The lab does not handle, exam, analyze paraphernalia on a routine basis so the Lab EPCs do not handle the paraphernalia left in the Narco mailboxes.**

### SUMMARY

**The safekeeping of narcotics evidence is not only a legal responsibility, but an ethical obligation. The utmost care must be exercised in safeguarding narcotics. The slightest discrepancy could be cause for suspicion. Therefore, any deviations set forth by this order will not be tolerated. Deviations must be reported immediately to the Bureau Commander.**

**ORIGINAL SIGNED\_**

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LOY L. MCBRIDE, CAPTAIN

NARCOTICS BUREAU

• **3-6 Ex Parte Orders/Reverse Sting Operations**

**NARCOTICS BUREAU**

**DETECTIVE DIVISION**

**LOS ANGELES COUNTY SHERIFF DEPARTMENT**

Bureau Order Number: **3-6**

Subject: **EX PARTE ORDERS (Reverses / Flashes)**

Effective Date:	08/11/2008	Last Date Revised:	10/15/2019
Last Date Reviewed:	04/01/2021	Next Review Date:	04/01/2022

**PURPOSE:**

The purpose of this order is to establish procedures for the acquisition and use of narcotics, narcotics paraphernalia, ephedrine or any precursors for the purpose of conducting a reverse sting or flash operation. Compliance with this order will ensure the safety of our personnel and compliance with all laws and Departmental policies when narcotics are taken from the narcotics depository for field operations.

**POLICY**

**I. USE OF NARCOTICS FOR REVERSE STING AND FLASH OPERATIONS**

A. A reverse sting operation or flash operation is conducted to arrest and/or gather evidence against suspected drug dealers or users by offering to supply narcotics or other substances to them for their illegal activities.

B. All reverse and flash operations require the approval of the Zone Lieutenant, concurrence of the Unit Commander or designate, and the completion of a comprehensive operations plan.

C The reverse sale of narcotics is a useful tool for street level sting operations as well as mid and upper-level narcotics investigations, and are generally safer for the undercover officers when authentic substances are used rather than bunk or non-narcotic substances. Additionally, upper-level sale negotiations often require the “flashing” and sometimes the sampling of the product for testing by the buyer.

D. Narcotics or other substances, including ephedrine or pseudoephedrine, for reverse sting or flash operations shall only be obtained from those narcotics cases that have been adjudicated and only after obtaining a court order authorizing the utilization and/or sampling of the narcotics.

Narcotics may be created, repackaged or reprocessed by the Los Angeles County Sheriff's Department's Crime Laboratory. Narcotics created or reprocessed for street level reverse sales shall be of a sufficient potency as not to cause an overdose if immediately ingested.

## II. REVERSE STINGS USING NON-NARCOTIC SUBSTANCES

A. Facsimile type substances, such as macadamia nuts or powders, may be used without a court order, however, the local District Attorney's Office should be consulted for filing practices and the tactical safety issues involved must be closely scrutinized.

## III. ACCOUNTABILITY

### **5-04/060.00 PROPERTY/EVIDENCE ACCOUNTABILITY**

PRELIMS is the official chain of custody and accountability system for all evidence and property in the custody of the Department. All activity in PRELIMS is tracked. This activity is accessible by authorized Department personnel through an electronic audit trail in PRELIMS.

A. All controlled substances (ephedrine or paraphernalia etc), held by LASD as evidence, shall be kept in the custody of Central Property and Evidence. If needed for reverse or flash operations, it can be temporarily released for use by obtaining an "ex parte" court order.

The case investigator shall obtain a court order permitting the use of narcotics or narcotics paraphernalia for reverse sting and flash operations.

1. An expiration date of ten (10) days from the date the court order is signed shall be included in every court order requesting the use of narcotics or narcotics paraphernalia for reverse sting operations. In the event the tenth day falls on Friday, Saturday or Sunday, the detective will have until the following regular working day to complete the operation or write an extension to the court order.
2. The case investigator shall maintain the original court order in the case file and provide a completed copy to the Narcotics Bureau's Evidence/Operation's Lieutenant, when removal from evidence is requested.
3. Narcotics or other substances shall be identified by the type, quantity and originating case from which they were seized (including the case file number). If substances from two or more cases are combined to obtain a required amount needed for an operation, such occurrences shall be noted in the court order and the investigator's case file.
4. The Narcotics Section of Central Property and Evidence shall maintain custody of the substances for these operations until its use is needed. All substances shall be returned to Central Property and Evidence when the field investigation is completed - either by booking it under a new file number in the event of a new arrest or by return of the evidence with the removal records for placing back into storage under the original file number.
5. If the case is delayed, the Zone Lieutenant may authorize the temporary storage of the substances in the Narcotics Bureau Headquarters property room. The evidence shall be entered in the Narcotics Bureau Master Evidence Ledger under the current investigation's file number in the Narcotics Bureau Headquarters property room, and entry notations made for the entry and removal.

