



Guideline for Narcotic and Dangerous Drug Evidence

86362

ACQUISITION

GUIDELINES

FOR NARCOTIC AND DANGEROUS DRUG EVIDENCE HANDLING AND SECURITY PROCEDURES

by the

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and the

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Law Enforcement Code of Ethics

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

FOREWORD

When we think of the drug problem, our minds summon up the conventional images of pushers and addicts. Hardly, if ever, do we think of any of the other ills associated with drug abuse.

Aside from the burglaries, larcenies, and other crimes committed because of narcotics, there are additional sinuous branches sprouting from the drug culture vine. Some of these growths entwine the individual police officer and the overall police function. One offshoot, the handling and security of narcotics and dangerous drugs after they are collected or seized by the police, is the subject of this manual.

Once seized by the police, narcotic and dangerous drug evidence requires protection in order that it may be preserved in its original state until it is brought before a court or destroyed through legal process.

It is during this period that the greatest demands are placed on personnel of the law enforcement agency concerned. Not only must narcotic and dangerous drug evidence be protected against loss and outside threats of incursion, but, unfortunately, sometimes from internal intrusions as well.

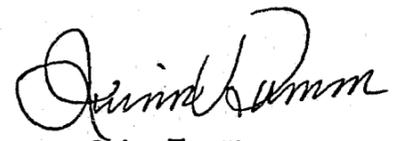
Although relatively uncommon, there have been occasions when narcotic and dangerous drug evidence has disappeared from a "secure" area under the control and within the confines of a police agency. There have been other instances when the evidentiary chain of custody, for one reason or another, has been broken and the evidence made worthless as far as being used to convict a felon.

Mostly, narcotic and dangerous drug evidence has been lost through negligence, poor records-keeping, lack of knowledge, absence of instructions, and insufficient or weak security practices. A few of these occurrences were traceable to the absence of that illusive character trait known as "integrity."

Recognizing the existence of these shortcomings, the Drug Enforcement Administration and the International Association of Chiefs of Police studied the situation to find a basis for recommending abative action. These recommendations, in the form of a guide to the security and handling of narcotic and dangerous drug evidence, are presented in this manual.

Numerous field trips were made to various police agencies in an attempt to view evidentiary handling and security procedures and extract the best methods or innovations from each. Information obtained from these on-site visits was combined with the results of individual research and the thoughts of knowledgeable, experienced persons contacted during the fact-gathering phase. The results were compiled and set down herein for use by those involved with the handling and security of narcotic and dangerous drug evidence.


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An endeavor of this nature requires extensive field work for the collection and compilation of data for subsequent analyzation and presentation. Consequently, it was necessary to solicit the cooperation of and coordinate with representatives of numerous law enforcement agencies.

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It should also be noted that those responsible for the preparation of these guidelines have taken cognizance of and generally concur with the recommendations of the National Advisory Commission on Criminal Justice Standards and Goals regarding the police property system.¹

¹See National Advisory Commission on Criminal Justice Standards and Goals, Report on Police, (U.S. Government Printing Office, Washington, D.C., 1973), pp. 309-312.

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The professional staff members of the Drug Enforcement Administration and the International Association of Chiefs of Police listed below participated in the planning and development of this project. The IACP gratefully acknowledges the scientific and technical guidance provided by the staff of the Drug Enforcement Administration.

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PURPOSE AND TERMINOLOGY

Purpose

The purpose of this manual is to furnish guidance, suggest policy, and outline standardized practices for the benefit of personnel and agencies concerned with the handling and security of narcotic and dangerous drug (NDD) evidence. Handling procedures dealing only with narcotic and dangerous drug physical evidence will be addressed herein; testimonial evidence will not be discussed.

In this manual, "handling" connotes one or more of the following general actions that may be performed in the course of processing evidence, i. e., during the processing sequence: collection, identification, preservation, receipt, analysis, storage, presentation (if trial results), and eventual disposition or destruction. "Security" pertains to the measures which are taken during the processing sequence while safeguarding the evidence in order to maintain intact its integrity.

This manual is also intended to serve as a basic reference document for the training of individuals in narcotic and dangerous drug evidence handling procedures.

Also, in the text, certain recommendations will be forwarded pertaining to structural standards and intrusion detection devices for evidence rooms/vaults and repositories.

Definitions, Abbreviations, and Explanation of Terms

The definitions, abbreviations, and terms used in the text are listed below; they are furnished to facilitate comprehension and reduce verbiage—not for legal or official determinations.

Chain of Custody. The witnessed, written record of all individuals who have maintained unbroken control over (custody of) the evidence since its acquisition by a police agency. The chain of custody begins when an item of evidence is collected, and is maintained until final disposition of it is made. The chain of custody assures continuous accountability and if it is not properly maintained on a particular item of evidence, that item may be inadmissible in court. Each individual in the chain of custody is responsible for an item of evidence to include its care, safekeeping, and preservation while it is under his control.

Controlled Substance. A drug or other matter, or immediate precursor, included in schedule I, II, III, IV, or V of Appendix III. The term does not include distilled spirits, wine, malt beverages, or tobacco.

Control Package. An evidence envelope or package which contains a specimen of a known narcotic or dangerous drug by weight and/or count. At irregular intervals, a control package is submitted to a particular forensic chemist for analysis without the chemist being aware that the package's contents have already been analyzed, weighed, and/or counted. After the chemist "analyzes" and returns the control package, the contents are examined by supervisory personnel to determine the chemist's accuracy.

Custody. The exercise of immediate charge or control over a person(s) or thing(s).

Dangerous Drug. Any nonnarcotic substance which the Attorney General or his designee, after investigation, has found to have, and by directive designates as having, a potential for abuse by producing a depressant or stimulant effect on the central nervous system or by producing hallucinogenic perceptions.

Date/Time Group. The date and time expressed in six digits (the first two digits represent the date; the last four digits represent the time according to a 24-hour clock—see "Twenty-Four Hour Clock," below), followed by the month stated or abbreviated in three letters (Jan., Feb., Mar., Apr., May, Jun., Jul., Aug., Sep., Oct., Nov., Dec.), followed by the year expressed in two digits. (Example: 2:15 pm on the third of August, 1974 would be expressed as 031415 Aug '74. 2:15 am on the thirteenth of September, 1975 would be expressed as 130215 Sep 75).

Depository. See "Repository," below.

Drop-Box. A locked, heavy duty (preferably constructed of steel plate) safe-type container with an aperture permitting items of evidence to be deposited within, but which will not allow removal of the evidence unless an access door is unlocked and opened. Only the evidence custodian and his alternate should possess the means of unlocking the drop-box for the purpose of removing evidence. There are numerous variations to this procedure. Drop-boxes may take the form of tiered, commercial bank-type, safe deposit boxes, except that after the evidence is deposited in a drop-box, it is subject to removal only by the evidence custodian or his alternate. An advantage of the safe deposit box method is the flexibility it offers—the boxes can be constructed in various dimensions, thereby providing storage space for evidence in diverse amounts (example: four marijuana bricks or four marijuana cigarettes) and configurations (example: marijuana plants growing in pots). Another system is analogous to the night deposit procedure used by commercial banks. In this case, a chute or sloping channel passes the evidence into a secure area to which only the evidence custodian or his alternate has access. Here, care must be exercised to avoid crushing or otherwise damaging the evidence while it is being deposited (dropped); inclination of the chute's plane can be lessened or cushioning devices can be placed on the bottom of the receptacle which receives the evidence. Irrespective of the principle employed in the construction of a drop-box, the security consideration is paramount—presumably, the construction of the box is such that the evidence, once deposited therein, remains undisturbed until removed by an authorized person or persons.

Drug Abuse. The illegal, wrongful, or improper use of any narcotic substance, marijuana or other dangerous drug, or the illegal or wrongful possession, sale, transfer, delivery, or manufacture of the same.

Duress Code. A word or phrase inserted into a normal conversation which alerts a second person that the individual using the code word or phrase is being forced to vouch for an unauthorized person(s), and thereby permitting the unauthorized entry of the vouchee(s) into a secure area.

Evidence. Anything that tends to assist in ascertaining the truth of a matter or furnishes proof of a fact. (NB: Although, in the literal sense, narcotic and dangerous drug evidence is actually property—or contraband—being held in police custody, the very fact that it is in the custody of a law enforcement agency suggests that its presence there is due to some type of unlawful act; in this sense, narcotic and dangerous drug "property" is considered to be evidence. It is in this latter respect that all narcotic and dangerous drug "property" will be referred to throughout the text as "evidence." To avoid semantic ambiguity or confusion in the use of definitions and terminology, unless identified to the contrary, the connotative meaning of "evidence" will relate only to narcotics and dangerous drugs; "property" will be used in reference to all other types of evidence held in custody.)

Evidence Envelope. Any of a variety of envelope-type wrappers used as a container for evidence. Evidence envelopes are manufactured in various designs and sizes utilizing different kinds of material.

The most commonly obtainable evidence envelope in use today measures about 9" x 12", and is manufactured from heavy kraft or manila paper. The paper evidence envelope has a flap which can be sealed or fastened in one or more ways. The flap, in addition to being adhesive or gummed, may also be equipped with a clasp or lock. Because they are practically tamper-proof, envelopes equipped with lock-type seals are finding favor with many police agencies. Actually, these seals are pronged, metallic fasteners affixed to the envelope's flap which, when the flap is folded, can be inserted into a metal receptacle affixed to the body of the envelope. Once inserted, the metal prongs automatically lock in place and cannot be removed without damaging or destroying the entire device. Since the locking-type envelope seal cannot be removed unless the envelope is cut or torn, a cursory glance at the flap will generally indicate whether an unauthorized attempt has been made to open the envelope. Normally, this envelope has two flaps—one to which the locking device is attached and, underneath the first, another flap which can be sealed adhesively. Also, information pertaining to the evidence enclosed within can be typed or printed on the obverse and/or reverse of the envelope.

Another type of evidence container which is rapidly finding acceptance among police officials is in the form of a clear polyester or plastic bag, pouch, or envelope. Sealing a container of this sort is accomplished by applying heat near the open ends of the pouch in a manner that will meld one side of the container to the other. An obvious advantage of this system is the fact that the evidence can be viewed without removing it from its container. Identifying information can be entered on a label attached to or placed inside the bag. As is the case with the metallic lock-type envelope, evidence cannot be removed from the plastic container without tearing or cutting the container itself.

To the extent that the available designs and material are concerned, the best solution to evidence packaging may lie in a combination of the two envelopes just described. Although undoubtedly prohibitive for many law enforcement agencies insofar as cost is considered, an interior evidence envelope (inner container) of plastic used in conjunction with an exterior heavy duty paper envelope would perhaps represent the ultimate in evidence packaging.

(Note: Once sealed, even though the evidence cannot be removed without damaging whatever container is employed for packaging purposes, powdery substances present a problem not often associated with the preservation of other types of property in police custody. Powders and granules can be sifted from their containers through minute holes or crevices. A puncture made by a pin or needle in a plastic or paper envelope may not be readily

discernible; however, a substantial amount of heroin or cocaine could be lost or pilfered through such an opening. If for this reason alone, evidence bags and envelopes should be subjected to close scrutiny during inspections and inventories of the evidence room.)

Evidence or Evidence Room/Vault Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assume custody of the narcotic and dangerous drug evidence stored in the narcotic and dangerous drug evidence room/vault located within the property room or other evidence repository. He is responsible for the accountability, preservation, safe-guarding, and disposition of all evidence released to him. (See definition of "Property or Property Room Clerk or Custodian," below.)

— Alternate Evidence or Evidence Room/Vault Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assist the narcotic and dangerous drug evidence custodian or assume custody of the narcotic and dangerous drug evidence stored in the narcotic and dangerous drug evidence room located within the property room or other evidence repository during the absence of the evidence custodian. See definition of "Alternate Property or Property Room Clerk or Custodian," below.

Evidence Repository (Depository). A secure area, room (other than a narcotic and dangerous drug evidence room within a property room or laboratory), vault, safe, or other similar container used for the permanent or temporary storage of narcotic and dangerous drug evidence.

Evidence Room/Vault. A secure area set aside within a property room used for the permanent or temporary storage of narcotic and dangerous drug evidence.

Hallucinogen. Any substance which after internal bodily introduction acts upon the nervous system to produce hallucinations (perceiving objects with no reality).

ID. Abbreviation for: Identification.

IDD. Abbreviation for: Intrusion Detection Device, see below.

Intrusion Detection Device. A mechanism which initiates an alarm signal as a result of sensing the stimulus or coordination to which it is designed to react. Some types of IDD systems are audio, sonic, ultrasonic, microwave, electro-mechanical, electro-magnetic (interior), electro-magnetic (exterior), and photoelectric. Closed circuit television is also

considered to be an IDD, although its use as such depends upon visual monitoring and it does not automatically emit an alarm when an intruder is detected.

Inventory. (1) A descriptive listing of evidence entered on the inventory and chain of custody form by the seizing or arresting officer. In the processing sequence, the inventory operation comprises the steps of field testing, marking, photographing, weighing, and counting, if practicable (see Figure 1, Appendix VI). (2) A survey, by amount and type, of the evidence on hand in the evidence room. (See "Inventories," Chapter II.)

Laboratory Evidence or Evidence Room/Vault Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assume custody of narcotic and dangerous drug evidence released to the laboratory. He is responsible for the accountability, preservation, safeguarding, and disposition of all evidence released to him. If the duty of laboratory evidence custodian is given as an additional function to an employee assigned to the laboratory, the employee so designated should not be on the laboratory's professional staff (for example, a forensic chemist); rather, the designee should have an administrative orientation.

— Alternate Laboratory Evidence or Evidence Room/Vault Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assist the narcotic and dangerous drug laboratory evidence custodian or assume custody of narcotic and dangerous drug evidence released to the laboratory during the absence of the laboratory evidence custodian. If the duty of the alternate laboratory evidence custodian is given as an additional function to an employee already assigned to the laboratory, the employee so designated should not be on the laboratory's professional staff (for example, a forensic chemist); rather, the designee should have an administrative orientation.

Laboratory Evidence Room/Vault. A secure area set aside within a laboratory used for the temporary storage of narcotic and dangerous drug evidence which has been released to the laboratory for analysis.

Marihuana. The intoxicating products of the hemp plant (*cannabis sativa*) or any of the products derived from it, for example: hashish. The active ingredients in marihuana, most notably tetrahydrocannabinol (THC), are strong hallucinogens with sedative properties.

N/A. Abbreviation for: Not Applicable.

Narcotic. Any opiate (whether naturally occurring or synthetic) or cocaine. Examples: Opium, heroin, morphine, codeine, paregoric, dilauded, meperidine, and methadone.

NDD. Abbreviation for: Narcotic(s) and Dangerous Drug(s). For the purpose of this manual, marihuana is included in any reference to narcotics and dangerous drugs.

Personal Laboratory Evidence Vault. A secure, safe deposit-type receptacle for the temporary storage of narcotic and dangerous drug evidence in the laboratory. Personal vaults are provided for the use of individual laboratory personnel who wish to secure evidence for which they are responsible during times when access to the regular laboratory evidence room is not available.

Probable Cause. A sufficient reason to effect the apprehension of a person supported by evidence strong enough to establish presumption, but not proof.

Processing Sequence. The series of actions or operations performed by various personnel in conjunction with narcotic and dangerous drug evidence while it is passing through the chain of custody—from seizure until final disposition. The general, successive functions inherent in the processing sequence are collection, identification, preservation, receipt, analysis, storage, presentation (if trial results), and eventual disposition or destruction. (See Figure 1.)

Property. Items (except narcotics and dangerous drugs) of evidentiary or other value which come into the custody of a law enforcement agency. See definition of "Evidence," above.

Property Control Number (Property Number). The individual number assigned on the property control card to collective items of property/evidence pertaining to one case or incident which have been received by the property/evidence custodian for storage and safekeeping. The property control number has numerous uses and may be cross-indexed with other records depending upon the type of records system being maintained. Primarily, the property control number serves as the basic reference number used by property room personnel to locate stored items of property/evidence. In many agencies, the arrest/complaint/case number also serves as the property control number. Cross-indexing the property control number with the evidence locator number (shelf, bin, box location) facilitates evidentiary retrieval and inventory.

Property or Property Room Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assume custody of property stored in the property room. The property clerk is responsible for the accountability, preservation, safeguarding, and disposition of all property released to him. He may also act as the custodian of narcotic and dangerous drug evidence stored in the narcotic and dangerous drug evidence room located within the property room or other evidence repository.

— Alternate Property or Property Room Clerk or Custodian. The person (civilian or sworn individual) officially appointed or designated to assist the property clerk or assume custody of the property stored in the property room during the absence of the property room clerk. If the property room clerk also acts as custodian of narcotic and dangerous drug evidence stored in the narcotic and dangerous drug evidence room or other evidence repository, the alternate property clerk may also act as alternate custodian for narcotic and dangerous drug evidence in this category.

Property Room. A secure area set aside within a law enforcement facility used for the permanent or temporary storage of property which comes into the custody of that law enforcement agency. (See definition of "Property," above.)

Qualitative Analysis (Qualitation). A chemical analysis designed to identify the components of a substance or mixture.

Quantitative Analysis (Quantitation). A chemical analysis designed to determine the amounts or proportions of the components of a substance or mixture. (See "The Role of DEA Laboratories," Appendix IV.)

Repository. A place, room, or container where something is deposited or stored, especially for safekeeping. Used interchangeably with "depository."

Seizing Officer. The member of a law enforcement agency who first collects or receives narcotic and dangerous drug evidence, from whatever source, and introduces it into the chain of custody. If an arrest is effected at the time the evidence is seized, the arresting officer also becomes the seizing officer.

SSAN. Abbreviation for: Social Security Account Number.

Suspense Date. The date assigned to any particular action (report, study, letter) or operation (raid, surveillance) indicating the date on which the action or operation is due to be submitted, commenced, or completed. In some agencies, the term "target date" is used in lieu of "suspense date."

Suspense File. A filing system designed to indicate when a particular action (report, study, letter) or operation (raid, surveillance) is due to be submitted, commenced, or completed. The system is maintained through the use of index cards (filed chronologically by date) cross-indexed with an alphabetical subject file. Visual inspection of either card file will furnish the due-date or subject matter of any particular action or operation. Sometimes, the "suspense file" is referred to as a "tickler file."

Twenty-Four Hour Clock. A method of expressing time according to the following system (sometimes referred to as "military time"):

1:00 am = 0100 hours	12:45 pm = 1245 hours
1:15 am = 0115 hours	1:00 pm = 1300 hours
1:30 am = 0130 hours	2:00 pm = 1400 hours
1:45 am = 0145 hours	3:00 pm = 1500 hours
2:00 am = 0200 hours	4:00 pm = 1600 hours
3:00 am = 0300 hours	5:00 pm = 1700 hours
4:00 am = 0400 hours	6:00 pm = 1800 hours
5:00 am = 0500 hours	7:00 pm = 1900 hours
6:00 am = 0600 hours	8:00 pm = 2000 hours
7:00 am = 0700 hours	9:00 pm = 2100 hours
8:00 am = 0800 hours	10:00 pm = 2200 hours
9:00 am = 0900 hours	11:00 pm = 2300 hours
10:00 am = 1000 hours	(midnight) 12:00 pm = 2400 hours
11:00 am = 1100 hours	12:15 am = 0015 hours
(noon) 12:00 am = 1200 hours	12:30 am = 0030 hours
12:15 pm = 1215 hours	12:45 am = 0045 hours
12:30 pm = 1230 hours	1:00 am = 0100 hours

Two-Man Rule (Policy, Concept). A system designed to prohibit a single individual from having access to or exercising custody over narcotic and dangerous drug evidence by requiring the presence at all times of at least two authorized persons, each capable of detecting incorrect or unauthorized procedures with respect to the task being performed.

GENERAL CONSIDERATIONS

An Overview

Absolute or perfect security is always the goal of individuals responsible for the protection of persons, places, and things. However, such an ideal security posture can hardly ever be attained. There are few objects so well protected that they cannot be lost, stolen, tampered with, damaged, or destroyed. The primary objective, then, for requiring tight administrative and physical security controls for narcotic and dangerous drug evidence is to account for its availability and continuing, unaltered existence throughout the processing sequence—from seizure to final disposition.

Inherent in this objective is the requirement to make access to the evidence for an intruder so difficult that he will hesitate to effect a break-in. Similarly, should his attempt to force an entry be successful, to provide for his detection and apprehension. Here, aside from the human element, physical safeguards (barriers and alarms) become the first line of defense against intrusion. The relative amount of protection provided by physical security safeguards depends in large measure upon the depth and delay time that can be accumulated by the institution of such protective measures.

To achieve optimum security for evidence rooms and repositories, planning conducted prior to the establishment of physical protective measures must take certain considerations into account. In particular, the vulnerability and specific criticality of various areas must be weighed and available resources allocated accordingly. In general, the scope and character of the narcotic and dangerous drug evidence protection program to be established and maintained by a given agency should be evaluated in the light of:

- Importance attached to the protection effort by the governmental bodies (judicial and executive) involved.
- Criticality, i. e., the importance to the agency as a whole.
- Vulnerability to real and potential hazards, damage, or loss.

- Effect that the security program would have on operational and administrative efficiency.
- Limitations imposed by the physical characteristics of the various areas to be considered.
- Alternate measures or techniques.
- Probable threat or risk involved or estimated.
- Availability of funds.

Each agency must continually review and evaluate its procedures with respect to the foregoing points and devise appropriate physical security standards. Criticality and vulnerability criteria may vary from time to time as does the importance of the product for which they are measured.

* * * * *

Once a law enforcement agency drafts a method for processing narcotic and dangerous drug evidence, the proposed sequence, in as complete a form as possible (including all allied documents, forms, and instructions), should be reviewed for sufficiency by a competent legal expert well-grounded in the rules of evidence. After the recommendations of the legal reviewer have been incorporated into the draft where applicable, a second review should be conducted before the law enforcement agency finalizes the directive which places the approved narcotic and dangerous drug evidence processing sequence into effect. The directive should indicate that its contents have been coordinated with a particular legal consultant.

Before the implementing directive is published, its provisions should also be reviewed by one or more experts in the field of security. This review should be conducted from the viewpoint of providing the highest possible degree of security, consistent with good operating standards, for narcotic and dangerous drug evidence throughout the processing sequence.

* * * * *

As an entity, the processing sequence is mechanical and inanimate in nature; therefore, to operate effectively, it must be supported by animate, intelligent actions and reactions. Without close human observation and supervision, an item of evidence may be altered, stolen, or lost at any of a number of

points along the processing sequence. By themselves, locks and other safeguards are no match for the multitudinously devious schemes of those bent on evidential pilferage or theft.

For the reasons just mentioned, evidence being processed should be subjected to various innovative, as well as routine, checks and balances. Individuals involved in the processing sequence whose duties require them to handle the evidence must develop a sense of responsibility and awareness while the evidence is under their control.

Whenever individual integrity is questioned or subjected to examination, the persons involved often become defensive and hostile. Regardless of the unpalatable (and time consuming) aspects of closely scrutinizing the condition and inventorying the amount of evidence about to be received, any incautiousness in this regard may have far more unpleasant results. Insofar as possible, evidential security checks and balances should be conducted with due respect for individual dignity and human sensitiveness. Nevertheless, regardless of any interpersonal mental conflict involved, controls should always be applied when either doubt or suspicion is aroused.

Should a discrepancy be observed (difference in weight or count of evidence between that reported by a seizing officer and a forensic chemist) or should an evidence custodian suspect that seals on an evidence envelope he is about to receive have been tampered with, immediate notification should be passed to the supervisory level. An investigation should be initiated immediately and, based upon the outcome, appropriate action taken.

Every individual in the chain of custody must be apprised of his right of refusal to accept evidence which he believes may have been compromised. Resolution of doubt may be accomplished in numerous ways (reanalysis, reinventory, investigation); the important point is that it be resolved promptly and justly. Rapid supervisory responsiveness and judicious action will buttress the processing sequence and serve to show the importance of individual awareness.

