

**MARIN COUNTY SHERIFF'S OFFICE
GENERAL ORDER**

CHAPTER 5 - OPERATIONS
GO-05-07
Page 1 of 2

DATE
02/10/03

EVIDENCE - CONTROLLED SUBSTANCE

POLICY

It is the policy of the Sheriff's Office to collect, maintain, and submit controlled substance evidence using established evidence collecting procedures conforming to California Department of Justice methods of evidence collection and submittal for laboratory analysis.

DEFINITIONS

None.

PROCEDURE

Collection of Evidence

Only those items that will support an arrest/charging or further an investigation are to be collected.

Where the item is a large quantity of material; i.e., over 50 kilos of marijuana, 5 random samples will be withdrawn, packaged and submitted to the State laboratory for analysis. In no case should random sample(s) be smaller than its source when the source can be conveniently analyzed, e.g., evidence is one kilo package, submit entire kilo.

Where evidence is quantities of marijuana plants, plants shall be photographed; 5 random samplings identified, photographed, removed, packaged and submitted. Do not submit growing or planter pots, it is only necessary to photograph items of this nature.

The evidence in citable offense cases involving marijuana will not be submitted to the Department of Justice Laboratory until the case is contested by the Defendant. It will be properly packaged prior to submittal in DOJ Envelope (BFS-2 (8/96))

Paraphernalia must be handled and packaged to avoid injury and disease; (needles, hypodermic kits or pipes will not be accepted by DOJ Laboratory personnel unless analysis requested by the District Attorney with pre-authorization by laboratory supervisor). Except under specific circumstances listed hypodermic needles will be photographed with a ruler or measuring device. The needles will then be disposed of in a Sharps Bio-Hazard container to be destroyed. The photograph of the hypodermic needle or needles will be placed into evidence in place of the actual device.

The exception to disposing of needles is when a hypodermic needle has been used as a means to commit an additional crime such as murder, rape, robbery, or kidnapping. Successful prosecution of the crime may hinge on this piece of evidence. In addition to photographing the hypodermic needle it should be preserved as evidence. The hypodermic needle should be placed in a hypodermic needle safety tube to insure safe and proper handling and reduce the risk to anyone who takes custody of it.

Sheriff's Property/Evidence Record Form will be completed and included with all evidence submitted to the Property Room.

Package Evidence

Package items of evidence separately to avoid cross contamination.

Submit evidence packaged and sealed whenever practical.

Submit packaged evidence in DOJ Controlled Substance Envelope (BFS-2 (8/96)). When evidence is too large to place in the DOJ package, place it in a container of appropriate size, being sure to seal it and also initial. Fill out the DOJ Envelope and attach to the package. Note – more than one packaged item of evidence can be submitted in each DOJ Controlled Substance Envelope

DOJ Controlled Substance Envelope (BFS-2 (8/96)) will be completed fully.

Package items of evidence in the appropriate packaging material that will prevent the evidence from being damaged or destroyed. This includes the use of paper bags to prevent mold or mildew.

Evidence to be processed for latent fingerprints in addition to other tests must be handled carefully to protect the latent prints. Remove the suspected controlled substance from the original packaging, repackage the contents in appropriate evidence packaging materials, and submit the packaging material to be examined for latent prints in a separate evidence container.

Any controlled substance submitted for destruction only, must be accompanied by Sheriff's Property/Evidence Record Form itemizing submitted property and labeled "For Destruction" and signed by the submitting officer.

RELATED STANDARDS:

GO-05-05 Evidence-Collection and Submittal
GO-05-06 Evidence-Perishable
GO-05-08 Evidence-Biohazard and Hazardous Chemicals


AFFECTED DIVISIONS:

All.

DATE OF REVISIONS:

1/31/1990
7/2/2002 (replaced GN90-05)
2/10/03 (replaced INV-03-08)

By order of:


ROBERT T. DOYLE
SHERIFF