6. Removed evidence shall be returned to Central Property and Evidence before the expiration of the court order (10 days). In the event the tenth day falls on Friday, Saturday or Sunday the detective will have until the following regular working day to complete the operation or write an extension to the court order.

**IV. STARS CENTER - CENTRAL PROPERTY AND EVIDENCE NARCOTICS DEPOSITORY - NARCOTICS REMOVAL PROCEDURE**

A. Approving narcotics evidence, including ephedrine or narcotics paraphernalia, for removal from Central Property and Evidence to be used for reverse sting and flash operations shall be the responsibility of the Narcotics Bureau Operations Lieutenant and coordinated with the supervisor of the Narcotics Section of Central Property and Evidence.

1. A signed copy of the face page (the original and entire court order shall be maintained at Narcotics Bureau Headquarters), authorizing the use of narcotics or narcotics paraphernalia for reverse sting or flash operations shall be delivered by the case investigator to the Central Property and Evidence supervisor. All requests and tracking of any evidence removed from CPE shall be requested via PRELIMS. The detective requesting the evidence shall request the evidence by the file number and check the "Ex Parte" box/category and make any relevant comments in the comment section. The detective requesting the evidence shall also state the name of the authorizing Narcotics Bureau Operations Lieutenant. (Prior to the implementation of the PRELIMS, the form SH-CR 583 "Property Interim Removal Request" form was used.) Additionally, the evidence shall be placed in "will call" status so it is ready for pick up at CPE by the detective. During the pick-up process, the court order will be scanned into PRELIMS. The detective can, if he/she chooses to do so, scan in the court order a head of time during the initial request.
2. The Operations Lieutenant shall confirm the Zone Lieutenant's approval of the operation, before authorizing the release of any evidence.
3. A sworn member of the Narcotics Bureau, with the rank of Sergeant or higher, shall be present to witness the release of narcotics or narcotics paraphernalia in a reverse sting or flash operation.
4. The quantity of controlled substances or bulk ephedrine etc. removed shall be

accurately weighed, (e.g., 1000 grams of methamphetamine) or counted (e.g., 4 jars of 1,000 tablets of pseudoephedrine) by Central Property and Evidence before being released to Narcotics Bureau personnel. Any discrepancies of the quantity shall be resolved before any evidence is removed from Central Property and Evidence.

5. The case investigator and a supervisor shall transport controlled substances and bulk ephedrine to the Crime Lab, before and after the operation, for testing to confirm the weight and controlled substance removed from and returned to Central Property and Evidence. Pharmaceutical grade and packaged substances, such as pseudoephedrine tablets, will not require testing by the Crime Lab for removal or return. However, the quantity must be verified when removed and returned to Central Property and Evidence. (Bulk ephedrine will require testing for removal and return.) Any discrepancies in weight shall be documented in supplemental reports (i.e., sample given away).

6. Substances shall be returned to Central Property and Evidence when the operation is completed; either booked as evidence on a new case, or if not needed as evidence, returned to Central Property and Evidence for continued storage or destruction.

7. The PRELIMS shall be used to record and track the temporary removal and return of evidence to Central Property and Evidence under the court order. Removed evidence shall be returned to Central Property and Evidence prior to the expiration of the court order (10 days). In the event the tenth day falls on Friday, Saturday or Sunday the detective will have until the following regular working day to complete the operation or write an extension to the court order.

8. **If the evidence is booked under a new case file number, the case investigator shall note and cross reference the new file number with the old file number in PRELIMS for proper tracking and notification to CPE regarding evidence status change and the chain of evidence.**

**If another operation is initiated for an unrelated case or after the expiration of the court order on the current case and the substances are again needed, a new court order shall be obtained for removal of the evidence.**

B. Occasionally, other agencies request evidence from the LASD in order to conduct reverse or flash operations. The following procedure shall be used to release narcotics evidence to other agencies.