* * * * *

As stated, this manual is concerned primarily with the handling and security of narcotic and dangerous drug evidence from the moment it is seized until its destruction or disposition by other means. Here, the words "moment it is seized" assume great significance.

For the same reason that only those crimes which occur can be measured and catalogued, only that evidence which is actually collected and reported can be processed. This observation is not as obvious and innocuous as it may appear.

The key word in the first sentence of the preceding paragraph is "reported." The importance of this word is pointed up in testimony given during a hearing on alleged violations regarding the handling of narcotic and dangerous drug evidence:

Q. In addition to obtaining narcotics in the fashion you just described, were there ever occasions where you would make an arrest but hold back the amount seized?

A. That is true.

Q. Was that practice also common with the Narcotics Division?

A. It was.¹

Only that evidence can be identified which the seizing officer introduces or causes to be introduced into the processing sequence. The seizing officer, and he alone, is the individual solely responsible for the amount and type of narcotic and dangerous drug evidence for which an official receipt is issued. The individual police officer constitutes the first bulwark against any mis-handling of evidence during and after its seizure.

This latter fact should be among those considered in any screening procedure designed to single out highly principled individuals to perform the role of police officer. Police administrators have spent countless hours in an attempt to find ways to identify police officer candidates who possess and nurture the much sought-after attribute of integrity. Over the years, certain means have been found which, although they may not remedy all the ills associated with the personnel selection process, will at least minimize the appointment and retention of substandard personnel.

¹From a recent report on the mismanagement of evidence.

With specific reference to narcotic and dangerous drug operations, listed below are some of the methods which have been recommended for or proved relatively successful in maintaining a law enforcement agency comprised of high caliber personnel who exhibit a common spirit of enthusiasm, devotion to duty, and a strong regard for the honor of the group as a whole:

- Lateral entry of high quality personnel at all levels within the departmental organizational structure. (Note: To provide these resources and thereby enhance professionalism, many police officers advocate the establishment of state and regional police academies.)
- Intensive in-depth background investigation for all police candidates.
- Selective assignment of recruits to both partners and districts.
- Periodic inspections of personnel and equipment; unscheduled inventories and spot checks of high-value items held in police custody.
- Improved training procedures emphasizing the importance of personal moral principle and integrity to police work.
- Selective assignment of highly motivated, morally-sound veteran patrolmen as recruit field trainers.
- Extended probationary periods for newly assigned police officers.
- Additional pay and benefits.
- Inclusion of the position of property/evidence clerk or custodian within a recognized career development program. (Note: Recognition of this position in a particular career field would emphasize the position's importance, attract interested individuals, and remove from the position the aura of its reputation as a terminal assignment without opportunity for advancement.)

- Closer supervision of police officers in the field.
- Provision of adequate funds to pay informants.
- Orderly, planned rotation of personnel assigned to vice investigations.
- Abolition of the practice of requiring the police to receive or handle monies resulting from payment for permits and licenses, fines, and parking meter collections.
- Regular meetings between supervisors and patrolmen or investigators to discuss individual problems and departmental policies concerning the handling of narcotics.
- Requirement that, whenever possible, all major narcotics arrests be closely supervised by first-line supervisors or command officers.
- Closer operational coordination and cooperation between local, state, and Federal narcotics investigators.
- Development of objective, meaningful individual evaluation procedures which emphasize efficiency and integrity.
- Development, adoption, and understanding of a police code of ethics which could be displayed in offices and carried (laminated wallet-size card) by police officers. (See frontispiece: "Law Enforcement Code of Ethics," International Association of Chiefs of Police.)
- Realization that leadership is the most important element in establishing departmental esprit de corps.

In almost all cases, the seizing officer begins the process known as "handling" the evidence. Subsequently, whatever transpires as a result of the evidence that has been acquired affects the careers and lives of subject

and victim alike. If for this reason alone, the seizing officer's primary concern should be that of insuring the preservation of all of the evidence he has collected.

Standing Operating Procedure (SOP)

The purpose of an SOP is to describe those procedures which are essential and peculiar to the particular operation or tasks being addressed. An SOP lists, preferably in chronological order, those methods which are employed habitually to accomplish routine or recurring actions. The use of SOPs:

- Reduces the number and types of other directives.
- Simplifies training.
- Enhances understanding and teamwork among other divisions or sections within an organization.
- Apprises newly assigned personnel of the procedures to follow under a certain set of circumstances.
- Facilitates efficiency and expedites operations.
- Reduces the possibility of error, omission, and confusion.
- Simplifies the preparation, promulgation, and execution of other directives.

Written SOPs are exceptionally well-suited vehicles to use in establishing the procedures to be followed in the handling and security of narcotic and dangerous drug evidence. Today, whether due to oversight, lack of interest, or ineptness, there are police departments which have not set forth written instructions on narcotic and dangerous drug evidence processing. The SOP is not merely a desirable document to have, it is a necessary document—necessary, if a department wishes to reach its objective of maintaining proper security in all aspects of the narcotic and dangerous drug evidence processing sequence.

An SOP should be detailed and exact. If the writer considers some point too insignificant or too well-known to include in an SOP, it is most likely that the point being considered is the one that, if omitted, would render the entire directive useless. The premise that "everyone knows that this (or that) should be done now (or then)" is erroneous; it is to validate this proposition that the SOP is needed and should be developed.

The narcotic and dangerous drug evidence handling SOP should address in detail each movement (physical and mechanical) or action (written and oral) that transpires at each point along the processing sequence (see Figure 1). Insofar as possible, a particular event should be described and explained by examining it through the interrogatives of—

- Who
- What
- When
- Where
- Why
- How

The language of an SOP should be characterized by accuracy, conciseness, and lucidity. Effective writing conveys the author's exact meaning and is not subject to misinterpretation. The following basic principles of good communication should be observed during the preparation of an SOP:

- Accuracy: factual, errorless.
- Brevity: simple words, short sentences.
- Clarity: simple and clear.
- Coherence: logical arrangement of subject matter (follow processing sequence).
- Completeness: explore all contingencies.

- Objectivity: develop an impersonal approach to the subject.
- Unity: stay on the same track, do not deviate from the main idea.

Pilferage of Narcotic and Dangerous Drug Evidence

(Note: In the literal sense, "steal" generally applies to any surreptitious taking of anything tangible or intangible; "pilfer" implies stealing repeatedly in small amounts. In this portion of the manual, for purposes of maintaining unity and brevity, the words, "pilfer," "pilferer," and "pilferage" will also connote the meanings of "steal," "thief," and "theft." This latter terminology will also include the meaning of not only petty theft, but also the theft of any quantity of narcotic and dangerous drug evidence.)

Pilferage of narcotic and dangerous drug evidence is probably the most common threat or inimical occurrence confronting those responsible for evidential security. By its very nature, pilferage—especially petty pilferage—is difficult to prevent, more difficult to discover and prove, and dangerous to ignore.

The risks attendant to the pilferage of narcotic and dangerous drug evidence should not be considered in terms of monetary value alone. Aside from embarrassing the agency involved, losses of this nature may assume unexpected proportions and, because of contingent ramifications, undermine departmental operations to the point of jeopardizing mission accomplishment.

Losses from pilferage of narcotic and dangerous drug evidence will depend on or result from a combination of variables such as those listed below (since these factors will vary considerably in different locations, each point must be weighed in conjunction with the others):

- Type and amount of evidence being processed and stored.
- Number of persons working in the facility.
- Economic and social conditions in the community.
- Attitude of the command element or supervisory personnel.
- Physical security measures employed.

Pilferers may be considered to be of two types—

- First, the casual pilferer. The casual pilferer steals because he cannot resist taking advantage of an unexpected opportunity and because he has little fear of being detected. Generally, there is little or no planning involved in irregular or chance pilferage and the pilferer normally acts alone. He may steal evidence for which he has no immediate need or plans, or the items may be taken for the use of friends or associates. The casual pilferer will operate whenever he wants to procure a certain item or when the opportunity to pilfer is presented because of poor security standards. Although unsystematic in character, casual pilferage is nonetheless a serious matter—especially if it becomes widespread and if the pilfered items have a high cash value. Again, the possibility always exists that the casual pilferer, if routinely successful, may resort to the systematic pilferage of narcotic and dangerous drug evidence. As casual pilferers are most generally employees of the agency maintaining the evidence, they are the most difficult to discover.
- Second, the systematic pilferer. The systematic pilferer steals according to plan. He steals narcotic and dangerous drug evidence because he wants it for his own use, to sell for cash, or to barter for other items. He may act alone, in concert with another, or with an organized group. Some members of such a group may be in positions to withdraw narcotic and dangerous drug evidence from storage or control the movement of the evidence during the processing sequence. The systematic pilferer may strike only once, or he may extend his activities over a period of time. A pilferer in this category may be an employee of the agency which is processing the narcotic and dangerous drug evidence. If he is not an employee, it is probable that he has entered into a conspiracy with an agency employee or employees.

Pilferage of evidence may occur anywhere, and almost anyone may be a pilferer. When the desire or need exists simultaneously with opportunity, theft is almost a certainty. The more handling or in-transit time that the evidence is subjected to, the more vulnerable it becomes to theft. The points of greatest vulnerability to and where probable opportunities for pilferage occur are at the various junctures along the processing sequence where the evidence is transferred from one handling mode to another; i. e., while it is—

- Being placed into or withdrawn from storage.
- In transit.

- In the laboratory.
- Being transferred from one jurisdiction to another.
- Awaiting destruction.

To be successful, both the casual and systematic pilferer must satisfy certain requirements—

- First, the evidence to be stolen must be located. In the case of the casual pilferer, this requirement may be met through accidental discovery or individual search. The systematic pilferer may use more sophisticated methods; he may rely on observations made by members of his group, on his own observance, or on a check of items listed on reports and records.
- Second, the method of obtaining access to and possession of the evidence must be ascertained. The method employed may be as simple as breaking open a container or as complex as surveying the overall processing sequence for flaws in its security posture. It may take the form of bribing property clerks or evidence custodians. To gain access to the evidence, security passes may be counterfeited or an attempt may be made to divert the attention of those responsible for safeguarding the evidence. Altering or forging documents relating to the evidence are other means by which the successful thief allays suspicion.
- Third, the manner in which the evidence is to be removed from its secure environment must be determined. Again, reliance on falsified documents itemizing the evidence may be the way in which the thief intends to carry out his plan. Specially-made items of clothing may be worn for secretion of the stolen evidence. Further, it is a widely-known fact that particles of narcotic and dangerous drug evidence are well-suited for concealment in many places on the body or in vehicles.
- Fourth, the way in which the stolen evidence is finally disposed of must be considered. By investigating and uncovering the modus operandi used to effect the theft, the detection of individual use or other means of illegal evidentiary disposal presents the best opportunity to establish means of precluding future, similar incidents. Attentive study of the avenues open

to the potential pilferer and the institution of practical counter-measures are fundamental to providing the best possible state of security for narcotic and dangerous drug evidence.

Pilferage Control

To establish and maintain specific safeguards for the prevention of narcotic and dangerous drug evidence pilferage, a careful analysis must be made of existing conditions. No general guidelines (except constant awareness) are applicable, each situation must have separate standards tailored to meet its own peculiarities. To prevent theft or to gain immediate information of such a possibility, all available reinforcements should be enlisted (in relation to the amount and value of the evidence being held), to include the use of informants and the installation of the most sophisticated physical safeguards.

Controlling the Casual Pilferer. A practical method of controlling the casual pilferer is to place a number of psychological obstacles in his path. Since these roadblocks are intangible and largely intimidating, they are incapable of providing physical protection; however, their erection introduces a mental hesitation or opposition in the mind of the potential perpetrator, causing him to postpone or cancel his plan for clandestine removal of any evidentiary items.

It should be borne in mind, however, that the majority of employees are honest and disapprove of illegal acts. For this reason, care should be taken not to introduce security measures which impair individual dignity or intrude on individual rights. If practiced, such measures will undermine, instead of strengthen, even the most purposeful program.

A security education program should be established. The program should be designed to impress employees that they have far more to lose than gain if they engage in the theft of narcotic and dangerous drug evidence. An effective program should include examples or case histories of individuals who were discovered and cited for acts of pilferage. When presented, of course, the actual cases should be disguised—especially the identification of the subjects involved—to prevent possible law suits arising from complaints of libel. In the educational program, emphasis should be placed on the fact that the value of a stolen article is not the issue; rather, it is the unethicity of the act itself. In this regard, it is most important for supervisors to set the example and preserve an acceptable moral atmosphere within their divisions or departments.

The threefold objective of any security educational program should be to—

- familiarize all employees with the purpose for which the security measures were established,

- solicit the cooperation of each individual in complying with these measures, and
- defeat the supposition that employees need not be concerned with security practices if they do not handle or store evidence.

Inherent in the results of a good security education program should be a voluntariness on the part of each participant to—

- learn and comply with all security regulations;
- prevent security infractions and violations;
- adhere to prescribed security procedures; and
- report immediately any loss of evidence, breach in the security system, or culpable act of another.

Another source of temptation to the casual pilferer is the possession of information or knowledge that slipshod narcotic and dangerous drug evidence accountability measures are practiced and tacitly accepted at one or more points in the processing sequence. The only remedy to this situation is the institution and maintenance of an accurate, well-documented chain of custody.

Controlling the Systematic Pilferer. Psychological devices, while offering protection against the casual thief, will not deter the systematic pilferer. Detailed documentation of and continual accountability for narcotic and dangerous drug evidence supplemented by the institution of other physical security measures are primary considerations in defending against incursions of the systematic thief. In this regard, certain active measures which may be implemented include—

- Careful screening of potential employees to reduce the possibility of hiring those bent on criminal activity.
- Rapid and thorough investigation of all losses as soon as they become known.
- Establishment of a secure key combination lock control system.

- Installation of mechanical/electronic IDD where feasible.
- Use of date/time stamped receipts in connection with the intra-agency transfer of narcotic and dangerous drug evidence.
- Institution of accurate methods for conducting inventories.
- Installation of visual monitoring devices at strategic locations within or near areas where narcotic and dangerous drug evidence is stored.
- Submission of "control packages" (see definition of "Control Package," Chapter I) of evidence to forensic chemists.
- Establishment of an effective personnel identification and movement control system. The hallmarks of a well-administered personnel identification and movement control system are present when two conditions are satisfied: when positive recognition can be made of those authorized to enter and leave a particular area, and when detection can be effected of individuals who attempt to enter areas where their presence is unauthorized. Basic to this system are the use of identification cards or badges, access lists, escorts, sign-in and sign-out rosters, and duress codes.

Other Factors Influencing Evidentiary Security

General. After official cognizance is taken of the amount of narcotics and dangerous drugs seized and introduced into the processing sequence, the individual integrity of all persons coming into contact with the evidence or its container remains as the foremost security planning consideration. It is to protect individuals as well as to secure the evidence from thieves, that safeguards must be applied throughout the evidence's progress through the chain of custody.

When the evidence is not under official seal, the "two-man rule" (see "Two-Man Rule," Chapter I) should be in effect. No deviation from or alteration to this policy should be countenanced. Once shortcuts to authorized procedures are permitted, it may not be long before the system is breached and evidence is lost. In general, where high-value, sensitive evidence is concerned, it is better to suffer some lack in efficiency than to suffer loss of part or all of the items in question.

Far from guaranteeing the absolute preservation of narcotic and dangerous drug evidence, implementation of the two-man rule nevertheless assures a greater degree of security than that afforded by the presence of only one person in the vicinity of the narcotics or dangerous drugs. The two-man rule is based upon the "check and balance" concept. To preclude the possibility of team members acting in concert to compromise the integrity of the "two-man rule" policy, permanent team pairings should be avoided.

Storage. Because of its extreme sensitivity, narcotic and dangerous drug evidence which has been introduced into the chain of custody must be stored in a secure facility.

- Access to the narcotic and dangerous drug repository should be authorized only to those whose presence, at any given time, is absolutely essential to the storage function. In all cases, with the exception of the primary or alternate evidence custodian, access to or entry into a narcotic and dangerous drug evidence room, safe, or vault should not occur unless at least two authorized persons are present to perform the necessary operations associated with the opening and closing of the repository.
- Every six months or upon the transfer or change in status of any individual authorized entry into the narcotic and dangerous drug storage facility, all lock combinations should be changed. Combinations of locks used to secure evidence should be known only to the custodian and his alternate. All combinations should be recorded and placed in a sealed envelope and stored in the safe of the chief of police or his designated representative.
- No more than two keys should be maintained for each lock affixed to the narcotic and dangerous drug storage facility. One key should be in possession of the evidence custodian or his alternate; the duplicate key should be placed in a sealed envelope and maintained in the safe of the chief of police or his designated representative. Keys should be transferred from the custodian to his alternate only if the custodian is to be absent in excess of 24 hours. All key operated locks should be rotated at least once every six months.

Provisions must also be made for the safeguarding of evidence which has been received by the laboratory for analysis. A secure room must be provided for the retention of evidence which cannot be analyzed in time to permit its return to the narcotic and dangerous drug evidence room in the property room before the close of business. Likewise, the measures taken to safeguard the evidence must be similar to those employed in the narcotic and dangerous drug evidence room located in the property room.

In the laboratory, the following additional means of safeguarding narcotic and dangerous drug evidence should be recognized:

- As is the case in the property room, primary and alternate evidence custodians or clerks should be appointed for the laboratory. The laboratory evidence clerk or his alternate should be the only individuals permitted access to the laboratory narcotic and dangerous drug evidence room. Further, these two individuals should be the only persons authorized to open the narcotic and dangerous drug evidence "drop-box," chute, or self-locking repositories for the purpose of transferring evidence deposited therein to the laboratory narcotic and dangerous drug evidence room. The laboratory evidence clerk and his alternate are also responsible for maintaining all vouchers, receipts, logs, and other records pertaining to the preservation and storage of narcotic and dangerous drug evidence while it is within the laboratory. Such duties and responsibilities do not entail the maintenance of any records concerning quantitation or other analysis to which the evidence may be subjected forensically.
- Although the use of personal narcotic and dangerous drug evidence vaults by forensic chemists is authorized in many laboratories, such practice, if not controlled closely, may lead to serious ramifications. Consequently, the use of these vaults should not be allowed to become routine. Individual evidence lockers must not be considered as being supplements to the regular laboratory narcotic and dangerous drug evidence room; if authorized at all, they should be employed only when an absolute need exists—not for purposes of convenience. The purpose of the personal laboratory evidence vault is to provide a temporary, secure area for individual laboratory personnel to store narcotic and dangerous drug evidence (which has been unsealed for purposes of analysis) during periods when the regular laboratory narcotic and dangerous drug evidence vault is closed. If a forensic chemist is unable to complete a particular narcotic and dangerous drug evidence analysis during normal working hours (during the time that the regular laboratory narcotic and dangerous drug evidence room is not open), he secures the evidence in question in his personal evidence vault. Use of personal evidence vaults also provides flexibility in laboratory operations as evidence can be stored there should a particular analysis be incomplete at the time an analyst, for any reason, departs the laboratory. Further, use of individual evidence vaults permits analysts to return to the laboratory for the purpose of conducting narcotic and dangerous drug evidence tests during those times that the laboratory narcotic and dangerous drug evidence room is closed. Combinations to personal vaults should be known only to the individual to whom the vault is assigned—a copy of the combination should be kept in a sealed envelope and deposited in a secure place within the

regular laboratory narcotic and dangerous drug evidence room. If keys are used, the same procedure should be observed; one key in the possession of the person using the individual vault, the other key deposited in a secure place within the laboratory narcotic and dangerous drug evidence room. If the individual evidence vaults are located within a locked room, keys (combinations) to locks on the room's door must be provided to each person having an individual vault therein. A duplicate key (sealed copy of combination) is kept in a secure area within the regular laboratory narcotic and dangerous drug evidence room.

- Procedures for conducting analyses of narcotic and dangerous drug evidence after normal working hours should require the presence of at least two individuals in the laboratory at all times. Under no circumstance, should work be conducted on narcotic and dangerous drug evidence by one person working alone.

Court Custody of Evidence

As a rule, law enforcement agencies are better prepared and equipped than courts for the safeguarding of evidence. Primarily for this reason, every effort should be made by the police to retain evidence brought before a court by a seizing officer.

Whenever possible, an agreement should be reached between representatives of the judiciary and the law enforcement agency concerned that narcotic and dangerous drug evidence will not be turned over to prosecuting attorneys or any other member of the court. The agreement should stipulate that while a trial is in progress all such evidence will remain under the control, custody, and observation of the seizing officer—or the police agency representative who withdrew the evidence from the departmental evidence room and transported it to the courtroom for the purpose of introducing it as an exhibit. The agreement should be explicit concerning custody of the evidence during trial recesses and after the proceedings are culminated; i. e., that evidential custody is to be maintained by the seizing officer or law enforcement agency representative.

An arrangement of this nature has a number of advantages. For example, another link (along with the required documentation) is not forged to the chain of custody—a link that would be required if the court assumed custody of the evidence. The points along the processing sequence where a change of custody occurs are the junctures where the evidence becomes highly vulnerable to loss or theft. The fewer changes of custody and the less handling afforded the evidence, the more its security is enhanced.

If a change in custody is not required, administrative tasks that would have accompanied such a transfer are likewise not required. Here, man-hours are conserved and monetary expenditures reduced.

Further, the police, because of their experience, equipment, and secure facilities are better able than the courts to safeguard evidence which has been seized. As pointed out in Chapter III, this consideration alone underscores the practicality of retaining—until final disposition—all evidence in the custody of law enforcement agencies.

Inspections and Inventories

Inspections and inventories of evidence rooms and repositories should be conducted periodically to insure that departmental orders or other directives governing the handling and security of narcotic and dangerous drug evidence are understood and being complied with by all personnel concerned.

Inspections. At least once each month, the officer having command of or exercising operational control over the evidence custodian should conduct an inspection of the evidence room. During the inspection, the inspecting officer should determine whether the—

- Evidence room is being maintained in a clean and orderly fashion.
- Provisions of departmental orders or other directives pertaining to the maintenance of evidential security are being followed.
- Evidence is being protected from damage or deterioration.
- Evidence is being accounted for properly.
- Evidence having no further evidentiary value is being disposed of promptly.

The regular monthly inspections should be supported by "spot-checks" or spot inspections of the evidence being held in custody. Spot inspections should be—

- Unannounced.
- Conducted at irregular intervals.
- Directed toward certain individual operations and functions of the evidence room; however, the same operations and functions need not be examined each time a spot inspection is conducted.

Evidence accountability and security procedures should receive primary attention during spot inspections. A random comparison of records with the physical evidence to which they pertain should consume most of the time allotted to the conduct of spot inspections.

Inventories. Routinely, the evidence custodian should conduct an inventory of the items held in custody in the evidence room. During this inventory, the evidence custodian should accomplish the following actions:

- Confirm that the amounts and types of evidence held in the repository agree with those described on the inventory and chain of custody forms or evidence vouchers.
- Insure that all property control cards are properly annotated to indicate the actual or general location of the evidence.
- Check the documentation connected with all evidence received subsequent to the previous inventory to determine if pertinent administrative records are complete and current.

Once each calendar quarter, an inventory of the evidence held in custody in the evidence room should be conducted by an officer having no command or supervisory authority over the evidence custodian; i. e., an officer in the grade of lieutenant (sergeant in smaller departments) or higher who is not routinely or directly connected with the handling and safeguarding of evidence such as a member of the traffic or community relations division. The officer named to conduct the quarterly inventory should be appointed by the chief of police or his administrative assistant. Under no circumstance should the quarterly inspecting officer be appointed by any supervisor having the property room function under his control. The quarterly inventory should be conducted in the presence of the evidence custodian and the officer conducting the inventory should perform the same actions as those prescribed for accomplishment by the evidence custodian during the conduct of a routine inventory. However, where there is a considerable amount of evidence on hand, there should be no requirement for the inventorying officer to subject each item of

evidence to a detailed examination. For example, it should not be considered necessary to verify the weight of each item of evidence, or to open and inspect all packaged marihuana. The main purpose of the quarterly inventory is to count and compare the items of evidence with the descriptions ascribed to them on the chain of custody forms or evidence vouchers.

