

Controlled Dangerous Substances

Index Code: 1204

Effective Date: 08/15/03 (Revised 1/13/2022)

I. Purpose

The purpose of this policy is to establish special guidelines for the handling, processing, and disposal of controlled dangerous substances and drug related paraphernalia.

II. Policy

It is the policy of the Queen Anne's County Sheriff's Office, that all controlled dangerous substances (CDS) and drug related paraphernalia in the custody of the Sheriff's Office will be packaged, stored, and disposed of through the strict adherence to procedures set forth in this directive.

III. Submission Requirements

All recovered or seized controlled dangerous substances and drug paraphernalia will be properly packaged and secured in an evidence locker, or in the Evidence Processing Room, prior to the end of the recovering deputy's tour of duty. Each item must be properly recorded and accounted for according to the requirements set forth in this directive and Index Codes 1201, 1202 and 1202.1.

IV. CDS Handling and Processing

A. No suspected controlled dangerous substance will be ingested, inhaled, sniffed, or tasted for any reason. Precautions for handling blood borne pathogens (gloves and paper mask) should be followed while handling any suspected controlled dangerous substance or drug paraphernalia, or any container/package containing suspected CDS that may be considered a biohazard.

B. CDS evidence that consists of countable items must be accurate counts and indicated on the MSP 67 form attached to the evidence. Weights will not be listed on the MSP 67.

C. There will not be any field testing of any suspected CDS due to the high potency of some substances that could cause harm to first responders.

D. Controlled dangerous substances and drug paraphernalia that require analysis will be packaged separately in heat-sealed plastic bags. If room allows, separate smaller plastic bags containing the CDS or drug paraphernalia may be placed in a single larger heat-sealed plastic bag. However, each individual bag must be appropriately numbered with a description of its contents indicated on the MSP 67. This description must include accurate counts for each countable item that will also be listed on the attached MSP 67. This requirement includes but is not limited to tablets, capsules, marijuana cigarettes, heroin baggies, etc. Weights will not be listed on the MSP 67.

For specific instructions on the packaging of controlled dangerous substances and drug paraphernalia, refer to the Maryland State Police Crime Lab's Guidelines for Submitting Physical Evidence.

E. Any deputy in possession of a suspected controlled dangerous substance, or drug paraphernalia, requiring laboratory analysis will complete a Request for Laboratory CDS - Chain of Custody Log/Laboratory Report (MSP 67). The form will be completed in its entirety, with all available information, and securely attached to the evidence envelope containing the suspected CDS and/or drug paraphernalia. A copy of the MSP 67 will be submitted along with the initial report for the case file.

If suspected marijuana is submitted for lab analysis, it must also be accompanied by written documentation from the State's Attorney's Office that the case will be prosecuted.

Any deputy in possession of a suspected controlled dangerous substance, or drug paraphernalia, not requiring laboratory analysis, will complete a Request for Laboratory Examination - Chain of Custody Log (MSP 67). The form will be completed in its entirety, with all available information, and securely attached to the evidence envelope containing the

suspected CDS and/or drug paraphernalia. A copy of the MSP 67 will be submitted along with the initial report for the case file.

Marijuana that has been seized in a quantity of less than 70.8 grams/2.5 ounces will be handled in the following manner:

- a. The seized marijuana will be photographed.
- b. Photos will be downloaded into the associated property module as an attachment.
- c. The seized marijuana will be marked for destruction

For specific instructions on completing the MSP 67 form, refer to the sample copies posted on the Evidence Board in the Deputies' Room.

V. Drug Paraphernalia Restrictions

Due to the inherent dangers of handling a syringe or razor blade, they will not be analyzed without the prior written approval the State's Attorney's Office and only if they are critical to the successful prosecution of a major case. In such cases, the deputy will forward the written approval to the Evidence Custodian, and place a copy in the original case file.

Syringes and razor blades must be packaged in an approved, puncture-proof container.

Syringes and razor blades that are to be disposed of will be placed in the designated disposal box (sharps box).

VI. Procedures for Obtaining and Returning CDS Evidence for Court

A. Deputies who have not received a copy of the results of a requested CDS analysis at least fifteen (15) days prior to the scheduled trial date, will contact the Evidence Custodian and the State's Attorney's Office, advising them of this fact.

B. CDS evidence needed for court will be obtained through the Evidence Custodian on the day the case is set for trial. No evidence will be released prior to the court date. Deputies requiring evidence must submit an Evidence Request Form at least three business days prior to the court date.

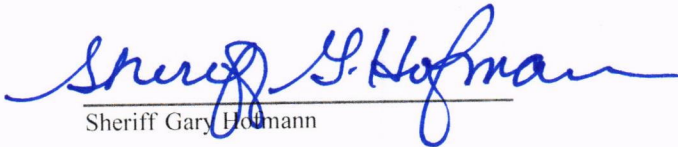
CDS evidence removed for court will be returned to the Evidence Custodian, or secured in a storage locker if the Evidence Custodian is not available, the same day it was removed. If the court holds the CDS evidence, the court receipt must be placed in the original case file and a copy forwarded to the Evidence Custodian. CDS evidence will not be secured in any desk, private locker, vehicle, etc.

The chain-of-custody must be complete on each MSP 67 form as well as in the property module.

VII. Destruction of CDS Evidence

Unless notified otherwise by the State's Attorney's Office, CDS evidence may be destroyed sixty (60) days after the case has been adjudicated.

Cancellation of directive dated 7/1/2019.
CALEA reference 84.1.4



Sheriff Gary Holmann