1. The requesting agency's department head or unit commander shall submit a written request on agency letterhead, to the LASD Narcotics Bureau Captain, identifying the

quantity, substance and

purpose, e.g. reverse sting operation. The Captain shall evaluate the request and determine if the release of evidence to other agencies for reverse or flash operations is appropriate.

2. The requesting agency shall obtain a court order allowing permanent removal of the evidence from the LASD's custody.
3. The requesting agency shall indicate in the court order that the evidence shall be maintained and the final disposition made by the requesting agency. The removed evidence will not be returned to LASD's custody.
4. The requesting agency shall deliver a copy of the court order to the Narcotics Bureau Operations Lieutenant. A LASD Narcotics Bureau detective shall be assigned to assist with the proper tracking and recording of the evidence into the PRELIMS. The approving LASD Narcotics Bureau lieutenant's name shall be noted in PRELIMS. The court order shall be delivered to Central Property and Evidence at the time of evidence. A copy of the agency's letter of request will also be delivered to Central Property and Evidence. Both documents will be scanned into PRELIMS by the CPE staff.
5. The evidence will be released by Central Property and Evidence to the requesting agency detective. The detective must be accompanied by one of his/her supervisors when the detective takes custody of the evidence.

#### **V. DISPOSAL OF NARCOTICS AND NARCOTICS PARAPHERNALIA UTILIZED FOR REVERSE STING AND FLASH OPERATIONS**

A. Narcotics for reverse sting and flash operations, shall be disposed of by either the normal destruction procedures, or those specific narcotics shall be considered "disposed" for purposes of possible future reverse sting operations when it is booked as evidence under a new case file number. That "new" evidence then becomes disposable according to standard procedures when the latest case is adjudicated.

B. When the use of specific narcotics or narcotics paraphernalia results in a seizure or arrest, the evidence shall be recorded in PRELIMS under the new case file number.

C. When narcotics or narcotics paraphernalia are no longer needed or suitable for reverse sting operations, they shall be disposed of by normal destruction methods pursuant to Narcotics Bureau Order #3-3.

**ORIGINAL SIGNED**

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LOYL. MCBRIDE, CAPTAIN

NARCOTICS BUREAU

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**• 3-8 Narcotics Evidence Disposal (Burn) Procedures**

**NARCOTICS BUREAU**

**DETECTIVE DIVISION**

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**

Bureau Order Number: **3-8**

Subject: **NARCOTICS EVIDENCE DISPOSAL (BURN) PROCEDURES**

Effective Date:	08/11/2008	Last Date Revised:	10/15/2019
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Last Date Reviewed:	04/01/2021	Next Review Date:	04/01/2022
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## I. CONCEPT AND ISSUES

### A. Purpose

The purpose of this bureau order is to provide policy and procedures concerning the planning and deployment of Narcotics Bureau and Central Property & Evidence personnel during a planned disposal of narcotics evidence (Narcotics Burn). The primary duties of Narcotics Bureau personnel assigned to these operations is to provide security.

### B. Scope of Policy

This policy is directed to all Narcotics Bureau personnel who participate in the disposal of narcotics evidence (Narcotics Burn). All concerned personnel shall be familiar with the contents of this policy.

## II. POLICY

Based on the volume of narcotics evidence which has been identified and prepared for disposal, Central Property and Evidence will secure a disposal date with the Southeast Resource Recovery Facility (incinerator) in Long Beach, California. This date will be forwarded to the Narcotics Bureau Operations Lieutenant and Operations Sergeant for further assignment and completion of a tactical operations plan (Refer to Attachment "A").

Once the Incident Commander (Lieutenant) and Team Leader (Sergeant) have been identified, the Team Leader will select and assign a minimum of (10) sworn Narcotics Bureau personnel to assist in the operation. The Team Leader will also coordinate with the Supervising Evidence & Property Custodian (Narcotics Section) to determine which Central Property & Evidence personnel will be assigned to participate. This

information will be forwarded to the Asset Forfeiture Sergeant for inclusion in the tactical operations plan. Once the operations plan has been approved, it is the responsibility of the Team Leader to provide each

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participant with a copy (electronic or hard copy) of the operations plan for their review and preparation.