Joint Inventory. Upon each change of evidence custodian, an inventory of evidence should be conducted jointly between the newly appointed evidence custodian and the department evidence custodian. During a joint inventory, all evidentiary records should be carefully reviewed with respect to proper documentation and accountability. If, due to emergency, illness, death, or other similar condition, the incumbent evidence custodian is unable to participate in the joint inventory, the police chief or his administrative assistant should appoint an officer in the grade of lieutenant (sergeant in smaller departments) or higher from a division other than the one maintaining the evidence room to observe and assist in the inventory. The individual assuming custody of the evidence will insure that all records are current and properly annotated. All discrepancies must be resolved prior to the assumption of evidentiary accountability by the newly appointed custodian.

Recordation. All inspections and inventories should be made matters of official, written record. Monthly inspection reports should be accomplished by the inspecting officer and filed in the evidence room and in the departmental administrative or records section. The evidence custodian should certify that the monthly inventory was conducted. The certificate should state whether or not all evidence was present or accounted for; the certificate should be filed in the evidence room and in the departmental administrative section or records bureau. Similarly, a statement concerning the status of the evidence as determined by the quarterly inventory should be executed and filed by the inventorying officer.

III

CURRENT NARCOTIC AND DANGEROUS DRUG EVIDENCE HANDLING PROCEDURES

General

There is probably no evidentiary function other than the successful handling of narcotic and dangerous drug evidence that demands such strict adherence to a continuous control system. Currently, the degree of surveillance and security afforded the handling of this evidence by law enforcement agencies varies from close to very loose.

Loose controls are found in departments where—

- Supervisors are little concerned about or display little knowledge of evidence handling procedures.
- Insufficient funds are budgeted for proper material, supplies, and safeguards needed for the preservation of evidence in the best manner possible.
- A substantial loss of narcotic and dangerous drug evidence has not occurred—or there is no knowledge of such a loss.
- Little attention is paid by the courts to the requirement for an inviolate chain of custody.
- A public scandal generated by the loss or theft of narcotic and dangerous drug evidence has not erupted.
- A large percentage of the narcotic and dangerous drug cases brought to trial are dismissed for lack of "probable cause."

- Separate, written instructions pertaining to the handling of narcotic and dangerous drug evidence are either nonexistent or meaningless.
- Due to the large amounts of narcotic and dangerous drug evidence handled daily, personnel concerned become careless or assume a disinterested, almost contemptuous, air of authoritativeness.
- There is individual responsibility for a large span of control or other reasons for insufficient supervision of personnel.

Processing Procedures

Current processing procedures involving narcotic and dangerous drug evidence vary in direct proportion to the number of departments considered. There is no uniform or standard procedure recognized by more than one agency; on the contrary, each department interjects, omits, or introduces variant practices in the processing sequence. Often these conditions are present because of local considerations and adjustments; more often, however, they grow and become accepted because of habit and inconsistent supervision.

- In some law enforcement agencies, the seizing officer is responsible for conveying narcotic and dangerous drug evidence throughout its progression through the processing sequence.
- In other departments, the seizing officer is relieved of further responsibility for handling the evidence after making the arrest—a detective or narcotics officer assumes custody of the evidence and introduces it into the processing sequence.
- In still other departments, patrolmen are enjoined not to effect narcotics arrests as departmental practice considers this function as being solely within the purview of the detective (or narcotic) division.
- Sometimes, the amount of narcotics and dangerous drugs involved determines the selection of the seizing officer, i. e., large operations are conducted by detectives, narcotic officers, or supervisory personnel; less important, smaller seizures are accomplished by patrolmen.

Once the evidence has been seized, processing sequences run the gamut from highly standardized, closely supervised procedures to those in which the possibility of compromise or loss of evidence is highly prevalent. Indicative of the latter situation are practices such as, or similar to, the following:

- Failing to weigh the evidence or, at best, accomplishing this function in a perfunctory manner.
- Failing to photograph the evidence.
- Allowing a single, unobserved individual, aside from the evidence custodian, to be in close proximity to or in possession of the evidence.
- Permitting unaccompanied forensic chemists to withdraw narcotic and dangerous drug evidence from storage for purposes of analysis.
- Disregarding or deviating from written directives or standing orders which outline approved procedures for evidence handling.
- Failing to institute active and frequent measures or requests in an effort to gain permission to dispose of (destroy) evidence which is old or has no further evidentiary value.
- Allowing narcotic and dangerous drug evidence to be stored in locations other than the laboratory evidence room and the evidence room in the property room.
- Failing to conduct periodic, unannounced spot inspections and semi-annual inventories of evidence.
- Failing to install intrusion detection devices on apertures which afford access to narcotic and dangerous drug evidence storage areas.
- Utilizing makeshift containers, bins, and cabinets for evidence storage.

- Failing to provide secure, tamper-proof evidence envelopes and seals.
- Failing to provide a secure, adequate, readily available, temporary repository for evidence seized during other than normal duty hours or which cannot be processed further due to the absence of the regularly appointed custodial or technical personnel.
- Permitting narcotic and dangerous drug evidence to be stored indiscriminately with other types of evidence.

Destruction

Destruction and disposition procedures for narcotic and dangerous drug evidence vary widely throughout the United States. Variations in current destruction practices are centered in these seven areas—

- Agency, court, or individual authorized to order the destruction of narcotic and dangerous drug evidence.
- Method of promulgating and wording of court order, if any, which authorizes destruction.
- Time limit for holding found narcotics and dangerous drugs and for narcotic and dangerous drug evidence connected with a case in which no trial was held or in a case disposed of by dismissal or otherwise than by way of conviction. (See Appendix I.)
- Time limit for holding narcotic and dangerous drug evidence after trial has been completed and defendant found guilty. Generally, this time limit is based upon the number of days in which an appeal must be entered. (See Appendix II.)
- Method in which the narcotic and dangerous drug evidence is prepared for destruction, i. e., records compared and maintained, weighing or counting procedures, packaging.

- Agency (federal, state, local) which is responsible for the actual destruction of the narcotic and dangerous drug evidence.
- Method used for destroying narcotic and dangerous drug evidence.

In general, responsibility for the destruction of narcotic and dangerous drug evidence rests initially with either the court in which the attendant case was tried or with the law enforcement agency which seized or found and preserved the evidence. In some jurisdictions, once the narcotic and dangerous drug evidence is introduced into the legal proceedings and accepted as evidence in the case under consideration, the court retains the evidence and preserves it until destruction. In this instance, the evidence is not returned to the law enforcement agency which formerly maintained custody of the item. However, narcotic and dangerous drug items not accepted by the court as evidence are returned to the agency whose member physically transported the items to the court for the purpose of introducing them as evidence.

In other jurisdictions, all narcotic and dangerous drug items, whether or not they are accepted as evidence by the court, are returned to the agency which brought the items to court to be introduced as evidence. In these jurisdictions, then, once the law enforcement agency seizes and preserves narcotic and dangerous drug evidence, it receives concomitantly the full burden for the eventual and proper destruction or other disposition of that evidence—often with little guidance or assistance from the court concerned. As a consequence, narcotic and dangerous drug evidence accumulates in the evidence room because no one with authority will assume responsibility for ordering the destruction of the evidence in question. Two disadvantages accruing to the police agency are immediately apparent—

- First, the property room rapidly becomes cluttered with old and legally worthless evidence which becomes increasingly expensive to maintain in terms of man-hours and space requirements.
- Second, the greater the amount of narcotic and dangerous drug evidence on hand, the greater is the possibility that it may be lost, stolen, or disposed of in other illegal fashions.

Actual destruction of the evidence is normally accomplished by incineration. No fewer than two witnesses should observe and certify to the destruction of narcotic and dangerous drug evidence. In some jurisdictions, seized narcotic and dangerous drug evidence having medical usefulness is disposed of by transferring it to a medical facility for such use as may be prescribed by a physician. Extreme care should be exercised by the law enforcement agency concerned if the latter method of narcotic and dangerous drug evidence disposal

is employed. The initiative to obtain judicial approval for the disposal of narcotic and dangerous drug evidence by transferring it to a medical facility should be generated by a medical authority. The law enforcement agency involved should act only upon proper documentation and should not be required to vouch for the quantitative or qualitative characteristics of the evidence in question—only that the items being transferred represent the evidence referred to in the relevant document.

Evidence Handling by the Courts

As mentioned, there are two general methods—with some individual variation—for handling narcotic and dangerous drug evidence practices by the courts.

- In the one instance, the court retains the evidence at some point during the trial or after it has been formally introduced and accepted as an exhibit.
- In the other case, the evidence is retained by the individual/agency bringing it to court—and the evidence returned to that individual/agency upon disposition of the case under consideration.

The latter method, although requiring more attention to administrative detail and increasing the overall workload on the part of the police agency concerned, perhaps offers the best security environment for the evidence. In general, police departments are more familiar and better equipped to deal with the complexities of property security. One of the primary purposes of the police property room is to protect evidence held by the police from theft and thereby prevent any of the possible illegal consequences which may result.

It is neither the function nor the purpose of a court of justice to hold and safeguard evidence that is brought before it in the course of a trial. As a rule, then, the courts are not adequately prepared—nor is there any reason that they should be—to preserve, handle, and secure evidence. In this regard, the sensitive nature of narcotic and dangerous drug evidence serves to underscore the lack of wisdom present in any requirement for a court—or a prosecuting attorney—to maintain a secure repository for the deposition of this evidence.

It follows, therefore, that the police should accept responsibility of preserving all narcotic and dangerous drug evidence throughout the processing sequence. If it becomes necessary to send or mail (to a laboratory, for instance) the evidence outside the jurisdiction of the seizing agency, positive arrangements and provisions must be made for its expeditious return, -

consistent with operational exigencies, to the sender. To attain the best security posture available and to maintain the chain of custody, all narcotic and dangerous drug evidence which is seized by a given police agency should remain under the control and in the custody of that agency until the evidence is either destroyed or disposed of by other means. Once such an agreement (that the police maintain custody of the evidence) is reached between representatives of the judiciary and executory functions, then no reason should exist to cause the court—or the prosecuting attorney—to hold narcotic and dangerous drug evidence.

IV

RECOMMENDED NARCOTIC AND DANGEROUS
DRUG EVIDENCE HANDLING PROCEDURES

General

This chapter contains recommended procedures for the handling of narcotic and dangerous drug evidence by law enforcement agencies.

Each police agency differs one from the other in numerous ways. Departmental size, physical plant, area crime trends and rates, demographic considerations, funding, equipment status and type, and many more factors combine to militate against establishing standardized procedures for each facet of criminal justice activity falling within the general category of "police work." Here, the value of operational SOPs, tailored to situational peculiarities, is soon perceived. (See Chapter II.)

Narcotic and dangerous drug evidence handling is no exception to the considerations just presented. Facilities, alone, will have a great bearing on how the evidence is handled and secured.

It would appear reasonable to assume, then, that large police agencies with more means at their disposal would be better able than smaller agencies to process evidence in an efficient, secure manner. This hypothesis, however, has several flaws—mostly, those of omission. True, a large department may have more material and human resources, but the problems confronting it may be incommensurably greater than those of a smaller department.

In the larger departments, unforeseen fluctuations in drug law enforcement activity may assume far greater proportions than its programmed expenditure in time and money. One result may be that the organizational principles of unity of command and span of control respectively, become diluted and overextended. As a consequence, supervision of the evidence processing sequence may soon be derogated by weaknesses in one or more areas.

Carelessness insidiously attacks and invades almost any operation in relation to the increasing routineness or familiarity of the task or tasks involved. The relative anonymity among the individuals in a large department is, in itself, a security hazard. Unfamiliar faces and signatures also present a threat to the security of evidence and maintenance of the chain of custody. By its very size, the large department provides good cover for collusive activity. On the other hand, the smaller department when facing an unexpected fight with a drug enforcement problem may not only lack the necessary offensive resources of money and personnel, but may also be deficient in procedural experience. Here, quantities of evidence may be lost or stolen not because of negligence, but through incognizant human error.

Primarily for the purpose of providing a cognitive foundation for the establishment and maintenance of the narcotic and dangerous drug evidence processing sequence, this chapter will outline a method for evidence handling. The procedures to be described will be presented without regard for human, material, or monetary resources available—except that only practical, tried methods will be discussed. Extremely sophisticated procedures are generally found lacking in feasibility and offer little extra support when resource expenditure is weighed on the other balance.

The large to medium-sized departments will have fewer adjustments to make and be in a better position to institute the procedures to be recommended. In fact, processing sequences currently being followed in the large departments may incorporate greater detail and provide more safeguards than those published here. Because this manual does not recommend certain practices now followed by various jurisdictions, it should not be construed as an intimation that any particular practice is wrong and should be abolished. On the contrary, if resources permit, improvisations, arrangements, adjustments, expedients, variations, and inventions which supplement the efficacy and security of the processing sequence should be encouraged.

For the smaller department this text should be employed as a guide to procedure and as a point of departure towards the establishment of an evidence processing sequence encompassing the requisite fundamentals. In the smaller agency, forms may differ in format and number or perhaps a recommended sequential step such as photographing the evidence will be omitted. In these instances, reference to this manual should indicate the value and practicality of a particular form or step. Whether a recommended form or step is employed will depend upon resource availability and on the importance attached to each by responsible authority.

Barring the establishment of a centrally controlled police force of national proportions, the institution of uniform procedures throughout the limits of any territorial jurisdiction is insuperably difficult. At best, then, this text can only purport to define the ingredients of a "good" narcotic and dangerous drug evidence processing sequence; the degree of implementation rests with

the law enforcement organization affected. If nothing more, the text should provide an insight into the importance to the criminal justice system of good narcotic and dangerous drug evidence handling and security procedures.

Initial Evidential Handling Considerations

General. All narcotic and dangerous drug evidence must be—

- identified,
- marked,
- recorded, and
- receipted.

The evidence must be handled with extreme care and closely safeguarded to prevent—

- loss,
- damage,
- theft, or
- pilferage.

In the event that any sworn or civilian employee is permitted or has the occasion to work alone in connection with the handling of narcotic and dangerous drug evidence, that person should be held accountable and responsible for any discrepancy resulting from deviation in policy or procedure. If two or more sworn or civilian personnel of the same rank or classification come into the possession, by whatever means, of narcotic and dangerous drug evidence, they should be held, individually and mutually, accountable and responsible for losses resulting from policy and procedural inconsistencies. In all other cases, the senior (by time in grade or date of rank) should assume responsibility for strict adherence by all present to departmental directives governing the handling of evidence. If, for any reason, the senior officer's instructions are not accepted, that officer should arbitrarily assume charge of all aspects of the case—and submit an immediate written report of the facts and circumstances surrounding the incident to his supervisor.

Identification and Recordation of Evidence. There are two recognized methods for introducing narcotic and dangerous drug evidence into the processing sequence immediately after it is seized and marked. Neither of the methods omits any of the processing steps; and difference is found in the manner in which the sequential steps are arranged.

- The first method (the laboratory-first method) requires that all seized evidence (after it is field tested, marked, photographed, weighed, and initially inventoried) be transported immediately to the laboratory for analysis. Drop-boxes are provided in the laboratory for the deposit of evidence during periods when the facility is not operational. In principle, the system functions as described below.

All seized narcotic and dangerous drug evidence is taken directly to a room in the vicinity of the laboratory. This room, known as an "inventory" or "display" room, is especially equipped for inventorying narcotic and dangerous drug evidence and it is not used for any other purpose. Weighing scales, camera, film holders, lighting equipment, evidence seals, evidence containers, appropriate forms, desk, typewriter, table or counter, and necessary administrative supplies are maintained in the room. When not in use, the room is locked and the keys (two) are retained in a secure location (normally, one key is kept in the laboratory and the other is controlled by the watch supervisor or desk officer).

After seizure of the evidence and while en route to police headquarters, the seizing officer requests a witnessing officer of supervisory grade (at least one grade above that held by the seizing officer) and a member of the laboratory staff (technician on duty) or a technician from the mobile laboratory unit, if available, meet with him at the narcotic and dangerous drug inventory room. When the supervisory official arrives at the inventory room, the seizing officer displays the material he has seized (the witnessing officer does not handle any of the evidence). After the evidence package has been marked and displayed in the manner best suited for a photographic inventory, the laboratory technician photographs the evidence (the photographer does not handle any of the evidence). When photographs of the evidence have been taken, the evidence is weighed and inventoried under the direct supervision of the supervisory officer. Appropriate forms are then completed and witnessed, and the evidence is sealed in containers or envelopes provided for that purpose.

After these steps have been accomplished, in company with the witnessing officer and the laboratory technician, the seizing officer carries the evidence to the laboratory drop-box and deposits it therein. If the drop-box cannot accommodate the evidence package, the laboratory evidence room custodian or his alternate is requested to come to the laboratory, assume custody of the evidence, and store it in the laboratory evidence room. If the evidence is taken to the laboratory during normal operational hours, the drop-box is not used; the evidence is turned over directly to the laboratory evidence custodian or his alternate.

Upon completion of the analytical process by the laboratory, the evidence is delivered to the narcotic and dangerous drug evidence room in the property room. Here, the evidence custodian assumes control of the evidence and provides for its preservation and subsequent processing as required.

- In the second method (the evidence room-first method), seized narcotic and dangerous drug evidence, after being field tested, marked, photographed, weighed, and inventoried, is sealed in an appropriate container and deposited in a drop-box or delivered directly to the evidence room in the property room. There are variations to the procedure; in some cases certain intermediate steps (photographing the evidence, for example) are omitted or the initial processing (weighing, photographing, and inventorying) may be accomplished in the property room or evidence room. The signal difference between the two methods is that on the one hand, the evidence is analyzed before it is stored—on the other hand, the evidence is taken directly to the narcotic and dangerous drug evidence room (or to an adjunct depository), receipted for, and then removed to the laboratory for analysis.

Of the two methods used for introducing narcotic and dangerous drug evidence into the processing sequence, the laboratory-first procedure is the preferred and should be instituted wherever possible. The main advantage of this method is that it reduces actual handling of the evidence and decreases the number of custody transfer points. By first delivering the evidence to the laboratory, the evidence is required to undergo only one journey to the narcotic and dangerous drug evidence room; i. e., after analysis, not before and after. Consequently, the exposure of the evidence to various loss hazards is reduced and its security is enhanced.

It must be recognized, however, that establishment of the laboratory-first method depends upon the existence of certain features which are not available to many law enforcement agencies. The laboratory-first method requires that a mobile laboratory unit or laboratory technician be on-call for around-the-clock operation. Secondly, this method requires an easily accessible laboratory—preferably located in the same building housing the headquarters of the police agency itself.

Therefore, because of the exceptional administrative support requirements associated with the laboratory-first system, the evidence processing technique to be addressed in this chapter will center around procedures associated with the more utilizable evidence room-first method. This latter method can be better adapted, both operationally and administratively, to the needs of the preponderance of law enforcement agencies. Of the two systems, then, the evidence room-first method has the greater potential for a more widespread applicability.

Again, it should be borne in mind that the details of the processing sequence presented in this chapter represent a method of processing narcotic and dangerous drug evidence which, if followed, will offer a reasonable assurance that a considerable degree of evidential security is being attained. The sequence may be expanded where facilities and personnel permit. It may also be adjusted, consolidated, or abridged to meet local conditions—provided, each main step is recognized and provision is made for its accomplishment in a manner that affords the best evidentiary security available. To eliminate a step exposes the evidence to loss or theft and may violate the chain of custody.

The Processing Sequence

General. Collectively, the general actions that may be performed in the course of handling narcotic and dangerous drug evidence comprise the processing sequence. Shown on Figure 1 are the general evidentiary processing actions accompanied by, if applicable, their complementary components. An explanation or description of how a particular action is recognized or executed is set forth below.

Seizing (Collecting) the Evidence. Narcotic and dangerous drug evidence may be initially subjected to police custody in a number of ways. The evidence may be acquired by—

- purchase,
- as a result of a raid,

- incident to an arrest, or
- it may be found or turned in voluntarily.

In any case, once any one of these events has transpired, the chain of custody has been irrevocably initiated. From this point forward, each time the evidence is transferred from one responsible individual to a second, another link is forged to the chain. For the evidence to remain valid and legally acceptable, the existence of each link must be supported by documentary proof of its creation. This welding of facts must continue without interruption until the chain is destroyed or disposed of in another fashion.

When a raid for the purpose of seizing narcotics is planned, advance designation should be made of those officers who will be responsible for the initial handling and collection of the evidence. Whenever possible, supervisory personnel should be made available for this duty.

In law enforcement agencies having access to the services of a police legal consultant or advisor, it may be prudent to request this individual's presence during narcotic and dangerous drug raids or when it is known that narcotics will be seized. Such practice may help to resolve unforeseen legal ramifications which may result from circumstances surrounding the seizure.

Every effort should be made to provide for a second party to accompany an individual seizing officer from the point of apprehension, seizure, or collection to the evidence room. The function of the second person is to act as a witness while the evidence is being transported by the seizing officer. In departments possessing mobile laboratory units, these vehicles can be used to transport the seizing officer and the evidence to the evidence room.

Field Testing. Examining suspected narcotic and dangerous drug evidence in the field to determine its—

- neutral,
- negative, or
- positive reaction

to various conditions or substances is practiced by some police agencies for a variety of reasons. Generally, results of field tests are used to assist in the determination as to whether a person suspected of narcotics involvement should be detained or released.

Resort to the use of field tests for narcotic or dangerous drug detection should be made only after all aspects and ramifications of prevailing conditions are considered. For example, a field test should not be performed if only a very small amount of the suspected matter is available for examination; all of the material should be conserved for later analysis in a laboratory. In some instances, field tests for narcotics have produced inconclusive or erroneous results and, in most cases, the resultant colorations indicate only that the sample being tested may be a drug product.

At best, chemical field tests are premonitory and presumptive, and they should be conducted only when the procedures used have demonstrated a high degree of reliability. Prior to their acceptance as evidence, all narcotics and dangerous drugs should be analyzed by experienced, qualified personnel in a properly equipped, controlled environment conducive to the obtainment of precise measurement and accurate examination. The place in which these qualifications are best met is the laboratory.

Individual sampling of suspected narcotics and dangerous drugs which requires introduction, in any manner, of the unknown substance, in any form, into the human system should never be permitted. There are many obvious reasons for prohibiting this practice as well as one that is not always supposed, i. e., the material in question may be a poison or mixed with poisonous compounds.

Marking the Evidence. As soon as practicable after seizure, narcotic and dangerous drug evidence should be marked by the seizing officer in a manner which will facilitate rapid, positive identification before a court of law. The seizing officer should mark the evidence by inscribing—

- his initials (GKH),
- the date (02 - for the second day of the month),
- the time (0300 - for 3:00 am),
- the month (May), and
- the year (74 - for 1974)

directly upon each evidence container (see definition of "Date/Time Group," Chapter I). During the marking process, care must be taken to place the markings in such a manner that they will not destroy any latent characteristics on or alter the essential nature of the evidence.

If the evidence cannot be marked without destroying or altering any of its properties, it should be sealed in an appropriate container and the markings placed on the container. Evidence which cannot be marked (powder, liquid) should also be sealed in a suitable container and the container marked appropriately. A carborundum or diamond point pencil should be used for inscribing marks on hard surfaces; ink may be used on other items. Upon marking the evidence, the seizing officer should record in his notebook the markings (GKH, 020300 May 74) and the location of the marking on the evidence or on the container in which the evidence is sealed.

A property tag containing pertinent information concerning the evidence may also be affixed to the evidence or to its container. This step is normally accomplished in the property/evidence room after the evidence is turned in to the property/evidence room clerk for storage. By providing easy and ready identification of shelf and bin items, the use of property tags facilitates subsequent handling of the evidence in the evidence room and laboratory.

Photographing the Evidence. Every effort should be exerted to obtain good quality, color photographs of narcotic and dangerous drug evidence. If possible, photographs of the evidence immediately before or during seizure should be obtained. In any case, once the evidence is in custody, a photograph of its components aids in strengthening the chain of custody and provides a graphic substantiation to written reports. Evidentiary photographs may be used to—

- Establish a pictorial reference file.
- Represent evidence which because of its bulk or other reason (and for which a stipulation has been made regarding its authenticity as part of the material being introduced as evidence) has not been brought to court. (See Appendix II.)
- Depict the circumstances under or the locale in which the evidence was seized.

Photographs of evidence should single out individual items in a particular cache as well as present an overall view of the entire lot. Information pertaining to the seizure of the evidence should be included in the photograph. As a minimum—

- date,
- time,

- place of seizure, and
- arrest or complaint number

should be printed on labels or cards placed by or on the evidence and recorded on film. It is also desirable to connect the evidence with the seizing officer, perhaps by recording his shield or identification card on the same photograph depicting the evidence.

Weighing the Evidence. Perhaps the most positive method for providing a later means of determining the current status (amount or quantity) of evidentiary accumulations is the placing of a step in the processing sequence requiring all evidence to be weighed soon after it is seized. Certain types of evidence (capsules, pills) may be counted as well as weighed; counting should be performed in addition to, not in lieu of, weighing. The loss of minute or small amounts of an encapsulated powdery substance may escape detection if only the capsules are counted; however, good scales can detect a weight loss (or gain) almost immediately.

The seizing officer should express the weight of the evidence in gross proportions. The gross weight includes the container or other packaging material used to enclose or hold the evidence, i. e., box, balloon, bottle, or similar item. The items weighed and their gross weights should be noted on the inventory and chain of custody forms or evidence vouchers. If the evidence is of a quantity or configuration which prevents weighing it as an entity, then it must be broken out and weighed by lots.

Extremely large quantities (a ton of marihuana, for example) may be weighed on warehouse scales, not necessarily to gain an accurate weight, but more to obtain an idea of the amount involved. A pound or two variance in a ton of marihuana makes little difference to a court insofar as criminal charges and sentencing are concerned, but any variance is a matter for concern when theft or pilferage of evidence may be involved. It is for this reason, that additional security measures must be instituted when substantial narcotic and dangerous drug seizures are affected. It is also for this reason that extra effort should be directed toward obtaining judicial sanction to present photographs of evidence (in lieu of physical evidence) during court proceedings—and to attempt to procure expeditiously a court order or similar directive authorizing the immediate destruction of the greater portion of the evidence. (See Appendix II.)

Prompt destruction of evidence and the institution of additional safeguards assume even greater importance when large amounts of evidence (five kilograms of heroin, for example) having a high street value are concerned. Placed on the scales, "expensive" evidence, if broken up for purposes of

weighing, must be subjected to precise readings no matter how many weighings of the subdivided evidence are required. A loss of three or four grams from an overall total of five kilograms of heroin assumes far greater significance than the loss of a pound or two from a ton of marihuana. Altogether, a check of the evidence's weight at various points along the processing sequence provides the best indication of the effectiveness of evidential security measures.

Considerable thought should be given to the selection and procurement of the type of scales to be used in the weighing of evidence. Since so many factors in the processing sequence are affected by a variation in the weight of the evidence, highly accurate (possessing a tolerance of about 1/1000 of a gram), dependable (and probably somewhat expensive) scales should be employed for determining this evidential characteristic.

Instructions on the method of operating the scales to be used for the weighing of evidence should be given to all personnel who may become involved in this operation. The manner in which evidence is to be placed on the scales and the method of reading the scales should be among the topics covered during a discussion of the scale's characteristics.

The accuracy of the scales should be maintained at all times. Calibrating the scales (and certifying to their accuracy) should be made the responsibility of the chief laboratory technician. Frequent tests (calibration) and inspections of the scales' operation should be performed. If a laboratory is not integral to the department concerned, then arrangements should be made with an outside agency (municipal bureau of weights and measures or a commercial firm) to provide the services of maintenance, inspection, and certification.

After the weighing process is completed, the evidence is inventoried, placed in an envelope or other package, and the results of the inventory are recorded on the inventory and chain of custody form which is attached to the envelope or package containing the evidence. The package is then sealed by the seizing officer and, in the company of the witnessing officer or his designee, carried to the property room for storage in the narcotic and dangerous drug evidence room. If the property room is closed, then the evidence should be deposited in a drop-box maintained as a temporary repository for narcotic and dangerous drug evidence destined for storage in the evidence room.

Storing the Evidence. In agencies having an evidence custodian/ clerk in addition to a property custodian/clerk, all evidence receipted for by the property clerk should be turned over immediately to the evidence clerk. The evidence clerk should—

- Receipt for the evidence.
- Assign it to a storage bin or shelf.
- Make a notation on a property control card which indicates the storage location of the evidence within the evidence room.

Provision should be made for cross-indexing the control card with another property room record (probably the receipt which was executed by the property custodian upon acquiring the evidence).

The same procedure should be followed in agencies where the property custodian also acts as the evidence custodian. In this instance, however, only one receipt for the evidence would be required, i. e., the receipt prepared upon acquisition of the evidence by the property/evidence custodian. Other records pertaining to the evidence and its storage location should be prepared and cross-indexed as described.

Fundamental to the operation of the property room/evidence room is a records system which reflects—

- The location of the evidence.
- Date and time when the evidence was received or released.
- The character, type, and amount of evidence (according to the results of analysis) in custody.
- The chain of custody from the time the evidence is stored until its destruction or final disposition.
- The date and results of all inspections and inventories of evidence and audits of records.

In departments not having a regularly assigned police messenger or courier service, the property/evidence custodians or their alternates should also be given the function of removing evidence which has been stored temporarily in drop-box type repositories, except those maintained by the laboratory. At least once during normal working hours, evidence should be picked up from all drop-boxes (except those maintained by the laboratory) and transported to the property room/evidence room.

Evidence from drop-boxes should be handled in the same manner as evidence which is brought to the property room/evidence room by other means. The individual who initially deposits the evidence in the drop-box should be considered as the person delivering the evidence to the property room/evidence room. In each instance, however, notation should be made on appropriate property room/evidence room records that the evidence came to the property room/evidence room by way of a drop-box pick-up or by police messenger.

Removing the Evidence from Storage. Normally, after being analyzed¹ and deposited in the evidence room, evidence will be removed or released from custodial storage for one of three reasons only, i. e., when the evidence is to be—

- Presented in court.
- Transported or forwarded to a laboratory for reexamination.
- Destroyed or disposed of in another fashion.

Whenever evidence is withdrawn, for whatever purpose, from the property room, extreme care must be exercised to insure that a number of conditions are satisfied. Approval of a request to remove evidence from custodial storage for the purpose of reanalysis or presentation in court should be based upon—

- Identification of the requester.
- Reason for the request.
- Statement from the requester's supervisor or other authorized individual that the evidence is needed for the purpose stated.

If evidence is to be removed from the evidence room for the purpose of destruction or disposition in another manner, a court order or written departmental permission should be obtained.

¹Analysis of drug evidence by laboratories is generally quantitative in nature. See definition of "Quantitative Analysis (Quantitation)," Chapter I; and "The Role of DEA Laboratories," Appendix IV.

Whenever possible, the individual who was responsible for the initial collection of the evidence should be the individual who transports it to court. Even though it may not be practical for the seizing officer to withdraw the evidence for the purpose of destruction or other disposition, he should be informed concerning its disposal.

Although it may not be in the best interests of evidentiary security, a court may decide to retain evidence brought before it. For this reason, individuals withdrawing evidence from the evidence room for presentation in court should be furnished with a means of relinquishing custody of the evidence to the court.

A method of providing this means is to prepare and give to the person presenting the evidence a release form—see "Evidence Receipt (Narcotics and Dangerous Drugs) Form" in Chapter V and Figure 4 in Appendix VI—to be signed by a court officer should the evidence be retained by the court. The person relinquishing the evidence should also insure that the court officer receiving the evidence completes the appropriate blocks in the chain of custody portion on the accompanying inventory and chain of custody form.

Evidence may also be withdrawn from the evidence room for reanalysis and transported to the laboratory by the police messenger, the seizing officer, designated laboratory personnel, or the evidence room custodian or his alternate. Whenever possible, the seizing officer should be given the assignment of transporting the evidence to the laboratory. In any case, the security of the evidence and the maintenance of the chain of custody are the paramount considerations.

For purposes of analysis or reanalysis, evidence may also be forwarded to the laboratory by registered mail, railway express, or air express. However, before evidence is mailed or expressed, appropriate Federal, state, or local laws and ordinances should be reviewed to preclude violating regulations regarding the shipment of narcotics and dangerous drugs.

Only evidence pertaining to a single investigation should be placed within any one package mailed or expressed to the laboratory. If this procedure is not followed, the evidence, although individually wrapped, may become contaminated or mixed with other substances if the container is damaged during shipment. Here, too, the chain of custody would be disrupted or voided.

Preparing the evidence for shipment to a laboratory encompasses the following steps:

- Wrap each item of evidence separately.
- Prepare the request for examination of evidence form in triplicate. (See Chapter V and Figure 5 in Appendix VI.)
- Label each separate package of evidence in the same manner that it is listed on the inventory and chain of custody form and as manifested (under "List of Specimens") on the request to the laboratory for examination (analysis) of the evidence.
- Place the original and three copies of the inventory and chain of custody form in the box or envelope in which the evidence is to be delivered, pack and seal the evidence securely within the box or mailing envelope (if a box is used, it should be wrapped in heavy paper).
- Place the original request for examination of evidence form (the two copies are retained by the transmitting agency as described in Chapter V) in an envelope addressed to the laboratory, affix (tape, glue) the envelope to the top of the container used to transmit the evidence, and forward it by registered mail, express, or individual hand-carry to the laboratory. If postal or express channels are used, a return receipt should be requested.

Evidence destined for destruction should be removed from custodial storage by the evidence custodian or his alternate. The evidence should be transported to its place of destruction by the evidence custodian or his alternate in company with a second person. If destruction of the evidence is to be effected by another agency (aside from the agency which seized the evidence), the evidence should be weighed (counted, if practical), and receipted for by the other agency. It is also in the best interest of the seizing agency to observe and document the actual destruction of the evidence.

If a seizing agency cannot transport evidence to be destroyed to its place of destruction, alternate solutions must be sought. In most instances, arrangements can be made for pick-up of the evidence with Federal, state, or local agencies charged by law with the responsibility for destroying narcotics and dangerous drugs. In other instances, small amounts of evidence may be forwarded by registered mail to the agency which will supervise its destruction.

Of course, evidentiary destruction may be undertaken by the seizing agency, itself. If evidence is disposed of in this manner, documentary proof of and proper authority for destruction assume great importance. During the destruction process, at least two witnesses should be present; one of the

witnesses should be in the grade of lieutenant or higher. For obvious reasons, however, the most prudent course of action is to destroy the evidence in conjunction with another agency. By law or agreement, many states provide this service to their constituent municipal jurisdictions.

If evidence presented during a trial has been retained by the court, the court will generally arrange for the ultimate disposition or destruction of the evidence. In these cases, the seizing agency is relieved from further responsibility regarding the evidence or the manner in which disposition is made. However, when requested and authorized, the law enforcement agency concerned should assist the court in any way possible to dispose of the evidence.

If the evidence is to be disposed of in some manner other than destruction (transfer to a medical facility, for instance), the releasing police agency should insure that—

- Proper written authority for release has been granted.
- Proper and complete documentation (receipts) surrounding the evidence's disposition is completed.
- Actual transfer of the evidence to the receiving organization is witnessed by at least two individuals assigned to the releasing agency.

If at all possible, personnel from the law enforcement agency releasing the evidence should accompany the evidence to the receiving organization. Here, conditions under which the released evidence is to be stored and security measures designed to protect the released items should be observed. Note should be taken of insecure storage areas and methods and a descriptive report furnished to the agency or official authorizing release of the evidence.

Evidential Receipting Procedures

Although the inventory and chain of custody form described in Chapter V has the potentiality of acting as an evidence receipt, it should not be used for that purpose for the following reasons:

- The form would be too layered as a result of the number of copies that would be required for dissemination as receipts. The condition and readability of the form would soon deteriorate due to excessive handling.

- The primary purpose of the form is legal in nature (to record the chain of evidential custody), not administrative (to provide a means of furnishing proof that various individual periods of evidential custody have been properly terminated).
- The size of the form makes it too unwieldy to function as a receipt.

As a consequence, procedures must be devised to provide individuals involved in the processing sequence a means of proving that evidence formerly in their custody was released properly. It is for this reason that a receipting system must be devised and superimposed on the chain of custody.

Although it should be viewed as an entity, the receipting procedure may assume different aspects depending upon the time, place, and agency involved. For example, a seizing officer who deposits an evidence package in a drop-box may not receive a receipt at the moment of deposit. However, his act should be witnessed by the witnessing officer whose signature appears on the inventory and chain of custody form. In addition, the drop-box should be under the observation of the watch commander or other desk personnel who may also witness and make note that the evidence was deposited. When the evidence is recovered from the drop-box, the evidence custodian should prepare and forward an evidence receipt to the seizing officer concerned and/or to the records section for inclusion in the appropriate case file. (See Chart 1 in Appendix V.)

- When evidence is surrendered directly to the property/evidence room, an evidence receipt—see "Evidence Receipt (Narcotics and Dangerous Drugs) Form," Chapter V—should be furnished to the person relinquishing the evidence. Departmental regulations may require that receipts or copies thereof also be placed in the case file concerned. (See Chart 1.)
- When evidence is forwarded by registered mail, the registry receipt also serves as the evidence receipt. (See Charts 2 and 3 in Appendix V.)
- When the evidence is physically transported to another agency (laboratory) or department, or picked up at the property/evidence room by a representative of another agency or department, an evidence receipt should be executed by the person receiving the evidence and a copy filed in the property/evidence room. (See Charts 2 and 3.)

- When evidence is retained by a court, the person who brought the evidence to the court should secure an evidence receipt from the court clerk or other responsible court official. (See Charts 4 and 5 in Appendix V.)
- When the evidence is destroyed or disposed of in another fashion, the appropriate chain of custody portion of the inventory and chain of custody form should be filled in by the person receiving the evidence for purposes of destruction or other disposition. The inventory and chain of custody form showing final disposition of the evidence should be filed in the evidence voucher file (see "Evidence Voucher File," Chapter V) as a "credit" voucher. A receipt for the evidence and the directive authorizing final evidential disposition should also be attached and filed with the "credit" voucher. (See Chart 6 in Appendix V.)

V

THE MAINTENANCE OF RECORDS AND FORMS
EMPLOYED IN THE HANDLING OF
NARCOTIC AND DANGEROUS DRUG EVIDENCE

General

Properly executed and maintained, records and forms are the vehicles that police agencies depend upon to locate and describe narcotic and dangerous drug evidence while it is being processed. Without a workable records system supported by uncomplicated forms, evidentiary security would be weakened and the chain of custody would be in danger of being severed.

Records-keeping systems may vary from one law enforcement agency to another; however, a good evidence control system will embody characteristics that will—

- Prevent loss and premature or unauthorized release of evidence.
- Establish and maintain a continuous chain of custody.
- Place custodial responsibility for evidence.
- List, identify, and indicate the location of items being held in custody.
- Require supervisory approval before evidence is released.
- Identify the individual to whom evidence is released.

- Indicate the reasons surrounding any release of evidence.
- Provide documentary proof that the evidence was released as authorized and indicated.

Color and size of records and forms utilized must also be considered. The tasks of filing and retrieving data are made easier if forms are color-coded to designate routing, location, importance, or other required action or characteristic associated with the evidence in question. For instance, a yellow form or copy may indicate that the item is to be filed in the case folder; a buff-colored copy of an inventory and chain of custody form might be designated as the copy of the form to be retained by the laboratory. The size of the forms to be employed should be based primarily on economy, both spatial and monetary, and the type of filing equipment on hand or to be procured.

Three universal paper sizes ($8\frac{1}{2}'' \times 11''$, $5'' \times 8''$, and $3'' \times 5''$) are generally available and should be used as appropriate to insure standardization and uniformity. In general, the smaller measurements are employed for card-type forms or records and the larger dimensions are found on stationery or letter-type forms.

In the main, forms should be kept as simple as possible—amassing information is time-consuming; requiring the setting down of an abundance of "nice-to-know" information will impede the system. Likewise, the number of forms required to be completed must be minimized to a degree consistent with operational efficiency. In this regard, forms and records should be consolidated or combined whenever feasible.

Equipment associated with records-keeping should be adapted to the system, not the reverse. Rapid identification and quick retrieval capabilities should be among the primary attributes given attention when new equipment is to be acquired. Funds permitting, energized rotary files and automatic index locators should be among the types of equipment considered for installation. Larger departments may have recourse to more sophisticated mechanisms such as electronic or automatic data processing devices.

Forms should be designed to facilitate the entry of information. For instance, the amount of space allotted for the identification of a suspect should accommodate an average or longer name and address; blocks for checking off various categories of information should be employed where possible; lines on which information is to be placed should be spaced one below the other according to the single, double, or triple spacing adjustments found on typewriters. When forms are to be prepared in one or more copies, the use of forms

printed on sensitized-backed paper should be considered. This type of paper transfers impressions made on the original form to the copies beneath it without inserting individual sheets of carbon paper between each form.

* * * * *

At any point in the processing sequence or along the chain of custody, control over the evidence must be the responsibility of one person alone. It does not necessarily follow that one person is responsible for all evidence being held in custody. It does follow, however, that one person only is responsible for evidence he has seized or for which he has received, and which is under his control or has been placed by him in a particular location.

Generally, evidence will be the responsibility and in the custody of the evidence custodian or his alternate. Temporarily, however, evidence may be in various locations within or without the confines of the police jurisdiction concerned, i. e., in the laboratory or in the courtroom.

The sensitive nature of narcotic and dangerous drug evidence and the peculiarities associated with its collection and later processing require that records and forms detailing the physical characteristics and reflecting the chain of custody of the evidence be maintained separately and distinctly from other property records. This is to say that narcotic and dangerous drug evidence should not be mixed, stored, inventoried, or packaged with other property (jewelry, firearms, articles of clothing) unless that property is an intrinsic part of or interfused with the evidence.

As soon as practicable after seizure, narcotic and dangerous drug evidence should be separated from other property which has been confiscated at the same time or place or from the same person or group of persons. A separate inventory should be conducted and a separate chain of custody initiated. Identification, arrest, complaint, or case numbers and other data pertaining to the incident in question may be identical for both the evidence and the other property; however, the narcotic and dangerous drug evidence should be considered as a detached componential element and be listed and handled as an entity.

It is not necessary to design and print new forms for this purpose. Many times, the forms in current usage can be utilized—at the most, a slight pen and ink alteration may be required. The focal point of the matter centers on keeping the information concerning narcotic and dangerous drug evidence apart and within its own channel; not on superimposing a new property handling system on that already established.

The use of separate records and forms for the processing of narcotic and dangerous drug evidence has several advantages—

- Security of the evidence is enhanced.
- Handling of the evidence is facilitated.
- Inadvertent return of the evidence (along with other items of property) to the person from whom it was seized is minimized.
- Maintenance of the chain of custody is simplified.
- Receipting for and handling of other property connected with the case are expedited.

Accordingly, then, this chapter will discuss a means for maintaining evidentiary custody during the processing sequence through adherence to a records system addressing only the handling of narcotic and dangerous drug evidence. Unless described to the contrary, the evidence handling procedures about to be outlined, along with the description of all allied records and forms, will pertain solely to narcotics and dangerous drugs. Discussion directed toward the means of handling other types of property in the custody of police agencies will not be presented. Processing techniques associated with property other than narcotic and dangerous drug evidence will be assumed as following a more routine, conventional path consistent with accepted practices.

Records and Forms

By reflecting all pertinent known or recorded facts, narcotic and dangerous drug evidence records must have the capability of recalling or relating events which have affected, or will affect, the evidence during its progression from seizure to final disposition. The narcotic and dangerous drug records system is comprised of certain forms—the printed or typed documents having blank spaces for insertion of the required facts. With regard to the handling of narcotic and dangerous drug evidence, the forms employed should identify the evidence and provide information pertaining to its

- receipt,
- storage location, and
- disposition.

With the exception of maintaining the actual chain of custody, other methods such as automatic or electronic data processing, visual remote display, and video and magnetic tape recordings can be adapted to the principles of narcotic and dangerous drug evidence records management. Still, regardless of the method employed, the basic information must be gathered and codified. Here, the records-keeper must resort to using a form of some description.

Consequently, the remainder of this chapter will be devoted to a discussion of the design and use of the minimum number of forms essential to a workable narcotic and dangerous drug evidence records-keeping system. The forms may be altered depending on the demands of local policy and procedure; however, in the interests of accuracy, coherence, and completeness, none of the forms (or the basic information found thereon) should be eliminated.

Inventory and Chain of Custody (Narcotics and Dangerous Drugs) Form. This form is the principal document used in connection with the processing of narcotic and dangerous drug evidence. It is a multi-purpose form and may be used—

- As a record of evidential inventory.
- To establish the evidential chain of custody.
- As an evidence voucher or sub-voucher.
- As a record of final disposition of the evidence.

A suggested format to follow when designing a narcotic and dangerous drug inventory and chain of custody form is shown in Figure 2 in Appendix VI. Format adjustments and alterations may be made to suit local conditions; however, care should be taken to avoid excising portions of the form which are designed to record essential information.

* * * * *

Normally, preparation of the inventory and chain of custody form begins during the inventorial process and designated copies of the form remain with the evidence throughout the processing sequence. By continually receiving updated data during the processing sequence, this form provides a completely documented historical record of all actions impacting upon the evidence during its life span.

After the initial processing steps of marking and photographing are accomplished, the evidence is inventoried by

- counting,
- weighing, and
- describing its appearance.

When the inventory is completed, the seizing officer, under the observation of a witness, will place the evidence in an appropriate container or envelope. Whenever possible, evidence seized during a single operation from more than one suspect should be inventoried and packaged separately.

During the packaging process, care must be taken to insure that the physical condition of the evidence remains unimpaired. Powder, pills, and capsules should not be placed within an evidence container unless they have first been provided with some form of immediate primary protection (referred to as an "interior" container or envelope), i. e., a polyester bag, bottle, or pill box.

After the evidence has been placed in its "outer" (exterior) container or envelope (see definition of "Evidence Envelope," Chapter I), the outer container is officially sealed (and dated) by whatever means the police agency concerned considers appropriate, i. e., —

- gummed evidence seal or tape,
- sealing wax,
- heat seal,
- lock-type seal, or
- signature or fingerprint affixed to the envelope's sealed flap and extending over the flap to the body of the envelope proper.

Bulky evidence may require large containers and different wrappings. Irrespective of the container or wrapping employed, close attention must be paid to the manner of sealing or safeguarding the evidence to insure that any violation of evidential integrity can be detected immediately.

To record the actions just described, preparation of the inventory and chain of custody form should be initiated. The form itself should be prepared in quadruplicate and attached to the evidence envelope or package.

The following is a descriptive listing of the types of entries that should appear on the inventory and chain of custody form (Figure 2) as a result of actions performed during the processing sequence:

- Page ___ of ___. If the completed form comprises one page, the entry for this section will read "Page 1 of 1." If additional pages are added to the form, the first blank will indicate the page of immediate reference; the second blank will indicate the number of pages which comprise the entire form or report, i. e., the three consecutive pages of a three-page form or report would be marked "Page 1 of 3," "Page 2 of 3," "Page 3 of 3," respectively.
- Seizing Officer. Enter the name of the police officer who first collected or received, from whatever source, the evidence. If an arrest is made at the time of seizure, the seizing officer will also probably be the arresting officer.
- Division/District. Enter the division (patrol division) or district (fourth district) to which the seizing officer is assigned. Both division and district identifications may be used if appropriate.
- Badge Number. Enter the badge number of the seizing officer.
- Arrest/Complaint/Case Number. Enter the number of the arrest or complaint sheet which describes or refers to the incident during or conditions under which the evidence was seized or collected. If the offense or incident is being investigated and a separate investigative case number has been assigned, this number should also be entered. If the evidence was collected under conditions other than as a result of an arrest or complaint or if the case is not being investigated, this section should be marked "N/A."
- Offense. Enter the type of offense(s) or charge(s) reflected on the arrest, complaint, or case sheet, i. e., "auto theft," "vandalism," "possession of narcotics." If the evidence was collected not as a result of the commission of any type of an alleged offense, this section should be marked "N/A."