#### A. **AUDIT PROCEDURES**

Prior to leaving the Central Property & Evidence Warehouse, the Incident Commander shall conduct a random audit of the narcotics evidence selected for disposal. The Supervising Evidence & Property Custodian (Narcotics Section), shall provide the Incident Commander with a Narcotics Evidence Pool List, which is an itemized list of the narcotics selected for disposal.

The Incident Commander shall randomly select individual items from the Pool List. A designated employee, from the Central Property & Evidence staff, shall locate and remove the item in question from its pallet for inspection by the Incident Commander. Once the Incident Commander has determined that the physical item (evidence) corresponds with the itemized description on the Pool List, the item shall be placed back onto its original pallet. The Incident Commander shall repeat this process until he/she is satisfied with the audit procedure. It is recommended that a minimum of (2) individual items be selected from each pallet.

#### B. **OPERATIONS PLAN**

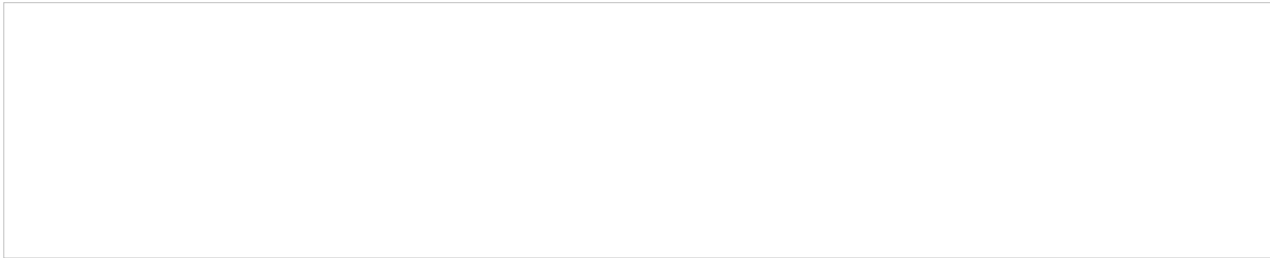
Refer to Attachment "A" (Operations Plan Template) for further instructions.

**ORIGINAL SIGNED**

LOYL. MCBRIDE, CAPTAIN

NARCOTICS BUREAU

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Text Box:



**Attachment  
"A"**

**Narcotics  
Burn**

**OPERATIONS PLAN**

**DATE OF  
OPERATION**

**CONFIDENTIAL**

pared

**File#:**

roving  
utenant:

**Captain:**

**Date  
approved:**

**yes X no date**

(  
notified  
)

class=WordSection5>

**Area**      **Jordan**  
**Commander:**

**HQ Intranet**

**NAR**

( notified )

**yes    no   x   date**

**LACLEAR person notified**

**n/a    date n/a**

DATE OF OPERATION	BRIEFING TIME	BRIEFING LOCATION
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Narcotics Bureau Unit Orders : Chapter III- Evidence

	0700 hours.	Central Property & Evidence 11515 S. Colima Rd, Whittier, 90604 (Parking Lot)
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<b>TYPE OF OPERATION</b> <i>EXAMPLE: SEARCH WARRANT - PROBATION SEARCH - RIP, ETC</i>
Secure, Transport, and Destroy the "Approved for Disposal" evidence seized by Narcotic's Bureau.

<b>LOCATION OF OPERATION</b>
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ADDRESS	11515 S. Colima Road,	CITY	Whittier (90604)
DESCRIPTION	West-end of STARS Center, behind E.O.B's Warehouse		

THOMAS GUIDE		GPS COORDINATES <i>OPTIONAL EXCEPT MET OPS</i>	
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SUSPECT (S) NAME	n/a	DESCRIPTION	n/a
VEHICLE (S) PLATE #	n/a	DESCRIPTION	n/a

SUSPECT (S) NAME		DESCRIPTION	
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<b>COMMAND POST LOCATION</b>
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Narcotics Bureau Unit Orders : Chapter III- Evidence

DESCRIPTION		ADDRESS	
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THOMAS GUIDE		GPS COORDINATES <i>OPTIONAL EXCEPT MET OPS</i>	
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**RADIO FREQUENCY'S**

TACTICAL CHANNEL		MODE	Direct	FREQUENCY	
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STATION WORKING CHANNEL	Norwalk	MODE		FREQUENCY	
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**EMERGENCY CONTACTS AND NOTIFICATIONS**