- Date/Time. Enter the date and time (use of date/time group is suggested) when the seizing officer assumed custody of the evidence. In many instances, this entry will correspond to the date and time entered on the arrest or complaint report. (See definition of "Date/Time Group," Chapter I.)
- Property Control Number. Enter the property control number. (See definition of "Property Control Number," Chapter I.)
- Evidence Locator Number. Enter the number or code indicating the storage location (shelf, bin, box) of the evidence in the evidence room. These notations should be typed or made in ink. If the evidence is later moved to another area, the original entry should be crossed out and initialed. The number or code reflecting the new storage area should then be entered next to the entry which has been deleted.
- Suspect/Defendant. Enter the name, address, sex, race, age, and Social Security Account Number (SSAN) of the person who had possession of the evidence immediately prior to its seizure.

If the evidence was not seized directly from an individual or in his presence during a search of his property (room, vehicle) or if the evidence was found (at a crime scene, on the street, in a vacant lot), this portion of the form should be marked "N/A."

- Location of Seizure/Collection of Evidence. Enter a description of the location from where the evidence was seized. If the evidence was seized directly from the suspect/defendant or clothing he was wearing at the time of seizure, the entry should read: "on his person." Insofar as possible, other information specifically identifying the initial location of the evidence should also be included, i. e., "in wallet removed from left rear hip pocket of trousers," "in false (hollow) heel of left shoe." If the evidence was not acquired directly from an individual, a description of the place in which the evidence was located should be entered, i. e., "under front door-mat at above address."
- Item Number. Number each item of evidence in numerical order using Arabic numerals. Insofar as practicable, the evidence should be numbered according to commonality of packaging and similarity of items as it relates to the case and/or to the suspect/defendant.

- Description of Seized/Collected Items. Enter a word picture of the item based upon observation—not on supposition. The description should be as concise as possible without sacrificing clarity and accuracy. Each item of evidence should be further identified by the mark placed on it by the seizing officer, i. e., "GKH, 020300 May 74." For example, an entry describing cigarettes seized as probable narcotic and dangerous drug evidence may read: "Cigarettes, apparently hand-made, rolled in thin brown paper twisted at both ends, no trade name, each containing a greenish-brown vegetable-like substance similar in appearance to marihuana. Marked for identification: GKH, 020300 May 74." If two or more items seem to be identical or very similar in appearance, each should be marked in a manner to distinguish it from each of the others. Immediately following the last entry, a line should be drawn horizontally across the form and the words "NOTHING FOLLOWS" placed directly below the line.

If there is insufficient space in this section to list all of the evidence being inventoried, the words "Continued on Page 2 (3) (4)" should be placed after the last entry. In this case, the inventory and chain of custody form is cut across the dotted horizontal line immediately above the words "CHAIN OF CUSTODY," thus eliminating the chain of custody portion of the form (note: the three copies of the form must be cut in the same manner). A second, complete inventory and chain of custody form (also prepared in quadruplicate) should then be attached to and under the first form. All of the information—except page number—found in the top sections of the first form should be repeated in the second form. The page number should be entered according to its sequential order. A description of the next item of evidence (continued from the first form or page) should be placed (in continuing numerical order) under the section entitled "Description of Seized/Collected Items" on the second form. This process may be repeated as many times as necessary, provided that each additional form is prepared in quadruplicate and each additional item of evidence is numbered sequentially. The last form used as a continuation page to list items of evidence retains its original configuration, i. e., remains intact and is not altered by removing the chain of custody section as this section must be used to initiate the chain of custody. All continuation forms should be fastened (stapled) to the first form in numerical sequence to constitute a multiple-page inventory and chain of custody form.

- Count and Weight (Seizing Officer).
 - CT (count). Enter (in Arabic numerals) the quantity (or exact count) in which each item of evidence was acquired.
 - WT (weight). Enter the gross (G) weight of the item.
- Count and Weight (Laboratory Analyst).
 - Amount Received. Enter the count (CT) and net (N) and/or gross (G) weight of each item as determined by the laboratory analyst prior to analysis of the evidence. The count should agree with the number appearing in the "CT" column under "Count and Weight (Seizing Officer)." The gross weight should agree with the weight appearing in the "WT" column under "Count and Weight (Seizing Officer)." The accuracy of evidential description will be enhanced if the laboratory analyst enters both net (N) and gross (G) weights on the form.
 - Consumed in Analysis. Enter the count (CT) and net (N) and/or gross (G) weight of the evidence that was used (expended or destroyed) during its subjection to the laboratory analytic process. The weight of the evidence consumed in analysis should be shown both as net (N) and gross (G).
- Chain of Custody. This section of the form reflects a cognominal, chronological account of those individuals having control over the evidence from the time it was inventoried and secured until final disposition or destruction is accomplished.
- Signature of Seizing Officer. Enter the signature of the police officer who, from whatever source, first collected or received the evidence. This signature should agree with the name of the seizing officer appearing in the upper right-hand portion of the form.
- Date/Time/Place of Securing (Sealing) Evidence. Enter the date/time group (020300 May 74) indicating when the evidence was placed under seal within an evidence envelope or otherwise secured. Also enter address or description of location where the evidence was placed into an evidence envelope and sealed or otherwise secured.

- Witness (Signature and Badge Number). Enter the signature and badge (or similar identification) number of the individual who observed the placing of the evidence inside an evidence envelope and sealed or otherwise secured.
- Received By (Name).
 - Signature. Enter the signature of the person (normally the evidence custodian) who received the evidence from the seizing officer or from the location (drop-box) where it had been placed in temporary storage by the seizing officer. As the evidence travels through the processing sequence (thereby forming the chain of custody), the "Received By (Name)" section is completed by the person who receives the evidence from the individual who had receipted for it immediately prior to the current transaction. This action is repeated (using, if necessary, the chain of custody form shown in Figure 3 in Appendix VI) until final disposition or destruction of the evidence is effected.
 - Printed. Enter the printed name associated with the signature on the preceding line.
 - ID Number. Enter the badge number or other number (Social Security Account Number) normally used to identify the individual receiving the evidence.
 - Date/Time. Enter the exact date/time group showing when the transfer of evidential custody was made.
 - Received. (In Person, Drop-Box, Other). Enter check in appropriate box to show the manner in which the evidence was received. Enter a brief explanation if the evidence was received in a manner other than directly from a person or drop-box; i. e., "registered mail—receipt number 444."
- Purpose/Location. Enter the reason for the transfer of evidence. Examples of entries that may be found in this section of the form are: "transmitted to evidence custodian," "forwarded to laboratory for analysis," "returned from laboratory after analysis," "released to seizing officer for presentation in court," "released to state authorities for destruction by incineration—see attached authorization (court order, certificate)." Also enter location where transfer of evidentiary

custody transpired; i. e., "Evidence Room, Cityville Police Department," "Municipal Court, Cityville."

- Received with Seal (Broken, Intact). Seal (Not Broken by Receiver, Broken by Receiver). Evidence Resealed (No, Yes). Enter check in appropriate box.

Chain of Custody (Narcotics and Dangerous Drugs) Form. The narcotic and dangerous drug chain of custody form (Figure 3) is designed solely for use as an extension of the chain of custody section on the inventory and chain of custody form (Figure 2). The chain of custody form should never be employed by itself. It is designed to be used in conjunction with and attached to the inventory and chain of custody form in the event additional space is required to maintain a record of the chain of custody. The chain of custody form is also prepared in quadruplicate and fastened to and directly under a single-page inventory and chain of custody form or to and directly under the last page of a multiple-page inventory and chain of custody form; additional chain of custody forms may be added as required.

The chain of custody form is identical to the chain of custody section on the inventory and chain of custody form. However, because the information already appears on a companion inventory and chain of custody form, no space is provided for—

- "Signature of Seizing Officer."
- "Date/Time/Place of Securing (Sealing) Evidence."
- "Witness (Signature and Badge Number)."

Also, for purposes of identification and continuity, space has been provided on the chain of custody form for entry of the arrest/complaint/case number and property control number found in the upper portion of the inventory and chain of custody form. The requirement to number pages in numerical order, i. e., "Page 3 of 4," should not apply to the chain of custody form. A visual inspection of the entries on this form is sufficient to determine if it has been properly maintained. The principal reason for numbering the pages of the inventory and chain of custody form is to establish an inventorial account of the evidence itself. To follow the same procedure with respect to the chain of custody form would be impractical as each page of the multi-page inventory and chain of custody form would require renumbering whenever another chain of custody form was added.

All entries on the chain of custody form are made in the same manner as the corresponding entries on the inventory and chain of custody form.

Inventory and Chain of Custody (Narcotics and Dangerous Drugs) Form Routing and Distribution. When the evidence, accompanied by the quadruplicate inventory and chain of custody form, is received from the seizing officer (or drop-box) by either the property or evidence custodian,¹ the actions described below² are generally developed (initial parenthetical comments indicate the individual(s) responsible for the action(s) being described):

- (Evidence custodian or property custodian). The evidence package should be examined carefully for signs of tampering or other indications that the integrity of the evidence may have been violated.
- (Evidence custodian or property custodian). If the individual receiving the evidence from the seizing officer (drop-box) is satisfied that it has not been tampered with and is properly sealed, he accepts the evidence and affixes his signature to the original and three copies of the inventory and chain of custody form in the space immediately below the signature of the seizing officer. At the time of signing, the receiver also fills in the remainder of the block in which his signature appears and completes the other two blocks directly to the right of the

¹In some departments (normally, the larger departments), the evidence will be first received, accounted for, and numbered by the property custodian. The property custodian, in turn, will relinquish the evidence to the evidence custodian for safeguarding and accountability. In other departments, the evidence custodian may transact all business connected with the receipt, storage, accountability, and safeguarding of the evidence. This latter situation generally prevails in the smaller departments and where the property custodian also occupies the position of evidence custodian. For purposes of brevity, this section of the manual will deal only with the actions of the evidence custodian—keeping in mind that the property custodian may perform some of the functions ascribed to the evidence custodian. Illustrative of some of these functions would be receipting for the evidence and assignment of a property control number to the evidence.

²See Charts 1 through 6 in Appendix V for evidential flow diagrams. These charts also indicate how the forms and records associated with the evidence are either routed or annotated.

signature block. At this time, an evidence receipt—see "Evidence Receipt (Narcotics and Dangerous Drugs) Form," and Figure 4—should be given to the individual surrendering the evidence.

- (Evidence custodian or property custodian). After the evidence has been received, it is assigned a property control number and the number entered in the "Property Control Number" blank on the inventory and chain of custody form. The property control number should also be entered on a property control card, the use of which is described later in this chapter under "Property Control Card." This card can then be cross-indexed with other documents referring to the case in question (the number most generally used for cross-indexing with the property control number is the arrest/complaint/case number pertaining to the incident concerned).
- (Evidence custodian or property custodian). When the evidence custodian receives the evidence with the inventory and chain of custody form attached, accompanied by a copy of the property control card, he assigns an evidence number to the evidence. The evidence number, showing the location (shelf, bin, box) of the evidence in the evidence room, is entered on the inventory and chain of custody form in the "Evidence Locator Number" blank and on the copy of the property control card in the space entitled "Evidence Locator Number." The copy of the property control card annotated with the evidence number is then filed in the evidence room by property control number.
- (Evidence custodian or property custodian). Prior to storing the evidence, appropriate entries should be made in the evidence ledger (see Figure 6). When this action has been accomplished, the evidence envelope or package with its attached inventory and chain of custody form should be placed in its assigned storage location.
- (Evidence custodian or property custodian). As soon as practicable, the evidence, accompanied by a request for a forensic examination of its properties (see Figure 5), should be forwarded to the laboratory. Preparatory to delivering or transmitting it to the laboratory, the evidence is removed from its storage location and entries are made in the evidence ledger concerning disposition or other special information as may be prescribed by local operating procedures. At this time, the property control card(s) are annotated by date and time showing when the evidence was released and the card(s) placed in a suspense file.

- (Courier or laboratory representative). When the authorized courier or laboratory representative secures the evidence for delivery to the laboratory, he places his signature in the next blank "Received By" space on the chain of custody portion of the inventory and chain of custody form and enters the required information in the "Received By" block and the two right-hand adjacent blocks. (Note: If the evidence is delivered to the laboratory by the evidence custodian, the individual at the laboratory who receives the evidence will complete the chain of custody portion of the inventory and chain of custody form as described above. In the event the evidence is forwarded to a laboratory by registered mail, the evidence custodian should enter the mail registry number in the "Received By" block and complete the two right-hand adjacent blocks. A notation should be made on the evidence ledger indicating date and time of mailing and the mail registry number. If the laboratory to which the evidence package is being mailed is not familiar with the records-keeping system followed by the police agency mailing the evidence, instructions concerning the use of the inventory and chain of custody form should be included in the package being mailed. Instructions pertaining to the chain of custody section of the inventory and chain of custody form should be particularly detailed and explicit.)
- (Laboratory evidence custodian, courier, evidence custodian, seizing officer). Internal procedures existing in the laboratory will govern the manner in which the evidence is handled while in the laboratory. Proper controls should call for completion of the chain of custody portion on the inventory and chain of custody form each time the evidence passed to and from the person charged with receipting and storing the evidence and the analyst responsible for examining the evidence. Within the laboratory itself, evidentiary security should be maintained as outlined in Chapter II. If the evidence is received via registered mail, the laboratory evidence custodian or other authorized person receiving the package receipts for the evidence and completes the appropriate blocks on the inventory and chain of custody form. When the evidence is retransmitted to the original sender, the laboratory evidence custodian or other authorized individual enters the mail registry number in the next blank "Received By" block and completes the right-hand adjacent blocks. If the evidence is picked up from the laboratory or delivered to the sender by the laboratory, the chain of custody portion of the inventory and chain of custody form should be completed by whomever (courier, evidence custodian, seizing officer) receives the evidence from the laboratory or laboratory representative.

- (Laboratory analyst). While in the laboratory and during the analytic process, the laboratory analyst performing the analysis compares the count and weight of the evidence with that reported by the seizing officer and enters his finding under the "Amount Received" column of the laboratory analyst's inventory portion of the inventory and chain of custody form. In the "Consumed in Analysis" portion of the inventory and chain of custody form, the laboratory analyst also enters the amount (by count and/or weight) of the substance that was expended or destroyed during the analytic process. The laboratory analyst also prepares the laboratory examination report. (Note: Normally, it is at this juncture—receipt of the evidence by the laboratory analyst—that the evidence envelope or package is opened for the first time since it was sealed by the seizing officer. Accordingly, detailed instructions for opening (cutting, breaking) and resealing the evidence package must be understood and followed by all personnel concerned. Particular attention and explanation should be directed toward the manner in which information is entered in the block on the chain of custody portion of the inventory and chain of custody form dealing with sealing and resealing the evidence.)
- (Laboratory analyst, laboratory evidence custodian, laboratory administrative personnel). When the laboratory analytical process and the inventory and chain of custody form have been completed and the evidence has been resealed preparatory to transmitting it to the sender, one copy of the inventory and chain of custody form is removed and attached to the sender's request for evidential analysis; both of these documents are filed in the laboratory along with a copy of the laboratory report outlining the results of the analysis. The original and two copies of the inventory and chain of custody form are returned with the evidence to the sender. Local rules will vary with regard to the distribution accorded the laboratory analysis report; however, as a minimum, copies should be furnished to the—

- Laboratory for inclusion in the laboratory case file.
(Original report.)
- Court officer (district attorney, state's attorney).
(Copy of report.)
- Agency that requested the evidence be analyzed.
(Copy of report.)

- (Evidence custodian or property custodian). When the evidence is returned to the evidence room from the laboratory, the administrative processes (annotating and indexing records, completing the chain of custody portion on the inventory and chain of custody form) that transpired upon receipt of the evidence from the seizing officer are repeated and the evidence is stored in its designated location. At this point, however, the remaining two copies of the inventory and chain of custody form are removed from the evidence envelope or package (the original inventory and chain of custody form remains affixed to the evidence). One copy is forwarded to the records section, or section maintaining the case folder, and married to the arrest or complaint sheet concerning the incident in question. The other copy is filed in a voucher file in the evidence room and keyed (assigned a voucher file number; the property control number may also be used as the voucher file number) to the entry referring to it (the copy) in the evidence ledger. In this manner (by comparing the entries in the evidence ledger with the inventory and chain of custody forms in the voucher file), an up-to-date account is maintained reflecting the amount and type of evidence on hand in the evidence room.

- (Evidence custodian or property custodian). With minor variations, additional transactions requiring a change in the status of evidential custody adhere procedurally to the same general pattern associated with normal accounting and custody practices.

- When the evidence is to be removed from the evidence room for court presentation purposes, additional safeguards designed to strengthen evidential security should be introduced. For example, it may be prudent to require the individual who wishes to withdraw the evidence to present a court order or summons directing the presence of the evidence in court. He should also be required to produce written authorization for his action (receiving custody of the evidence) from a person (preferably a police officer in a command position) empowered to execute such an instrument. In this regard, for purposes of comparison, four signature (handwriting) exemplars (1. Full name: John James Doe; 2. First name, middle initial(s), and surname: John J. Doe; 3. Surname: Doe; and 4. Initials: JJD) of each member of the agency concerned and other selected individuals (court officers, state investigators) who effect custody transactions should be maintained on file in the evidence room.

When the evidence is to be removed from the evidence room for final disposition or destruction purposes, the facts surrounding its removal should be documented and filed in the evidence room. For example, the individual securing the evidence for destruction should present proper authorization directing or giving permission that the evidence be disposed of or destroyed. (Note: Shown in Appendix I is an example of a court order directing that certain narcotics and dangerous drugs no longer having evidentiary value be turned over by a municipal police department to a state agency for destruction.) The person receiving the evidence should also complete the pertinent portions of the chain of custody section of the inventory and chain of custody form, and return it to the evidence custodian for filing. Whenever feasible (especially if the evidence is to be destroyed by representatives of an agency other than the agency which initially seized the evidence), the evidence custodian and another representative from the seizing agency should witness the actual destruction of the evidence. A requirement should be levied on the personnel who actually destroy the evidence to provide documentation (by count or weight or both) of the fact that the evidence was destroyed. If the evidence is disposed of in another fashion, documentation describing the method of its disposition, i. e., "3 morphine Syrettes, 50 cc capacity, all full, received by Doctor Medic, City Hospital, State, on 2 May 74," should be furnished to the evidence custodian. All such documentation lending support to the actual evidential disposition or destruction (court orders, certificates of destruction) should be appended to the original inventory and chain of custody form, filed in the evidence room, and noted in the evidence ledger.

Evidence Receipt (Narcotics and Dangerous Drugs) Form. The purpose of the evidence receipt (see "Evidential Receipting Procedures," Chapter IV) is to provide written proof in support of a person who relinquishes custody of any evidence that the evidence in question was in fact released to another individual. Normally, the property/evidence custodian prepares the evidence receipt. An original and one copy of the receipt are required (original for file and copy for the person surrendering the evidence), although additional copies (for case file, records section) may be prepared depending on local departmental SOPs.

If the property or evidence clerk is the individual releasing the evidence, the same procedure should apply. In this latter instance, however, the person receiving the evidence may wish to retain the original receipt. In this case, the copy of the evidence receipt is filed in the property/evidence room.

Only narcotic and dangerous drug evidence pertaining to a particular incident or as described on a particular inventory and chain of custody form should be entered on any one evidence receipt. Although the same form may be used by some departments to list either property or narcotic and dangerous drug evidence, the two categories (property and narcotic and dangerous drug evidence) should not be intermingled on a single form. Instead, two separate receipts should be issued—one listing the narcotic and dangerous drug evidence and the other listing any other property involved in the case. In this manner, evidentiary accountability is facilitated and the evidence receipt is in correlation with the inventory and chain of custody form describing the evidence in question.

The following is a description of the types of entries that should appear on the evidence receipt (Figure 4):

- Page ___ of ___. If the completed form comprises one page, the entries for this section will read "Page 1 of 1." If continuation sheets are added to the form, the first blank will indicate the page of immediate reference; the second blank will indicate the number of pages which comprise the entire receipt, i. e., the three consecutive pages of a three-page receipt would be marked "Page 1 of 3," "Page 2 of 3," "Page 3 of 3," respectively.
- Date. Enter the date that the evidence was removed from the custody of the person preparing the receipt.
- Arrest/Complaint/Case Number. Enter the number of the arrest or complaint sheet which describes or refers to the incident during or conditions under which the evidence was seized or collected. If the offense or incident is being investigated and a separate investigative case number has been assigned, this number should also be entered.
- Property Control Number. Enter the property control number. (See definition of "Property Control Number," Chapter I.)
- Item Number. This section is not completed if the items listed on the evidence receipt agree with those listed on the pertinent inventory and chain of custody form. This section is used only if the evidence is broken out or separated from that described on the inventory and chain of custody form concerned. If used, the item numbers entered in this section should agree insofar as possible with those on the inventory and chain of custody form used to inventory the evidence.

- Description of Items. To facilitate administrative processing, this section should be preprinted with the following statement: "Narcotic and dangerous drug evidence as described on the inventory and chain of custody form pertaining to the arrest/complaint/case number shown above." In the event the evidence is broken out or separated as described above, then the preprinted phrase should be lined out and a description of the evidence being released should be entered. (Note: If additional space is required, a continuation sheet(s) should be prepared and attached to the evidence receipt proper.)
- Evidence Released By (Signature, Name Printed, Identification Number, Division/District). Enter the signature, printed name, identification number, and division/district of the person actually relinquishing or releasing the evidence from custody. In most instances, this entry will be completed by the property/evidence custodian. If the evidence was received via drop-box or by means other than directly from an individual, then this section is not used.
- Evidence Received By (Signature, Printed Name, Identification Number, Division/District). Enter the signature, printed name, identification number, and the division or district of the person receipting for the evidence.
- Evidence Received (In Person, From Drop-Box, Other). Enter check in appropriate box to show the manner in which the evidence was received. Enter a brief explanation if the evidence was received in a manner other than directly from a person or a drop-box, i. e., "registered mail-receipt number 444."

If the evidence receipt is prepared as the result of a request for the evidence to be presented in court, then the receipt should be prepared as an original and three copies. The original copy should be retained in the property/evidence room and the three copies given to the person transporting the evidence to the court.

Later, if the evidence is retained by the court (see "Court Custody of Evidence," Chapter II), the lower portion of the evidence receipt (the portion under the statement, "IF COURT RETAINS EVIDENCE, COMPLETE FOLLOWING") should be completed by the court clerk or his authorized representative. In this instance, the court official retains one copy of the evidence receipt and returns the remaining two completed copies to the person releasing the evidence (the individual releasing the evidence should also insure that the appropriate spaces on the inventory and chain of custody form attached to the evidence package are completed by the court officer).

One of the two remaining copies of the evidence receipt should be returned to the property/evidence room from which the evidence was obtained. The other copy should be retained by the person who released the evidence to the court or placed in the pertinent case file. In the event the court does not retain the evidence, two of the three initial copies given to the person who withdrew the evidence for presentation at court may be destroyed.

If the court retains custody of the evidence, the remaining spaces on the evidence receipt are completed as follows:

- Case of _____ vs _____. Enter the title of the case in which the evidence is being (or has been) introduced.
- Court. Enter the name of the court in which the case is being (or has been) tried.
- Court Docket Number. Enter the number on the court record which refers to the case in question.
- Date Retained. Enter the date on which the court received custody of the evidence.
- Evidence Retained By (Court Clerk or Authorized Representative), Name (Signature), Name (Printed). Enter the signature and printed name of the court clerk or other authorized individual receiving the evidence.