STATION/AREA	Norwalk	PHONE #	(562)863-8711	W/C	
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LOCAL AGENCY	Norwalk Station	PHONE #	(562)863-8711	W/C	AM Shift
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MART	Referral	PHONE #		CONTACT	
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**HOSPITAL**

<u>NAME</u>	Whittier Hospital	<u>ADDRESS</u>	9080 Colima Road, Whittier, Ca 90605
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<u>PHONE #</u>	(562) 945-3561	<u>THOMAS GUIDE</u>	**See attached map
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**COMMAND RESPONSIBILITY**

<u>INCIDENT COMMANDER</u>		<u>CAPTAIN</u>	
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<u>AREA COMMANDER</u>		<u>LIEUTENANT</u>	
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**I. SITUATION**

Due to the volume of stored narcotics evidence which has been approved for disposal/destruction, Central Property & Evidence (Narcotics Section) has requested assistance from Narcotics Bureau to provide security for a scheduled narcotics evidence destruction operation.

<u>Authorizing Judge:</u>		<u>Court:</u>	
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**II. MISSION**

Narcotics bureau personnel will provide armed security during the transportation, offloading and destruction of narcotics evidence designated by Central Property & Evidence personnel.

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### **CONCEPT OF OPERATION**

All Narcotics Bureau personnel assigned to this operation shall assemble for a tactical briefing in the secured Central Property & Evidence parking lot located at S.T.A.R.S., at the indicated date/time. All bureau personnel shall be equipped and ready to deploy as if participating in a warrant service. The Team Leader shall designate selected personnel to deploy the Benelli shotgun and/or the M4 rifle at his/her discretion.

Central Property & Evidence personnel will be responsible for the loading and offloading of all narcotics evidence. Narcotics Bureau personnel shall assist with the offloading process on an as-needed basis. It is recommended that Narcotics Bureau personnel bring the following safety equipment: safety goggles, ear protection, and work gloves. Central Property & Evidence will provide safety helmets and dust masks.

Prior to leaving the Central Property & Evidence Warehouse, the Incident Commander shall conduct a random audit of the narcotics evidence selected for destruction.

#### **The disposal / destruction of narcotics evidence shall occur at:**

Southeast Resource Recovery Facility (SERRF)

150 Henry Ford Avenue (Terminal Island, N/W corner of Ocean Bl. & Hwy. 47)

Long Beach, CA. 90802 (Refer to attached map, TG: Page 793, Grid H-2)

Phone # (562) 570-1196

#### **The Recommended route of travel is as follows:**

Exit S.T.A.R.S. and turn right onto W/B Telegraph Road. Turn left onto S/B Valley View Avenue. Turn right onto W/B Orangethorpe Avenue. Proceed west and enter the W/B 91 freeway. Continue W/B on the 91 freeway to the 110 freeway. Transition to the S/B 110 freeway and continue to the Vincent Thomas bridge off-ramp (to Terminal Island). Continue W/B across the bridge to New dock Street and proceed to the main truck entrance.

**Narcotics disposal / destruction procedures:**

Central Property & Evidence personnel shall conduct the offloading of all narcotics evidence. The Team Leader shall designate members of the security team to assist with the offloading and transporting of narcotics evidence to the 6<sup>th</sup> floor of the facility where the actual disposal occurs. The remaining security team members shall be strategically deployed and maintain operational security.

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**III. CONCEPT OF OPERATION (continued)**

**Security and Evacuation concerns:**

The southeast Resource Recovery Facility is in full operation during the narcotics disposal operation. During this operation, we will be sharing this facility with numerous employees and various contractors. All security team members must remain vigilant and the cognizant of potential safety hazards (i.e., field of fire, fire control, etc.)

This facility contains numerous pressurized hoses, high voltage lines and industrial machinery. Should an emergency occur or an evacuation order be initiated by the facility management, the incident Commander and/or Team Leader shall determine whether the narcotics evidence is to remain in place or if it should be reloaded onto the truck(s).

If an immediate evacuation of the premises is required, all personnel shall report to the field command post designated in this operations plan as soon as possible. The Incident Commander shall ensure that all bureau and Property & Evidence personnel are accounted for.