Request for Examination of Evidence (Narcotics and Dangerous Drugs) Form. The request for examination of evidence form (Figure 5) is prepared by the agency (normally, by the individual investigating the case in which the evidence was seized or collected) forwarding the seized or collected evidence to a laboratory for examination (analysis or reanalysis). The form is executed in triplicate; the original is transmitted with the evidence and the two copies are retained by the transmitting agency (one copy is retained in the case file and the other is placed in the evidence voucher file in the evidence room). While the evidence is in the laboratory undergoing analysis, a copy of the request for examination of evidence form (along with a copy of the evidence receipt or registered mail receipt) filed in the voucher file serves as a "credit" voucher and describes the type and whereabouts of the evidence concerned. After the evidence is returned from the laboratory, the copy of the request for examination of evidence form filed in the evidence voucher file is attached to the evidence voucher pertaining to the evidence in question and retained in the voucher file. The copy of the request for examination of evidence form which had been filed in the case folder should be retained in that file.

CONTINUED

1 OF 2

The following is a description of the types of entries that the agency forwarding the evidence should place on the request for examination of evidence form when it is transmitted to the laboratory with the evidence.

- Date. Enter the date on which the request for examination of evidence form is prepared.
- To. Enter the address of the laboratory or facility to which the evidence is being forwarded for examination.
- Contributor's Arrest/Complaint/Case Number. Enter the number which the investigating agency assigned to the arrest or complaint sheet which describes or refers to the incident during or conditions under which the evidence was seized or collected. If a separate investigative case number has been assigned, this number should also be entered. The number(s) on this line should agree with the arrest/complaint/case number(s) appearing in the upper right-hand portion of the accompanying inventory and chain of custody form.
- Offense. Enter the type of offense(s) or charge(s) reflected on the arrest/complaint/case sheet(s) pertaining to the evidence in question. This entry should agree with the entry shown after "Offense" in the upper right-hand portion of the accompanying inventory and chain of custody form.
- Investigator's Name (printed), Telephone Number. Enter the printed name and office telephone number of the individual investigating the case in which the evidence was seized or collected.
- Brief History of Case. Enter any information, background data, or instructions that may assist the laboratory analyst in examining, analyzing, or evaluating the evidence.
- Examination (Analysis) Requested. Enter type of analysis desired; example: "Chemical analysis of contents and examination of latent fingerprint on container."
- List of Specimens. Enter a description of each item of evidence as it is listed on the "Description of Seized/Collected Items" section of the accompanying inventory and chain of custody form.

- Name of Requester (printed), Telephone Number. Enter the printed name and office telephone number of the person actually requesting examination of the evidence. In most instances, the name and telephone number of the requester will agree with the name and telephone number of the investigator shown in the upper portion of the form.
- Signature of Requester. Enter the signature of the individual whose printed name and telephone number appear immediately to the left.

Property Control Card. The property control card is a record maintained by the property room clerk which is used primarily to locate items of property/evidence in the custody of a law enforcement agency. The property control card should be prepared as an original only or in duplicate, depending upon whether it is to be used to record either property or evidence, respectively. Narcotic and dangerous drug evidence should not be recorded on a property control card which is used to list other property.

If the property control card is to be used for the purposes of describing and locating property—as opposed to evidence—only the original (one) card is prepared. In this instance, the card is maintained on file in the property room and cross-indexed with the property ledger (see "Property Ledger," below) and arrest/complaint/case number.

If the property control card is to be used to describe and locate items of narcotic and dangerous drug evidence, then the original and one copy of the card are prepared. The original card is filed in the property room and the copy is given (along with the evidence package) to the evidence custodian. When the evidence custodian receipts for the evidence package, he also completes the appropriate spaces on the chain of custody portion of the inventory and chain of custody form and places the evidence locator number on the copy of the property control card and on the inventory and chain of custody form in the space provided. An appropriate entry is also made in the evidence ledger—see "Evidence Ledger (Narcotics and Dangerous Drugs) Form," and Figure 6—and the evidence is placed in its assigned storage location. A copy of the property control card is filed in the evidence room by property control number (see definition of "Property Control Number," Chapter I).

Normally maintained on an index card, property control cards should be designed with sufficient space to provide for entry of the following information:

- Identification of the law enforcement agency concerned (name, city, state, zip code).
- Name of the form ("Property Control Card").
- Arrest/complaint/case number.
- Property control number (see definition of "Property Control Number," Chapter I).
- Evidence locator number (designation of the shelf, bin, or box where the evidence is stored in the evidence room).
- Offense.
- Name (followed by "S" for suspect or "V" for victim) and address under which the property/evidence has been booked.
- Name of the individual (police officer) from whom the property/evidence was received, or who placed the property/evidence in the drop-box from which it was recovered, or who returned the property/evidence which is described on the form.
- Name of the individual investigating the case.
- Date the property/evidence was received in (or returned to) the property/evidence room.
- Item number of the property/evidence (line-item number).
- Description of the property/evidence.
- Date that the property/evidence was removed from the property/evidence room.
- Name of the individual who removed the property/evidence from the property/evidence room.

Evidence Ledger (Narcotics and Dangerous Drugs) Form. Establishing and maintaining an evidence ledger provides a secondary method, or back-up capability, to use as a means of accounting for items of evidence in the custody of a police agency or laboratory. Entries made in the evidence voucher may be cross-indexed with other control records in the property room and the evidence room. For example, entries in the evidence ledger may be cross-indexed with one or more of the following: the inventory and chain of custody form, the property control card, and the evidence voucher file.

The evidence ledger should be maintained by the evidence custodian and it should consist of a bound, ledger-type record book with space across the top of each page (or across the top of two facing pages) for the entries shown in Figure 6.

Information to be entered in each column is self-explanatory according to columnar heading. Telegraphic language and abbreviations should be employed to the maximum possible extent when entering a description of the evidence in question. A concise statement of identity—not a verbose, legalistic description—will suffice.

When the evidence ledger is used in conjunction with or to support a voucher file, it should be kept in mind that a copy of a particular inventory and chain of custody form will not be present in the voucher file until the evidence package, with its attached inventory and chain of custody form, has been returned to the evidence room after laboratory analysis. While the evidence is being processed initially in the laboratory, even though custodial responsibility does not rest with the evidence custodian, the evidence ledger proves its value as it may be the only record (aside from the receipt—or registered mail number—obtained by the evidence custodian upon release of the evidence to the laboratory) in the property or evidence room that reflects the whereabouts of the evidence.

A line should be drawn across the face of the ledger page(s) between each entry. The cover of the book should be inscribed with the inclusive dates or property control numbers indicating the time period or property (voucher) numbers covered by the contents. Insofar as possible, the period covered by each ledger book should agree with the period spanned by the voucher file associated with it.

Property Ledger. The property ledger is maintained by the property clerk and is used to provide a running account of the property on hand in the property room. The property ledger is similar in format and use to the evidence ledger—see "Evidence Ledger (Narcotics and Dangerous Drugs) Form," and Figure 6. Entries made in the property ledger may be modified to accommodate local situations; however, in general, the entries should nearly correspond to those made in the evidence ledger. Narcotic

and dangerous drug evidence that has been turned in to the property room should be shown on the property ledger as being transferred to the evidence room.

Evidence Voucher File (Narcotics and Dangerous Drugs). The purpose of this file is to provide a ready reference to and description of evidence received and released from custodial storage. The file should be maintained by the evidence custodian and should consist of a copy of each inventory and chain of custody form removed from each individual evidence package or envelope upon its receipt from the laboratory. (Note: As mentioned previously, the evidence arrives in the evidence room from the laboratory with the original and two copies of the inventory and chain of custody form attached. The original form remains with the evidence in its storage location, one copy is forwarded to the records section or section maintaining the case file, and the remaining copy is filed in the voucher file in the evidence room.)

Each copy of the inventory and chain of custody form filed in the voucher file should be referred to as a "voucher" and assigned a voucher number. A voucher number may be a separate number placed at the bottom of the inventory and chain of custody form or the property control number may be utilized as the voucher number. In Figure 6, the property control number also serves as the voucher number.

A large-size manila folder can be employed to serve as a voucher file proper. Vouchers (debits) filed on the right side of the folder (when open) represent items of evidence on hand in the evidence room. Vouchers (credits) representing evidence that has been removed from the evidence room for purposes of destruction or otherwise relinquished are filed on the left side of the folder.

Evidence voucher files may be maintained for one year or for whatever period is compatible with the overall records system employed by the agency concerned. If the volume of evidence becomes too great for retention of the inventory and chain of custody forms in one file folder, two folders may be used. In the latter instance, one folder would hold the debit vouchers; the other would contain the credit vouchers.

Although every effort should be made to keep intact (in one package or envelope) all items of evidence itemized on a single inventory and chain of custody form, a system of subvouchering may be instituted if it becomes absolutely imperative to release evidential items in a piecemeal fashion. However, the practice of preparing and recording voucher extracts, which are fundamental to the subvouchering system, is extremely time-consuming and cumbersome.

For purposes of security, accountability, and chain of custody integrity, it is again emphasized that narcotic and dangerous drug evidence seized in conjunction with other items such as weapons or jewelry should be treated as an entity, i. e., accounted for and stored apart from other property. If this practice is followed and made a matter of policy, there will be little reason to separate evidence listed on one inventory and chain of custody form when the evidence is removed from storage for purposes of analysis, court appearance, destruction, or other disposition.

As mentioned earlier, it is also for the reasons just specified that evidence seized from one individual (in a group of individuals) or single location should be listed on a separate inventory and chain of custody form. The practice of seizing evidence from a group of individuals and itemizing it on one inventory and chain of custody form under the name of one suspect/defendant, i. e., John Doe et al., should be avoided whenever possible.

It is apparent that numerous variations may exist in the structure and maintenance of an evidence voucher file. Also, depending upon the amount of evidence handled, the decision to establish such a file may be an option to be exercised at the discretion of the agency concerned. Properly maintained, the voucher file provides a means of enhancing the records-keeping system in the evidence room.

Access Log. Regardless of other types of monitoring devices employed, a form designed to show the names of all individuals entering or exiting any secure area connected with the custodial storage of evidence (evidence room, laboratory evidence room) should be placed at entries (and exits, if more than one entry or exit exists). All individuals having reason to enter the facility concerned should be required to sign an access log form showing date and time of their ingress and egress.

This form can also be modified to reflect the names of the person unlocking and locking the facility at the start and close of the workday. When used for this purpose, space should be provided for the signature (with date and time) of the individual(s) who—

- Unlocked the facility.
- Locked the facility.
- Checked the locking of the facility.

Although the protected area may be unlocked and locked by the same individual it should never be checked by the same person who secured it.

VI

STRUCTURAL STANDARDS FOR THE
SECURITY OF NARCOTIC AND DANGEROUS
DRUG EVIDENCE ROOMS/VAULTS

General

This chapter recommends minimum acceptable structural standards for the security of narcotic and dangerous drug evidence rooms/vaults.

The highly sensitive nature of narcotic and dangerous drug evidence and the requirement to maintain an unbroken, secure chain of custody dictate that all such evidence be stored under conditions which offer it the best protection available. The primary reason for maintaining a separate highly secure area, i. e., apart from other property, for the storage of narcotic and dangerous drug evidence is, of course, because of the extreme susceptibility of such evidence to theft and pilferage.

Items small in size but possessing great value are especially sought-after by those inclined to steal and pilfer. Narcotics and dangerous drugs are outstanding examples of items in this category; narcotics and dangerous drugs are—

- Very easy to conceal.
- In demand.
- Offer a great monetary return upon the sale of relatively small amounts—amounts which retain their basic characteristics and intrinsic value no matter how many times they are quantitatively separated.

All in all, narcotic and dangerous drug evidence offers a perfect mark for the thief or addict.

A great disparity exists among the types of structures in which law enforcement agencies are housed. Consequently, these circumstances generally determine the parameters for property room and narcotic and dangerous drug evidence room and repository structural standards. However, for purposes of uniformity and in the interest of providing proper security for narcotic and dangerous drug evidence, every attempt should be made to obtain or fabricate and use storage areas of the types described in this chapter.

Evidence Room/Vault and Repository Specifications

The specifications for evidence rooms/vaults and repositories outlined in this section comply with the regulations implementing Public Law 91-513, known as the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Short title: Controlled Substances Act), and have been extracted from the Federal Register. The controlled substances in each of the schedules referred to are listed in Appendix III.

Physical Security Controls for Evidence Rooms/Vaults and Repositories.

§ 301.72 Physical security controls for nonpractitioners: storage areas.

(a) Schedules I and II. Raw materials, bulk materials awaiting further processing, and finished products which are controlled substances listed in schedule I or II shall be stored in one of the following secure storage areas:

(1) Where small quantities permit, a safe:

(i) Which safe has an Underwriters' Laboratories Burglary Rating of T-20, E or better, or the equivalent of such a safe;

(ii) Which safe, if it weighs less than 750 pounds, is bolted or cemented to the floor or wall in such a way that it cannot be readily removed; and

(iii) Which safe, if necessary, depending upon the quantities and type of controlled substances stored, is equipped with an alarm system which, upon unauthorized entry, shall transmit a signal directly to a central protection company or a local or State police agency which has a legal duty to respond, or a 24-hour control station operated by the registrant, or such other protection as the Director (Administrator, Drug Enforcement Administration) may approve.

(2) A vault constructed before, or under construction on, September 1, 1971, which is of substantial construction with a steel door, combination or key lock, and an alarm system; or

(3) A vault constructed after September 1, 1971:

(i) The walls, floors, and ceilings of which vault are constructed of at least 8 inches of reinforced concrete or other substantial masonry, reinforced vertically and horizontally with $\frac{1}{2}$ -inch steel rods tied 6 inches on center, or the structural equivalent to such reinforced walls, floors, and ceilings;

(ii) The door of which vault contains a multiple-position combination lock or the equivalent, a relocking device or the equivalent, and steel plate with a thickness of at least $\frac{1}{2}$ inch or with a 2-hour fire rating or the equivalent;

(iii) Which vault, if operations require it to remain open for frequent access, is equipped with a "day-gate" which is self-closing and self-locking, or the equivalent, for use during the hours of operation in which the vault door is open;

(iv) The walls or perimeter of which vault are equipped with an alarm, which upon unauthorized entry shall transmit a signal directly to a central station protection company, or a local or State police agency which has a legal duty to respond, or a 24-hour control station operated by the registrant, or such other protection as the Bureau (Drug Enforcement Administration) may approve, and, if necessary, holdup buttons at strategic points of entry to the perimeter area of the vault;

(v) The door of which vault is equipped with contact switches; and

(vi) Which vault has one of the following: complete electrical lacing of the walls, floor and ceilings; sensitive ultrasonic equipment within the vault; a sensitive sound accumulator system; or such other device designed to detect illegal entry as may be approved by the Bureau (Drug Enforcement Administration).

(b) Schedules III, IV, and V. Raw materials, bulk materials awaiting further processing, and finished products which are controlled substances listed in schedules III, IV, and V shall be stored in one of the following secure storage areas:

(1) Where small quantities permit, a safe which complies with the requirements set forth in paragraph (a)(1) of this section;

(2) A vault which complies with the requirements set forth in either paragraph (a)(2) or (3) of this section; or

(3) A building or area located within a building, which building or area:

(i) Has walls or perimeter fences of sufficient height and construction to provide security from burglary;

(ii) Has substantial doors which may be securely locked during nonworking hours by a multiple-position combination or key lock;

(iii) Is equipped with an alarm which, upon unauthorized entry, shall transmit a signal directly to a central station protection company, or local or State police agency which has a legal duty to respond, or a 24-hour control station operated by the registrant, or such other protection as the Bureau (Drug Enforcement Administration) may approve; and

(iv) In which all controlled substances are segregated from all other merchandise and kept under constant surveillance during normal business hours.

(c) Multiple storage areas. Where several types or classes of controlled substances are handled separately by the registrant or applicant for different purposes (e.g., returned goods, or goods in process), the controlled substances may be stored separately, provided that each storage area complies with the requirements set forth in this section.

(d) Accessibility to storage areas. The controlled substances storage areas shall be accessible only to an absolute minimum number of specifically authorized employees. When it is necessary for employee maintenance personnel, nonemployee maintenance personnel, business guests, or visitors to be present in or pass through controlled substances storage areas, the registrant shall provide for adequate observation of the area by an employee specifically authorized in writing.¹

Supportive Evidence Storage Areas

On occasion, particularly in the case of marihuana, the amount of evidence collected may exceed the storage capacity of the narcotic and dangerous drug evidence room. In these instances, every effort should be made to obtain a legal directive authorizing destruction of the evidence—after the entire cache is photographed, weighed, and a representative sampling retained and analyzed. In the event authority to destroy the bulk of the evidence is received, expeditious processing (photographing, weighing, and analyzing) will accelerate alleviation of the situation by reducing the amount of evidence on hand to that required to be maintained as a sample.

If the attempt to gain permission to destroy most of the evidence is not successful, a temporary depository must be made available. Generally, the nature of the storage facility needed will be dictated by the—

- Type of evidence involved.
- Location of the evidence.
- Security required for safeguarding the evidence.

¹Federal Register, Vol. 36, No. 183 (Washington, D. C.: U. S. Government Printing Office, September 21, 1971), pp. 18730, 18731.

Temporarily, it may be possible to store the evidence at or in the location where it was discovered and seized. The complexities attending each circumstance are limitless and require that each situation be evaluated on a case-by-case basis.

Again, security of the evidence and maintenance of the chain of custody are mandatory considerations. To insure that proper evidentiary security conditions are met, it may be necessary to resort to certain temporary operational expedients such as fencing off a portion of a building or posting an adequate guard.

If it becomes necessary to retain large amounts of narcotic and dangerous drug evidence over relatively long periods of time, a requirement to augment existing storage space may be generated. Normally, plans to satisfy this requirement will create the necessity to find and utilize another separate structure or area for the storage of bulky evidence.

Once another area or building is designated as a supportive narcotic and dangerous drug evidence room and while it is in use as such, the structure so designated should not be used for any other purpose. Every effort should be made to adhere to the specifications previously outlined regarding structural standards for the security of narcotic and dangerous drug evidence rooms.

Since the supportive facility may not be visited as regularly as the primary evidence room, a dependable alarm system is a prime consideration. In this respect, the exterior of the supportive depository should be inspected for unlawful entry at least once during each patrol shift. Inspection of the depository's interior should be conducted as often as considered feasible, but at least once during normal weekday duty hours. The interior security inspection should be performed by the regularly appointed evidence custodian or his alternate.

Laboratory Evidence Room

The laboratory narcotic and dangerous drug evidence room must be at least as secure as the narcotic and dangerous drug evidence room located in the property room.

In the laboratory, additional means of safeguarding narcotic and dangerous drug evidence may be required. Whether any of the devices described below are employed depends largely on the laboratory's volume (narcotic and dangerous drug analyzation throughput), building design, and standing operating procedures promulgated by the law enforcement agency or jurisdiction served by the laboratory.

If a type of "drop-box" or chute is used for the deposit of evidence in the laboratory after normal working hours, the box or chute must be tamper-proof. Consideration should be given to installing material at the bottom of the box or chute which will provide a cushioning effect for any fragile object which may be deposited. To avoid breakage occasioned by other objects falling on top of fragile objects, provisions can be made for individual boxes for each item of evidence deposited. Self-locking doors which are left unlocked when the laboratory closes and which provide access to individual lockers or closets of various sizes should be installed. After the evidence is deposited and the outside access doors are closed and locked, the evidence can be removed only from inside the laboratory by unlocking and opening a door opposite the outside access door which was closed and self-locked after deposition of the evidence. (See Figure 7 in Appendix VI.)

When personal laboratory evidence vaults are authorized for and used by forensic scientists assigned to the laboratory, the evidence stored therein should be afforded as much protection as that provided by the laboratory evidence room. Individual vaults should be constructed of steel with safe-type combination lock, pigeonholes for evidence storage.

The type of tiered individual luggage lockers often found in bus depots and air terminals are also acceptable. In no instance, however, should ordinary metal file cabinets be used. The file cabinets are not tamper-proof and access to one file drawer offers access to the contents of the drawer immediately below and, frequently, to the contents of other drawers as well. When feasible, a relatively secure area (locked room) within the laboratory itself should be designated as the location for placement of the individual evidence vaults.

Evidence Room Accessories

Additional security may be provided for especially sensitive or high-value items of narcotic and dangerous drug evidence by placing a safe or steel cabinet within the evidence room. The safe or cabinet should be of the type described in the section entitled "Physical Security Controls for Evidence Rooms/Vaults and Repositories," above.

Consideration should be given to installing a refrigerator within the evidence room for the storage of unstable or perishable items of evidence. Every effort should be made to obtain authority to dispose of refrigerated evidence as expeditiously as possible.

The evidence room should be furnished with sufficient bins and shelves to permit the orderly storage of items in custody. Bins or shelves that can be adjusted to accommodate various-sized packages should be installed whenever possible.

Appropriate furniture and equipment, i. e., table, work counter, desk, records cabinet, typewriter, telephone, and administrative supplies should be provided for use by the evidence custodian and his alternate.

To the degree required, laboratory evidence rooms should be furnished in a manner similar to evidence rooms internal to property rooms.

Intrusion Detection Devices

A reliable IDD should be installed on any door or other aperture offering access to a narcotic and dangerous drug evidence room, either in the property room or in the laboratory. Whenever possible, the IDD system should be backed up by closed circuit television monitoring of the interior of the evidence storage area.

In smaller jurisdictions or where the construction of a separate narcotic and dangerous drug evidence room is otherwise infeasible, the agency concerned should fabricate or procure a dependable, relatively inexpensive alarm system (to detect unauthorized openings) for installation on safes or cabinets used as evidence depositories. Failing this, the safe or cabinet should be located so that it is under around-the-clock surveillance from the watch commander or desk officer.

VII

SUMMARY

Set forth in these guidelines are systematic procedures which, when established, should provide for the proper handling and security of narcotic and dangerous drug evidence.

Fundamental to the system is the establishment of a responsive method for maintaining accurate and comprehensive records. Records dealing with the handling and security of narcotic and dangerous drug evidence should answer the following interrogatives (with representative areas of examination) as they pertain to each piece of evidence:

- Who (Who seized it? Who has it now? Who released it from custody? Who analyzed it? Who authorized its destruction? Who destroyed it?)
- What (What is it? How much is there?)
- When (When was it seized? When was it placed into custody? When was it released from custody? When was it analyzed? When was it destroyed?)
- Where (Where was it seized? Where is it now? Where was it analyzed? Where was it destroyed?)
- Why (Why was it seized? Why was it released from custody?)
- How (How was it seized? How was it received into custody—in person, from a drop-box? How was it released from custody—by registered mail? How was it stored—in an evidence envelope inside a vault, in a box placed in a safe?)

Standing operating procedures should be developed detailing routine, internal evidentiary handling and security practices. A single, general SOP—as opposed to several separate SOPs—should be published governing the overall departmental procedure for the handling and security of narcotic and dangerous drug evidence. As a minimum, the SOP should prescribe methods to be followed and actions to be taken—

- During the processing sequence, to include the records-keeping system.
- During inspections and inventories of evidence and evidence rooms/vaults.
- To insure evidential security, both in transit and in storage.

In support or extension of SOPs, departmental directives such as general and special orders should be promulgated. These latter documents are used to define matters of policy, state principles or rules, and assign tasks and responsibilities. Examples of subjects generally covered in general and special orders are—

- Regulations governing the investigation of narcotic and dangerous drug offenses (general order).
- Executive instructions concerning arrest and detention of individuals suspected of selling marihuana (general order).
- Daily work schedules (special order).
- Individual assignments for the performance of a particular action or duty (special order).

A comprehensive security educational program should be placed into effect for all departmental personnel—not only for those directly associated with the processing sequence. A schedule of evidential inventories should be approved and implemented; the conduct of announced and unannounced evidence and evidence room inspections should be planned.