The Incident commander shall contact Long Beach Police Department and request additional resources if necessary and the response of a field supervisor to the command post. The Incident commander is responsible for ensuring that all appropriate notifications (i.e., Headquarters Narco, Unit Commander, SHB, etc.) are made in a timely manner.

**SHOTS FIRED PRIOR TO ENTRY -**

REACT TO THREAT

ESTABLISH PERIMETER OR MOVE TO RALLY POINT

IF NECESSARY, WITHDRAW AND ESTABLISH EXTERIOR PERIMETER

ACCOUNT FOR PERSONNEL

ESTABLISH COMMAND POST

**SHOTS FIRED AFTER ENTRY OR BARRICADED SUSPECT -**

REACT TO THREAT

EVACUATE INJURED PERSONNEL

HOLD EXISTING POSITION OR MOVE TO RALLY POINT

IF NECESSARY, WITHDRAW AND ESTABLISH EXTERIOR PERIMETER

ACCOUNT FOR PERSONNEL

ESTABLISH COMMAND POST

OUTSIDE CONTAINMENT DO NOT SHOOT INTO THE LOCATION UNLESS THERE IS AN IMMEDIATE THREAT

**DEPUTY DOWN-INTERIOR OR EXTERIOR -**

REACT TO THREAT

EVACUATE INJURED PERSONNEL

HOLD EXISTING POSITION OR MOVE TO RALLY POINT

ACCOUNT FOR PERSONNEL

ESTABLISH COMMAND POST

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**IV. EXECUTION**

<b><u>A. TEAM ROSTER/LOCATIONS/ADDRESSES</u></b>	
<b><u>LOCATION #</u></b>	<b><u>TEAM/UNIT:</u></b>
<b><u>ADDRESS:</u></b>	11515 S. Colima Road, Whittier, Ca. 90604 (Central Property and Evidence )

Narcotics Bureau Unit Orders : Chapter III- Evidence

<u>NAME &amp; EMPL #</u>	<u>ASSIGNED DUTIES</u>	<u>CALL LTRS</u>	<u>VEHICLE</u>	<u>AGENCY/UNIT</u>
	<u>TEAM LEADER</u>			

<u>LOCATION #</u>	<u>TEAM/UNIT:</u>			
<u>ADDRESS:</u>	N/A			
<u>NAME &amp; EMPL #</u>	<u>ASSIGNED DUTIES</u>	<u>CALL LTRS</u>	<u>VEHICLE</u>	<u>AGENCY/UNIT</u>
	<u>TEAM LEADER</u>			

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<b><u>LOCATIONS</u></b>	<b><u>SUSPECTS AND/OR VEHICLES</u></b>
	<b><u>OTHER POSSIBLE OCCUPANTS:</u></b> <b><u>ADULTS, CHILDREN, ELDERLY,</u></b> <b><u>HANDICAPPED</u></b> (Indicate Sex / Race / Age)
11515 S. Colima Road,  Whittier, Ca 90604 (562) 477-5285	SUSPECT 1.) n/a  VEHICLE 2.) n/a
Refer to Tactical Plan attachments for information specific to individual locations. Entry supplementary reports must include team members and assignments.	

**V. SPECIAL ADMINISTRATIVE INSTRUCTIONS**

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**A. REPORTING PROCEDURES**

All departmental reporting procedures shall remain in effect. Incidents regarding shots fired, use of pepper spray or other use of force, injured deputies, etc., shall be communicated through channels to the operations commander immediately and appropriate notifications and documentation completed.

**B. PERSONNEL**

<b><u>DEPUTY GENERALIST</u></b>		<b><u>DEPUTY BONUS I</u></b>		<b><u>DEPUTY BONUS II</u></b>	
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<u>RESERVE DEPUTY</u>		<u>SERGEANT</u>		<u>LIEUTENANT</u>	
<u>OTHER</u>					

<b><u>C. SPECIAL EQUIPMENT</u></b>
Armed Investigators will have immediate access to their issued MP5 sub-machine gun.