Regular departmental training sessions should include blocks of instruction describing the—

- processing sequence,
- use of the inventory and chain of custody form, and
- use of the evidence receipt.

Property and evidence custodians and their alternates should receive specialized training in the—

- preparation,
- maintenance, and
- routing

of all records and forms connected with the processing of narcotic and dangerous drug evidence.

Finally, provisions should be made to insure that the best physical security posture available is provided for all evidence in police custody. Every effort should be made to adhere to the Federal specifications which have been recommended for narcotic and dangerous drug storage areas.

APPENDIX I

Example of a court order authorizing the
destruction or disposition of narcotics and
dangerous drugs no longer having any evidentiary value

ORDER FOR THE DESTRUCTION OR DISPOSITION OF
NARCOTIC AND DANGEROUS DRUG EVIDENCE

STATE OF _____

COUNTY OF _____

IT IS HEREBY ADJUDGED AND DECREED, that the _____
Bureau, (State) Department of Justice, City, State, is authorized in accord-
ance with Sections _____ and _____ of the Criminal Code of the State
of _____ to destroy or dispose of the narcotics and dangerous
drugs and associated paraphernalia which are now in the possession of the
_____ Police Department as a result of a case in
which no trial was held or in a case which has been disposed of by way of
dismissal or otherwise than by way of conviction, and which have been held
for the time prescribed by law.

WHEREFORE, IT IS ORDERED AND DECREED that the narcotics
and dangerous drugs and/or paraphernalia described on the attached list be
turned over to the Attorney General for destruction or disposition.

DATED:

JUDGE

Enclosure (omitted)
List of narcotics and dangerous drugs and associated paraphernalia

APPENDIX II

Example of a directive from a district attorney's office which outlines procedures to be followed in order to destroy narcotic and dangerous drug evidence used in cases which resulted in convictions

SPECIAL OFFICE DIRECTIVE

TO: ALL DEPUTY DISTRICT ATTORNEYS
FROM: DISTRICT ATTORNEY
SUBJECT: AUTOMATIC DESTRUCTION OF NARCOTIC AND DRUG EVIDENCE UPON CONVICTION
DATE: _____

Effective (date), the (State) Controlled Substances Act will control the disposition of seized narcotic evidence after trial or plea. Under Section _____ of the _____ Code, such evidence will be routinely ordered destroyed after conviction by the trial court in which a conviction was had. Inherent in such an automatic destruction procedure is the burden of potential retrials without benefit of the physical evidence. To minimize this risk, the following office procedures with respect to narcotic and drug cases will be implemented beginning (date):

(1) Routine Small-Quantity Drug Cases

No office procedure change. Courts may begin routinely ordering evidence destroyed pursuant to the provisions of the new Act.

(2) Large Quantity, Major Violator, or Special Circumstances Cases

Single Defendant, No Other Suspects. The investigating officer or officer who recovered evidence will be instructed by the filing deputy to pose with the seized material for a photographic record connecting the evidence to the principal officer. This photo must clearly show the seized material with an arrest/complaint/case number or similar identification number visible. The photograph must be taken prior to the preliminary hearing and must be made available along with the contraband, at the time of the preliminary hearing.

The Deputy District Attorney, at the preliminary hearing, will mark and introduce both the photograph and the physical evidence represented in it. The seizing officer or investigating officer, in his testimony, should be questioned as to connect up the photograph with the real evidence. The chemist witness, in his testimony, should connect up his analysis with both the physical evidence and the photograph. Where a stipulation procedure as to expert testimony is appropriate, the Deputy District Attorney, at the preliminary hearing, must carefully articulate the stipulation so that both the photograph and physical evidence are tied to the chemist's stipulated testimony.

At Trial. The trial deputy should again connect up both the physical evidence and the photograph(s).

Upon Conviction or Guilty Plea. The Deputy District Attorney at this stage will ask the court to stay any destruction order until a date certain, 75 days in the future. At the end of a 65-day period, the prosecutor on the case is responsible for determining, through the Clerk of Court's Office, whether or not notice of appeal has been filed. If filed, the trial court should be notified and asked to recall or stay any destruction order pending appeal. If, after checking, the deputy has determined that no appeal has been filed, he will notify the trial court of this fact. It is anticipated that the trial court will thereupon order destruction of the evidence.

(3) Large Quantity, Major Violator, or Special Circumstance Case Where Suspects Remain at Large, There Are Companion Cases or Multiple Defendants

The procedures under (2) above will be followed except that the prosecutor on the case will, in addition, determine if the material must be preserved due to the existence of related cases which have already been filed or due to related pending investigations. If it is determined that the material will be needed, the Deputy District Attorney should so inform the court through use of an ex parte motion.

Guidelines for Determining Large Quantity, Major Violator, Special Circumstances Cases:

(1) Large Quantity Cases

The guidelines for reporting large quantities of seized drugs to the State Narcotic and Dangerous Drug Bureau are applicable for characterization of large quantity cases under the instant directive. This table is restated below at the conclusion of this Directive.

(2) Major Violator Cases

This will be determined by inquiry through the investigating officer and his agency. In the event any questions arise in this regard, the Deputy District Attorney may direct inquiries to investigators of the State Narcotic and Dangerous Drug Bureau.

(3) Special Circumstances Cases

This category includes every case where a factual issue may arise specifically involving the physical evidence itself, and thus makes retention of the material critical for trial purposes. Examples of this would include: de minimis cases where the issue, on retrial, might involve the question as to whether or not the material was a usable quantity; cases where fingerprint lifts, peculiar packaging, or smell, etc., were in issue; cases involving allegations of tampering with evidence or chain of custody irregularities, etc.

The guidelines described above are not exclusive. Every prosecutor handling a narcotics case must be alert to the potential retrial problems inherent in each case.

Notice to the Defense. It is anticipated that the Court will formulate rules governing notice to the defense in all cases where an immediate destruction order after conviction or plea is ordered by the court.

TABLE

1. Amphetamine Family
10,000 or more pills or caps (10 jars) or 16 oz. or more of liquid or powder form
2. LSD
500 or more units (whatever the form)
3. Barbiturates
10,000 or more pills or caps (10 jars) or 16 oz. or more of powder or similar form
4. Marihuana Family
 - a. Plant material
25 or more kilos seized
 - b. Hashish
1 lb. or more seized
 - c. Hash Oil
2 or more liquid oz. (This is a more recent development in the illicit narcotics trade. The State Narcotic and Dangerous Drug Bureau is particularly interested in this activity.)
 - d. THC
(See Miscellaneous Hallucinogens, below.)
5. Opium Family
 - a. Heroin
8 or more oz. of good quality material
 - b. Morphine, Codeine, Opium, Methadone, etc.
Treat same as Heroin
6. Cocaine
8 or more oz. of good quality material
7. Miscellaneous Hallucinogens
PCP, STP (D.O.M.), D.M.T., DET, Psilocylien, MDA, MMDA, Mescaline, Peyote, THC
500 or more units (whatever the form)

APPENDIX III

Schedules of Controlled Substances

(Section 202, Part B, Title II, Public Law
91-513, 91st Congress, H.R. 18583, October 27, 1970)

SCHEDULES OF CONTROLLED SUBSTANCES

SEC. 202. (a) There are established five schedules of controlled substances, to be known as schedules I, II, III, IV, and V. Such schedules shall initially consist of the substances listed in this section. The schedules established by this section shall be updated and republished on a semiannual basis during the two-year period beginning one year after the date of enactment of this title and shall be updated and republished on an annual basis thereafter.

(b) Except where control is required by United States obligations under an international treaty, convention, or protocol, in effect on the effective date of this part, and except in the case of an immediate precursor, a drug or other substance may not be placed in any schedule unless the findings required for such schedule are made with respect to such drug or other substance. The findings required for each of the schedules are as follows:

(1) SCHEDULE I. —

(A) The drug or other substance has a high potential for abuse.

(B) The drug or other substance has no currently accepted medical use in treatment in the United States.

(C) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

(2) SCHEDULE II. —

(A) The drug or other substance has a high potential for abuse.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.

(C) Abuse of the drug or other substances may lead to severe psychological or physical dependence.

(3) SCHEDULE III. —

(A) The drug or other substance has a potential for abuse less than the drugs or other substances in schedules I and II.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

(4) SCHEDULE IV. —

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule III.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

(5) SCHEDULE V.—

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule IV.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule IV.

(c) Schedules I, II, III, IV, and V shall, unless and until amended pursuant to section 201, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

SCHEDULE I

(a) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetylmethadol.
- (2) Allylprodine.
- (3) Alphacetylmethadol.
- (4) Alphameprodine.
- (5) Alphamethadol.
- (6) Benzethidine.
- (7) Betacetylmethadol.
- (8) Betameprodine.
- (9) Betamethadol.
- (10) Betaprodine.
- (11) Clonitazene.
- (12) Dextromoramide.
- (13) Dextrorphan.
- (14) Diampromide.
- (15) Diethylthiambutene.
- (16) Dimenoxadol.
- (17) Dimepheptanol.
- (18) Dimethylthiambutene.
- (19) Dioxaphetyl butyrate.
- (20) Dipipanone.
- (21) Ethylmethylthiambutene.
- (22) Etonitazene.
- (23) Etoxadine.
- (24) Furethidine.
- (25) Hydroxypethidine.
- (26) Ketobemidone.
- (27) Levomoramide.
- (28) Levophenacymorphan.
- (29) Morpheridine.
- (30) Noracymethadol.
- (31) Norlevorphanol.
- (32) Normethadone.

- (33) Norpipanone.
- (34) Phenadoxone.
- (35) Phenampromide.
- (36) Phenomorphan.
- (37) Phenoperidine.
- (38) Piritramide.
- (39) Proheptazine.
- (40) Properidine.
- (41) Racemoramide.
- (42) Trimeperidine.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine.
- (2) Acetyldihydrocodeine.
- (3) Benzylmorphine.
- (4) Codeine methylbromide.
- (5) Codeine-N-Oxide.
- (6) Cyprenorphine.
- (7) Desomorphine.
- (8) Dihydromorphine.
- (9) Etorphine.
- (10) Heroin.
- (11) Hydromorphanol.
- (12) Methyldesorphine.
- (13) Methylhydromorphine.
- (14) Morphine methylbromide.
- (15) Morphine methylsulfonate.
- (16) Morphine-N-Oxide.
- (17) Myorphine.
- (18) Nicocodeine.
- (19) Nicomorphine.
- (20) Normorphine.
- (21) Pholcodine.
- (22) Thebacon.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) 3,4-methylenedioxy amphetamine.
- (2) 5-methoxy-3,4-methylenedioxy amphetamine.
- (3) 3,4,5-trimethoxy amphetamine.
- (4) Bufotenine.
- (5) Diethyltryptamine.
- (6) Dimethyltryptamine.
- (7) 4-methyl-2,5-dimethoxyamphetamine.
- (8) Ibogaine.

- (9) Lysergic acid diethylamide.
- (10) Marihuana.
- (11) Mescaline.
- (12) Peyote.
- (13) N-ethyl-3-piperidyl benzilate.
- (14) N-methyl-3-piperidyl benzilate.
- (15) Psilocybin.
- (16) Psilocyn.
- (17) Tetrahydrocannabinols.

SCHEDULE II

(a) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.
- (2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), except that these substances shall not include the isoquinoline alkaloids of opium.
- (3) Opium poppy and poppy straw.
- (4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Alphaprodine.
- (2) Anileridine.
- (3) Bezitramide.
- (4) Dihydrocodeine.
- (5) Diphenoxylate.
- (6) Fentanyl.
- (7) Isomethadone.
- (8) Levomethorphan.
- (9) Levorphanol.
- (10) Metazocine.
- (11) Methadone.
- (12) Methadone-Intermediate, 4-cyano - 2 - dimethyl-amino-4,4-diphenyl butane.

- (13) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
- (14) Pethidine.
- (15) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.
- (16) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.
- (17) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- (18) Phenazocine.
- (19) Piminodine.
- (20) Racemethorphan.
- (21) Racemorphan.

(c) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.

SCHEDULE III

(a) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.
- (2) Phenmetrazine and its salts.
- (3) Any substance (except an injectable liquid) which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.
- (4) Methylphenidate.

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- (1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid.
- (2) Chorhexadol.
- (3) Glutethimide.
- (4) Lysergic acid.
- (5) Lysergic acid amide.
- (6) Methyprylon.
- (7) Phencyclidine.
- (8) Sulfondiethylmethane.
- (9) Sulfonethylmethane.
- (10) Sulfonmethane.

(c) Nalorphine.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

SCHEDULE IV

- (1) Barbital.
- (2) Chloral betaine.
- (3) Chloral hydrate.
- (4) Ethchlorvynol.
- (5) Ethinamate.
- (6) Methohexital.
- (7) Meproamate.
- (8) Methylphenobarbital.
- (9) Paraldehyde.
- (10) Petrichloral.
- (11) Phenobarbital.

SCHEDULE V

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(d) The Attorney General may by regulation except any compound, mixture, or preparation containing any depressant or stimulant substance in paragraph (a) or (b) of schedule III or in schedule IV or V from the application of all or any part of this title if (1) the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant or stimulant effect on the central nervous system, and (2) such ingredients are included therein in such combinations, quantity, proportion, or concentration as to vitiate the potential for abuse of the substances which do have a depressant or stimulant effect on the central nervous system.

APPENDIX IV

The Role of DEA Laboratories

The Role of DEA Laboratories¹
by
John W. Gunn, Jr.
Chief, Scientific Services Division
Office of Research and Technology
Drug Enforcement Administration
United States Department of Justice

Evidence in drug investigations may exist in any form—tablets, capsules, powders, liquids—and can be present as large samples consisting of hundreds of containers, or as a minute residue.

The accurate analysis of these substances is the responsibility of the Drug Enforcement Administration's forensic laboratory system. This system consists of six regional laboratories—in New York, Chicago, San Francisco, Dallas, and Washington, D. C.—together with a special testing and research center in McLean, Virginia.

In the last fiscal year the DEA laboratories, under the direction of 120 professional chemists, analyzed 45,000 separate exhibits of drug evidence. In addition, they stand ready to offer assistance to any duly authorized law enforcement agency, at home or abroad, in laboratory planning, evidence handling, drug analysis, or court testimony at no cost to the requesting agency.

Before going on to describe the specific services they perform in support of drug enforcement, I want to emphasize that they serve to supplement—they do not supplant—the services of state, county, and municipal laboratories.

The Forensic Chemist

The most important person in the DEA laboratory system is the forensic chemist. DEA requires the trainee chemist to undergo a special six-month training program. He is taught from the outset that each piece of evidence is unique and no step-by-step procedure can be written to cover all cases.

¹An article featured in the February-March 1974 issue of Drug Enforcement, a bimonthly periodical published by the Drug Enforcement Administration.

This training program is designed to acquaint him with new analytical procedures and to encourage independent thought, sound judgment, and ingenuity in the analysis of drug evidence. The new chemist is made aware of the importance of the chain of evidence, and the need for security in handling evidence, as well as his role as an expert witness.

Source Identification

A major concern of DEA special agents is the identification of the source of drug evidence. One of the methods we use to meet this requirement is through "ballistics examinations" of tablets. A ballistics examination, in the sense used here, is a combination of in-depth chemical analysis and tool-mark examination of tablets and capsules for the purpose of identifying the manufacturer of the drug. The technique consists of accurate measurements of size, scoring, imprints, or bevels; the microscopic examination of the imperfections of the surface; the identification of all the components of the exhibit, primarily through microchemical tests; and comparison with exhibits contained in the Administration's National Authentic Drug Reference Library. These are exhibits obtained from drug firms and an accumulation of exhibits from clandestine manufacture.

Using this type of analysis, we are able to identify the manufacturing source of commercial dosage forms and to relate exhibits originating from common clandestine sources. In this way we are able to show diversion of legitimate products into illicit channels and to identify illegal distribution systems and marketing levels.

In the past year—to give you an example—the United States has been flooded with small amphetamine tablets known as "minibennies." Ballistics examination indicates that most of these tablets originate from three sets of punches and dies used on multiple punch tableting machines. To date, over 30 million "minibennies" have been purchased or seized.

As with source identification of tablets and capsules through ballistics examination, we are also attempting to determine common sources of powders. We have developed methodology which will provide intelligence on heroin evidence. This is not done routinely, but only on specific request. The technique has been used to trace distribution routes and to assist in the development of conspiracy cases. The technique consists of microscopic examination, the determination of elemental composition, and the determination of the ratios of heroin hydrochloride, morphine, O^3 and O^6 monoacetyl morphine, codeine, and acetyl codeine.

Special Analysis

Quantitative analysis of drug evidence is standard procedure in our laboratories. The nature of the charge and the sentencing of the defendant is, in many instances, dependent on the amount and purity of the drug. Large quantities and high purity usually indicate the higher echelon drug trafficker. Rapid, accurate, quantitative laboratory analysis can therefore be an aid to enforcement strategy.

In one conspiracy case, information was obtained that indicated a transfer of heroin had taken place in a garage. During the transfer one of the bags of heroin had allegedly fallen and broken. Six months after the transaction had taken place the laboratory was asked to verify this information, even though the heroin had reportedly been swept up and there was no visible trace of it.

The laboratory devised a special vacuum cleaner with a vacuum pump and filters to take samples from various sections of the garage. The laboratory was able to confirm the presence of heroin, using rigorous isolation techniques combined with fluorimetry, thin-layer chromatography, and mass spectrometry. The laboratory's work played a major role in the successful prosecution of this case.

Recently, the compound 1, 3-diphenyl-2-methylaminopropane hydrochloride was identified in two different samples of methamphetamine powder. The identification was based on a combination of UV, IR, NMR and mass spectrometry. The presence of this compound in methamphetamine indicates that the clandestine operators were synthesizing phenyl-2-propanone (P2P) from phenylacetic acid rather than purchasing this essential raw material. A byproduct of this synthesis is dibenzylketone, which, if not removed, would react when methamphetamine is made and produce 1, 3-diphenyl-2-methylaminopropane. This identification is very valuable intelligence for our agents who are looking for clandestine drug operators.

Methaqualone is being widely abused by youths in this country. Recently, in the northeast, some abusers were stricken with severe side effects, including bloody urine and gastrointestinal cramps. The tablets were found to be of clandestine manufacture. They contained fairly large amounts of impurities from a poor synthesis. The impurities were o-toluidine, o-aminobenzoic acid, and o-methyl acetanilide—again proving the old proverb "Let the buyer beware."

Clandestine Laboratories

In the past year, our forensic chemists participated with special agents in the seizure of over 30 domestic clandestine laboratories which were producing LSD, phencyclidine (PCP), dimethyltryptamine (DMT), methamphetamine, and liquid hashish. DEA chemists have also examined illegal laboratories in Europe, South America, and the Far East. These laboratories were producing heroin or cocaine.

In examining a seized illegal laboratory, we feel that the following information is best acquired by a chemist: production capability; estimated length of time in operation; source of chemicals and equipment; methods of waste removal; efforts at concealment; method of manufacture. This and other information can be used to measure the impact of an immobilized laboratory and can provide possible means to assist in the detection of similar laboratories.

Our chemists also have had the opportunity to participate with special agents in debriefing informants regarding the manufacturing of clandestine drugs. There is much literature on the commercial manufacture of most drugs of abuse. Clandestine manufacturers, however, do not always follow these procedures or use the same equipment and techniques. It is therefore necessary for a law enforcement agency to determine exactly how the drugs are made. This information has many investigative and intelligence ramifications.

Information From Drug Evidence

The laboratory is the focal point for almost all information regarding a purchase or seizure of drug evidence. This information must be retrieved, evaluated, and reported to the proper parties in a timely manner. Information retrieval and reporting mechanisms are therefore an important and integral part of our laboratory system.

Our laboratory data processing system is known as STRIDE (System to Retrieve Information from Drug Evidence). It is now in its third year of operation. In 1974 we will be installing in each laboratory computer terminals connected to the main computer in Washington. Every piece of evidence analyzed is entered into the system. The type of information includes: the subject's name; where the purchase or seizure was made; the amount of money expended; the suspected drug; what the drug was found to be; the purity of the drug; and what excipients and adulterants were present.

The system is designed to serve several purposes. It provides information for decisions as to whether or not a drug should be controlled by showing how much and in what form it is appearing in the illicit market. The "Early Warning System"—designed to make DEA aware of new abusable drugs—relies on STRIDE as one of its input sources.

Our Office of Intelligence also uses this system. By comparing potencies and adulterants in various exhibits, distribution systems can be identified, individuals can be tied together, and trends can be shown. Moreover, the use of a unique cutting agent for heroin such as methapyrilene, appearing in one section of the country, can provide investigative leads to our special agents.

The computerized laboratory analytical data of heroin exhibits is used to calculate the price per milligram of pure heroin. The price-purity data can be used by statisticians as a market index—like Dow Jones—to determine trends and changes in the domestic heroin market.

International Liaison

Drug abuse is an international problem. We exchange scientific information with police laboratories in over 60 countries, as well as the U.N. Laboratory and Interpol. Recently, the importance of our foreign liaison paid off when Canadian authorities brought to our attention 4-methoxyamphetamine, a new hallucinogen that was causing deaths. Shortly thereafter this drug made its appearance in the United States. The information supplied by Canadian authorities enabled DEA to bring this drug promptly under control.

Conclusion

The role of the forensic drug laboratory has changed over the last few years and is continuing to change. We must keep pace with these changes by using the most modern instruments and techniques. Demands are increasing from drug law enforcement officers for more information on exhibits for intelligence purposes. We must also be ready to respond to increasingly sharp questions from attorneys, who are today better prepared and more knowledgeable about drugs than ever before. The conclusions reached by the laboratory must leave no room for doubt since they are used within the criminal justice system. The forensic laboratory, in the final analysis, is an instrument of justice.