**D. ADDITIONAL**

**EMERGENCY NUMBERS**

	<b><u>ADDITIONAL NOTIFICATIONS</u></b>
<b><u>Norwalk Station (911) (562) 863-8711</u></b>	<b><u>Aero Bureau Desk (562) 421-2701</u></b>
<b><u>Command Post (562) 477-5285 (Sgt. Morris)</u></b>	
<b><u>LBPD (911) (562) 570-7260</u></b>	

- **3-9 Court Ordered Return of Medical Marijuana**

**NARCOTICS BUREAU**

**DETECTIVE DIVISION**

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**

Bureau Order Number: **3-9**

Subject: **COURT ORDERED RETURN OF MEDICAL/ RECREATIONAL MARIJUANA**

Effective Date:	04/08/2008	Last Date Revised:	10/15/2019
Last Date Reviewed:	04/01/2021	Next Review Date:	04/01/2021

**I. CONCEPTS AND ISSUES**

**A. Purpose of the Document**

The purpose of this order is to establish policy and procedure for returning medical marijuana to qualified patients pursuant to the Compassionate Use Act (Proposition 215). If a person is requesting the return of their marijuana under the Adult Use of Marijuana Act (Proposition 64), or Health and Safety Code section 11362.1, that person should be directed to the patrol station evidence custodian. If someone presented a medical marijuana defense, however they meet the requirements of Health and Safety Code 11360.1, the marijuana shall be returned per Smith v. Superior Court of San Francisco, 2018.

**B. Background**

In 1996, California voters approved the Compassionate Use Act which delineates the process for certain individuals to acquire and possess limited amounts of marijuana to alleviate pain and discomfort upon recommendation of a doctor. California case law has ruled in favor of returning marijuana evidence seized by law enforcement personnel to persons who possess the required medical recommendation (through a licensed physician) and where there is no additional judicial requirement for the seized evidence. In November 2016, voters approved the Adult Use of Marijuana Act, which is detailed in Health and Safety Code

section 11362.1, and commonly referred to as recreational marijuana. This order does not cover recreational marijuana which should be booked as, "personal property". Marijuana booked as "personal property" will be the patrol station responsibility.

### **C. Scope of Policy**

This policy is designed to outline a method for returning seized medical marijuana to certain patients, who have acquired a court order, signed by a magistrate, serving the Superior Courts of the state of California, County of Los Angeles.

### **D. Training**

The Bureau Unit Commander will ensure that all Bureau Personnel are trained and familiar with this policy.

## **II. POLICY**

1) All Narcotics Bureau personnel, presented with a signed court order to return medical marijuana, shall accept the order and immediately notify either their Crew Sergeant or Zone Lieutenant.

2) The Crew Sergeant shall verify the authenticity of the order by contacting the concerned court

clerk in person or by telephone.

Since the recent implementation of the Property, Evidence, Laboratory Information Management System (PRELIMS), the protocol for releasing/obtaining

evidence/property from Central Property and Evidence (CPE) has changed.

The Evidence Disposition Order, Authority for Release of Property (SH-AD 121) form and the signed Court Order are no longer needed by CPE to obtain the property requested. All requests and information pertaining to property/evidence release is to be submitted by the I/O or Crew Sergeant, via the PRELIMS and assigned to "will-call" for pick up. Remember to include the following:

1. Reference the evidence/property by file number
2. Click on the item(s) requested
3. State the name of the person coming to pick up the items
4. Date/time of pick up
5. Add any important comments in the comment section if needed

Release of property to owner at the station:

Once you have verified all of the owners identification, be sure to make a copy of his/her CDL and have the owner either sign for the items on the electronic signature pad or on the hard copy.

Once signed, be sure all pertinent associated documents are scanned into the

PRELIMS under the associated file number (this includes the signed court order). Remember to transfer the custody of the property from yourself to the claimant/owner. Should for any reason the owner does not arrive at the

arraigned time and you need to hold/secure the evidence at the station,

remember to go back into PRELIMS and transfer the evidence from your custody to the station narcotics box for safekeeping until you release it to the owner or

return it to CPE. Remember: until you transfer the custody of the property from

your name to either a location or person, you are responsible for it.

3) The release of the evidence shall be conducted at the sheriff station where the case originated or at an arraigned acceptable alternate location. Reasonable efforts shall be made to accommodate the patient. The I/O or Crew Sergeant and the Zone Lieutenant shall wait a reasonable amount of time for the arrival of the patient at the predetermined sheriff's station. If for whatever reason the patient does not arrive, arrangements to release the evidence will need to be rescheduled. The Zone Lieutenant shall be advised of the new arrangements.

**ORIGINAL SIGNED**

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LOYL. MCBRIDE, CAPTAIN

NARCOTICS BUREAU

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