APPENDIX V

- Chart 1 - Routing of evidence and associated forms
IA. From seizure to initial storage in evidence room (drop-box not used)
IB. From seizure to initial storage in evidence room (drop-box used)

- Chart 2 - Routing of evidence and associated forms
IIA. From evidence room to laboratory (registered mail or express)

- Chart 3 - Routing of evidence and associated forms
IIB. From laboratory to evidence room (registered mail or express)

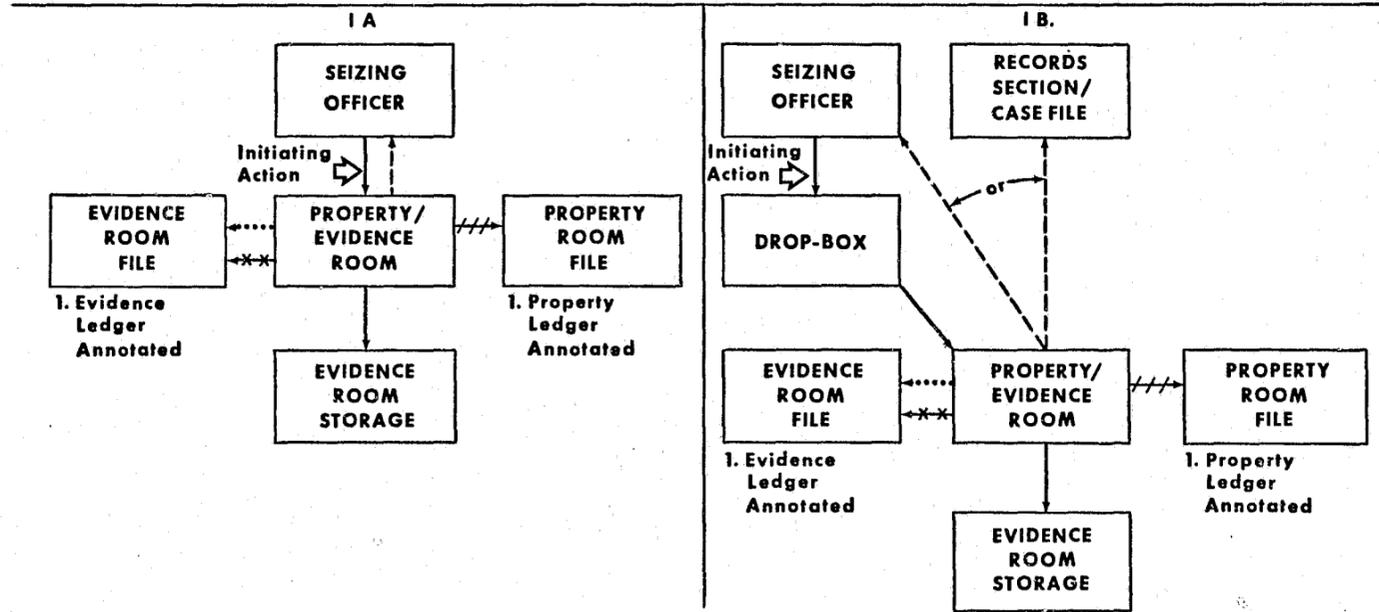
- Chart 4 - Routing of evidence and associated forms
IIIA. From evidence room to court

- Chart 5 - Routing of evidence and associated forms
IIIB. From court to evidence room

- Chart 6 - Routing of evidence and associated forms
IV. From evidence room to final disposition or destruction of evidence

ROUTING OF EVIDENCE & ASSOCIATED FORMS

I A. From Seizure to Initial Storage in Evidence Room (Drop-Box not used)
 I B. From Seizure to Initial Storage in Evidence Room (Drop-Box used)



- LEGEND -

Route of:

- a. Evidence package with quadruplicate inventory & chain of custody form attached: _____
- b. Original evidence receipt: -----
- c. Copy of evidence receipt:
- d. Original property control card: //////////////
- e. Copy of property control card: -x-x-x-x-x-x-x-

Chart 1

ROUTING OF EVIDENCE & ASSOCIATED FORMS

II A. From Evidence Room to Laboratory (Registered Mail or Express)

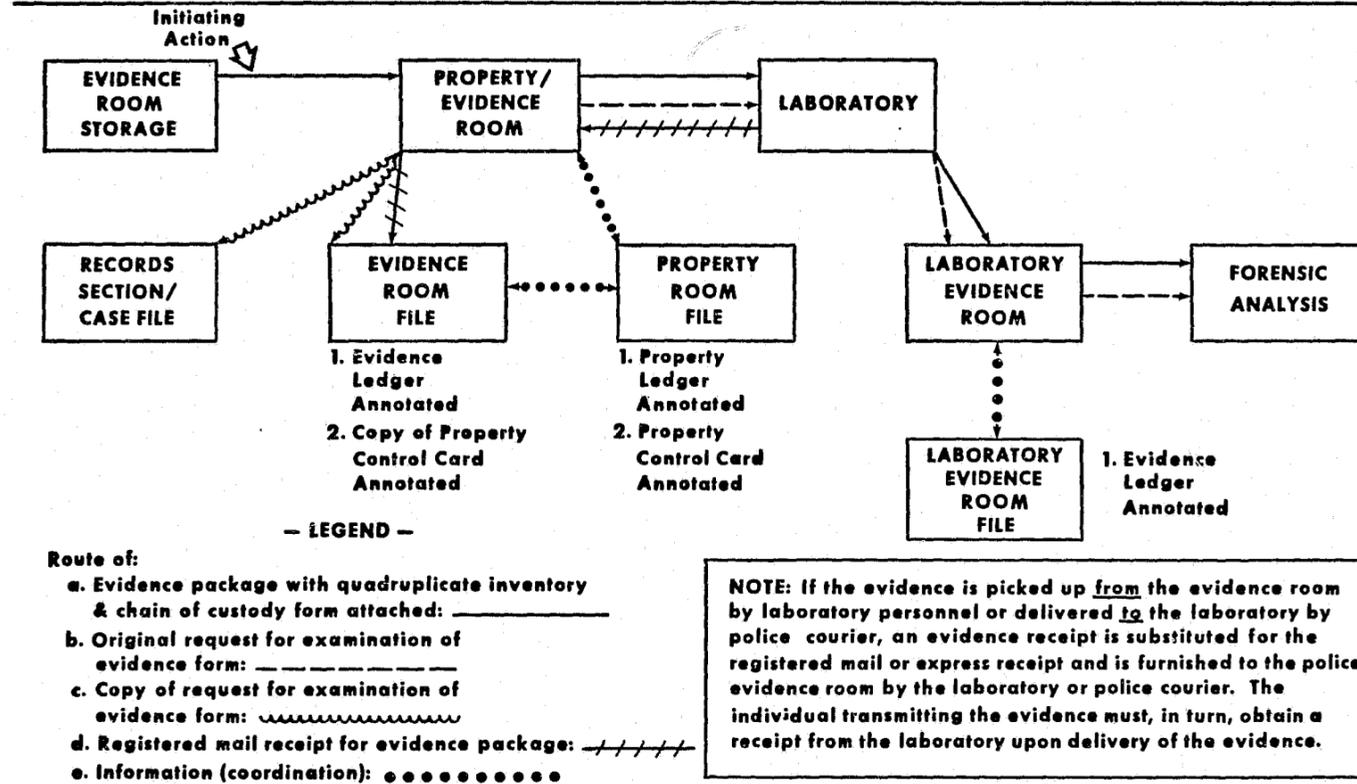
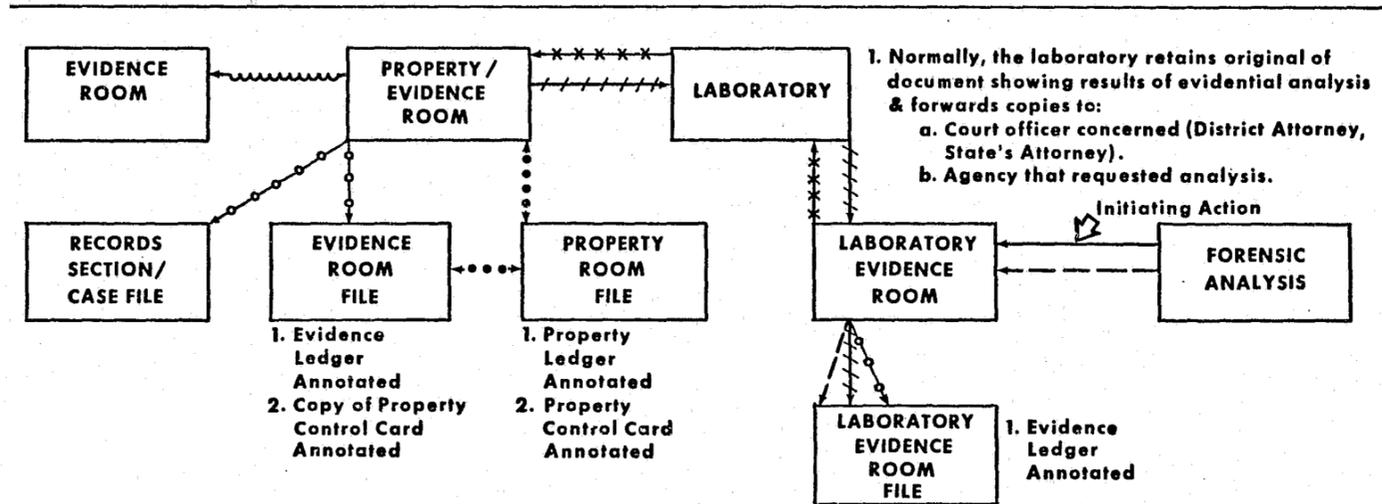


Chart 2

ROUTING OF EVIDENCE & ASSOCIATED FORMS

II B. From Laboratory To Evidence Room (Registered Mail or Express)



- LEGEND -

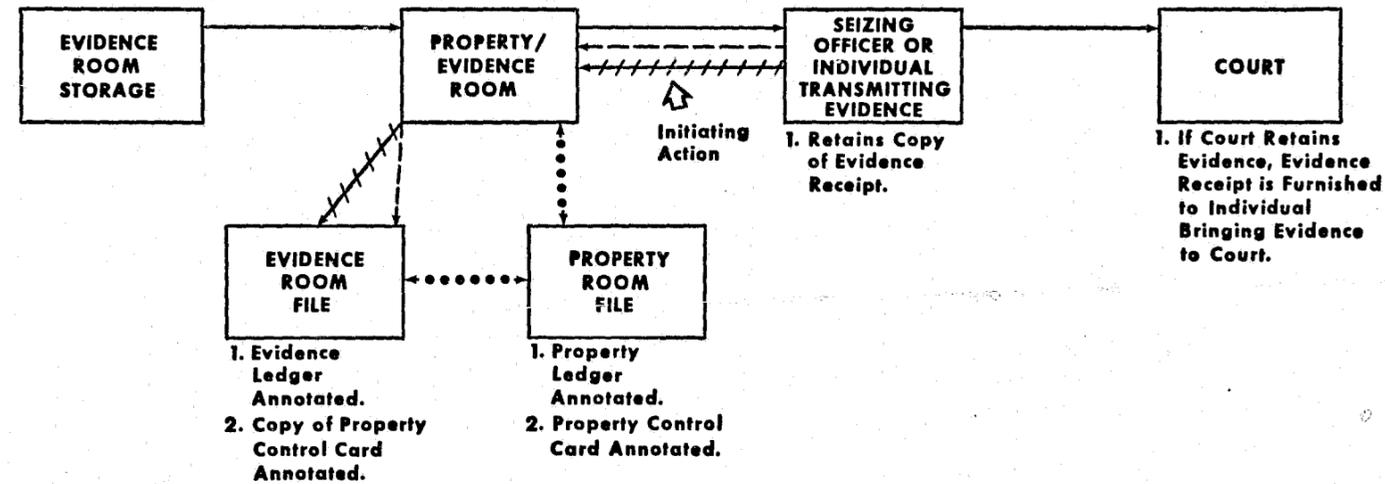
Route of:

- a. Evidence package with quadruplicate inventory & chain of custody form attached: _____
- b. Original request for examination of evidence form: _____
- c. Copy of inventory & chain of custody form: -o-o-o-o-o-
- d. Registered mail receipt for evidence package: ++++++
- e. Evidence package with triplicate inventory & chain of custody form attached: -x-x-x-x-x-
- f. Evidence package with original inventory & chain of custody form attached: ~~~~~~
- g. Information (coordination):o.....

Chart 3

ROUTING OF EVIDENCE & ASSOCIATED FORMS

III A. From Evidence Room to Court



- LEGEND -

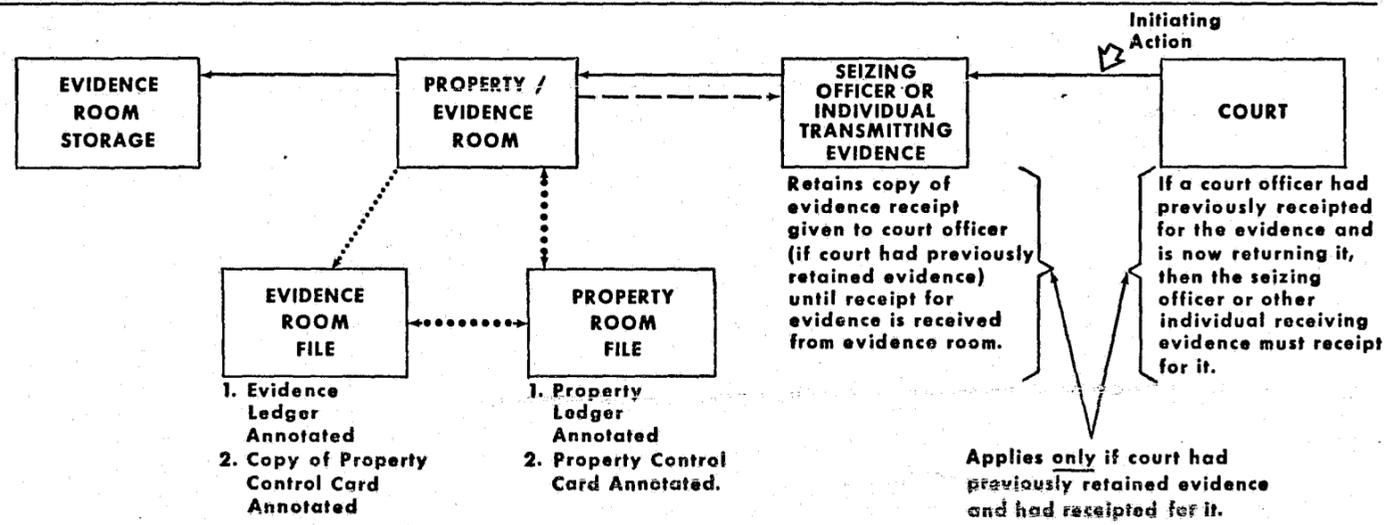
Route of:

- a. Evidence package & original inventory & chain of custody form: _____
- b. Original evidence receipt: - - - - -
- c. Authorization for release of evidence for presentation in court: // // // // //
- d. Information (coordination): ••••••••••

Chart 4

ROUTING OF EVIDENCE & ASSOCIATED FORMS

III B. From Court To Evidence Room



- LEGEND -

Route of:

- a. Evidence package & original inventory & chain of custody form: _____
- b. Original evidence receipt: _____
- c. Copy of evidence receipt:
- d. Information (coordination):

Chart 5

APPENDIX VI

- Figure 1 - Processing Sequence (Narcotic and Dangerous Drug Evidence)
- Figure 2 - Inventory and Chain of Custody (Narcotics and Dangerous Drugs) Form
- Figure 3 - Chain of Custody (Narcotics and Dangerous Drugs) Form
- Figure 4 - Evidence Receipt (Narcotics and Dangerous Drugs) Form
- Figure 5 - Request for Examination of Evidence (Narcotics and Dangerous Drugs) Form
- Figure 6 - Evidence Ledger (Narcotics and Dangerous Drugs) Form
- Figure 7 - Method of Using a Self-Locking Narcotic and Dangerous Drug Evidence Drop-Box Type Depository (Cutaway Side View)

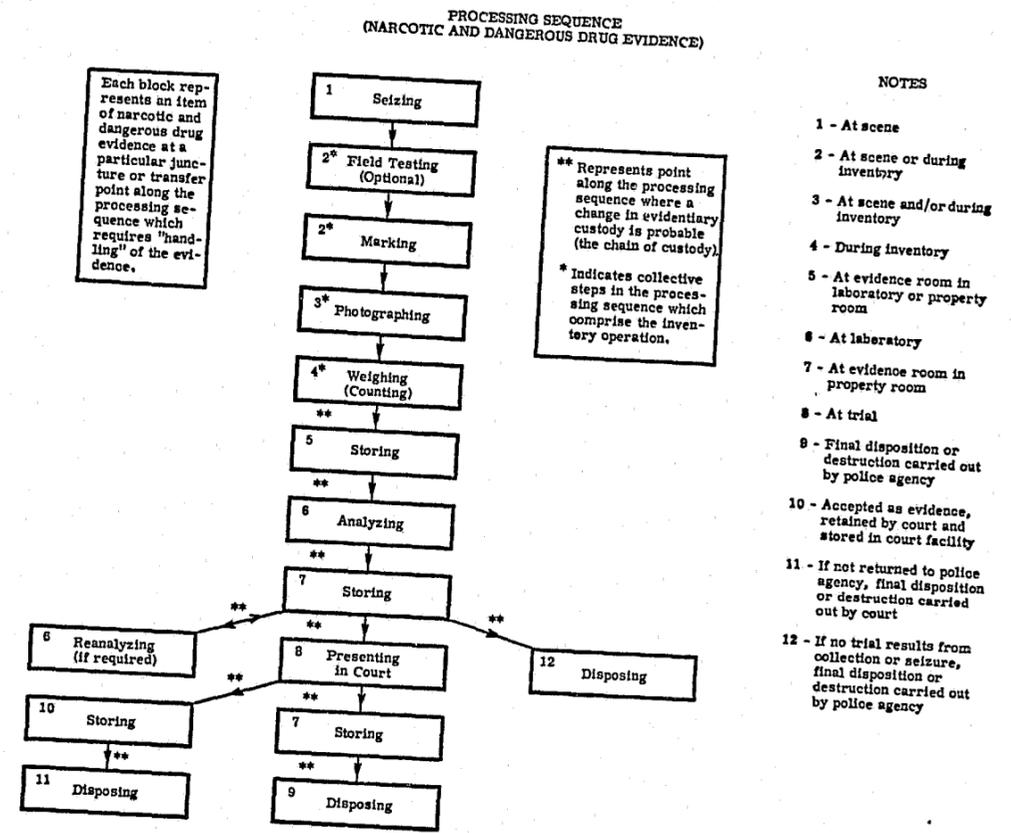


FIGURE 1

POLICE DEPARTMENT, CITY, STATE, ZIP CODE 1. Page ____ of ____

INVENTORY & CHAIN OF CUSTODY †
(Narcotics & Dangerous Drugs)

2. SEIZING OFFICER:
DIVISION/DISTRICT: _____
BADGE NUMBER: _____

3. SUSPECT/DEFENDANT
Name: _____
Address: _____
Sex: _____ Race: _____ Age: _____ SSAN: _____

4. ARREST/COMPLAINT/CASE NO: _____
OFFENSE: _____

5. DATE/TIME: _____

6. PROPERTY CONTROL NO: _____

7. EVIDENCE LOCATOR NO: _____

8. LOCATION OF SEIZURE/COLLECTION OF EVIDENCE: _____

I T E M N O.	DESCRIPTION OF SEIZED/COLLECTED ITEMS (Include all identifying marks)	COUNT AND WEIGHT								
		SEIZING OFFICER		LABORATORY ANALYST						
		CT*	WT* G*	AMT. RECEIVED		CONSUMED IN ANALYSIS		CT*	WT* N* G*	
				CT*	WT* G*	CT*	WT* N* G*			
9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	

† See note on reverse *CT=Count, WT=Weight, N=Net, G=Gross

CHAIN OF CUSTODY

THE FOLLOWING NAMED INDIVIDUALS HAVE HAD CUSTODY OF THE ITEMS LISTED ABOVE DURING THE PERIODS AND FOR THE PURPOSES STATED BELOW:

19. SIGNATURE OF SEIZING OFFICER: _____	20. DATE/TIME/PLACE OF SECURING (Sealing) EVIDENCE: _____	21. WITNESS (Signature & Badge No.) _____
22. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	23. PURPOSE/LOCATION: _____	24. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken By Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes
25. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	26. PURPOSE/LOCATION: _____	27. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken By Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes

Figure 2

POLICE DEPARTMENT, CITY, STATE, ZIP CODE

CHAIN OF CUSTODY † (Narcotics & Dangerous Drugs)		1. ARREST/COMPLAINT/CASE NO: _____	
		PROPERTY CONTROL NO: _____	
THE FOLLOWING NAMED INDIVIDUALS HAVE HAD CUSTODY OF THE ITEMS LISTED ABOVE DURING THE PERIODS AND FOR THE PURPOSES STATED BELOW:			
2. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	3. PURPOSE/LOCATION: _____ _____ _____	4. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	
5. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	6. PURPOSE/LOCATION: _____ _____ _____	7. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	
8. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	9. PURPOSE/LOCATION: _____ _____ _____	10. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	
11. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	12. PURPOSE/LOCATION: _____ _____ _____	13. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	
14. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	15. PURPOSE/LOCATION: _____ _____ _____	16. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	
17. RECEIVED BY (Name) Signature: _____ Printed: _____ ID No: _____ Date/Time: _____ Received: _____ <input type="checkbox"/> In Person <input type="checkbox"/> Drop-Box <input type="checkbox"/> Other	18. PURPOSE/LOCATION: _____ _____ _____	19. RECEIVED WITH SEAL: <input type="checkbox"/> Broken <input type="checkbox"/> Intact SEAL: <input type="checkbox"/> Not Broken <input type="checkbox"/> Broken by Receiver EVIDENCE RESEALED: <input type="checkbox"/> No <input type="checkbox"/> Yes	

Figure 3

† See note on reverse

Note

Each block on the face of this form bears a number in its upper left-hand corner. Individuals normally responsible for completing each block are indicated below:

Blocks #1 through #5: Seizing officer.

Block #6: Property or evidence custodians or their alternates.

Block #7: Evidence custodian or his alternate.

Blocks #8 through #12: Seizing officer.

Blocks #13 through #18: Laboratory analyst.

Blocks #19 and #20: Seizing officer.

Block #21: Individual witnessing the inventorying and sealing of the evidence.

Blocks #22 through #24: Property or evidence custodians or their alternates.

Blocks #25 through #27: Individual receiving the evidence from the person listed in Block #22.

Police Department, City, State, Zip Code				Evidence Ledger (Narcotics and Dangerous Drugs)				
Acquisition		Property Control/ Voucher No.	Evidence Locator No.	Arrest/ Complaint/ Case No.	Description of Evidence	Release		
Date	From					Date	To	Purpose

FIGURE 6

METHOD OF USING A SELF-LOCKING NARCOTIC AND
DANGEROUS DRUG EVIDENCE DROP-BOX TYPE DEPOSITORY
(CUTAWAY SIDE VIEW)

Legend—
Wall

Evidence 

Drop-Box 

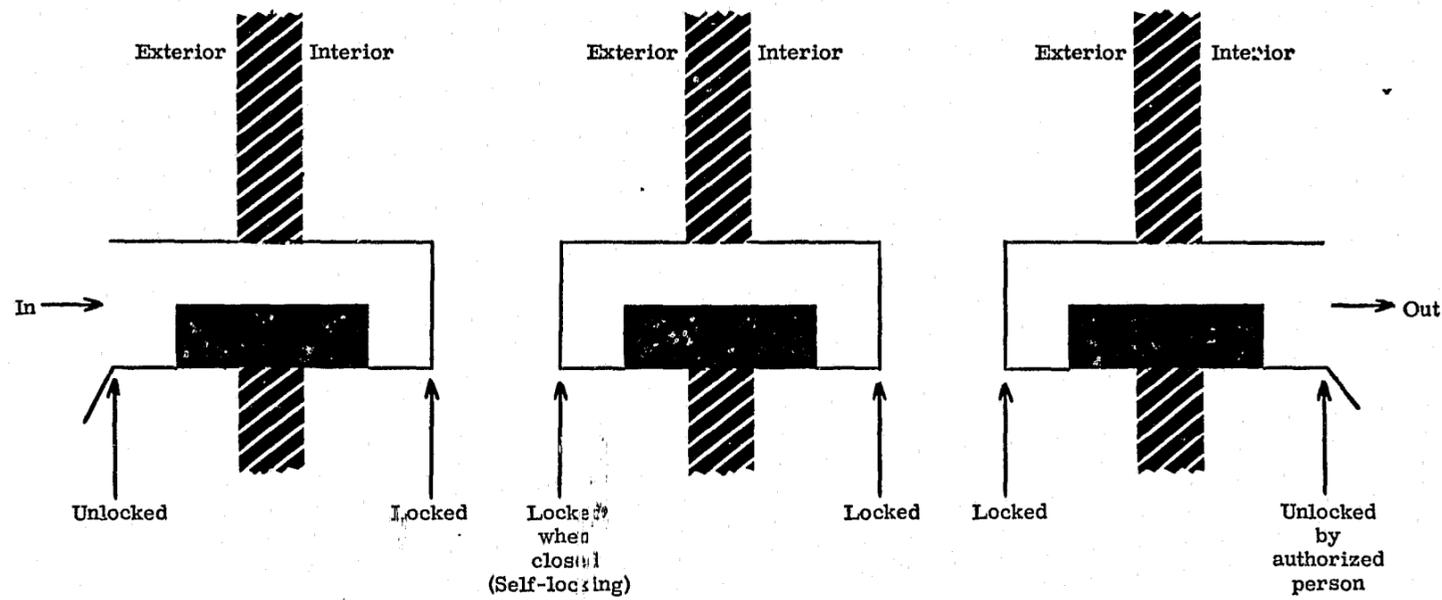


FIGURE 7

* U.S. GOVERNMENT PRINTING OFFICE : 1974 O-560-551

END