



CONTROLLED DANGEROUS SUBSTANCES

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EFFECTIVE DATE: 07-01-23

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I. SUBMISSION REQUIREMENTS

All seized or recovered CDS will be packaged and submitted to the Crime Laboratory before the end of the recovering officer's tour of duty. It must be properly recorded and accounted for according to the requirements of this directive and Index Code 1201.

II. CDS - HANDLING AND PROCESSING

A. Safety

No suspected CDS will be sniffed, tasted or ingested for any reason. Universal precautions outlined in Index Code 703, "Infectious Diseases," should be followed while handling any CDS or CDS packaging. Personal Protective Equipment (PPE) should always be worn to prevent contamination from CDS and biohazards. Disposable gloves will be worn when handling suspected CDS, paraphernalia, or CDS packaging. Wash hands with soap and water after removing gloves. Do not use hand sanitizer, as it can increase the absorption of CDS into the body. Due to the possible risks of accidental exposure from substances such as Fentanyl, use of a face mask meeting NIOSH N95 or P100 standards, and eye protection should be employed when handling, weighing and/or packaging suspected CDS, as airborne particulates, even in very small quantities, can be hazardous if inhaled or absorbed into the body. If a large amount of unpackaged/unsealed suspected CDS powder is encountered, a supervisor will be notified. If the suspected CDS powder cannot be safely recovered at the scene, a CID Narcotics & Special Investigations Section supervisor should be consulted. The CID Narcotics & Special Investigations Section has personnel who are trained and equipped to safely handle, recover and package these substances. Officers and detectives should be prepared to administer Naloxone to any officer, detective or other person who shows signs of accidental exposure to an opioid.

B. Weighing and Counting CDS Evidence

Prior to packaging and submission to Forensic Services, all CDS evidence will be weighed and counted by the recovering officer. The weight (in grams) and count will be recorded on the Property Card/Property Side Panel in the records management system for each item. CDS evidence in the form of capsules or pills will be counted as well as weighed. The recovering officer will ensure the scale used for weighing the CDS is "zeroed" before use and that

the item is properly positioned on the scale. Officers will be held accountable for any discrepancies in weights and counts of CDS evidence. An exception to counting the capsules or pills can occur when there is inherent concern for officer safety due to possible exposure to suspected fentanyl. When this occurs, the officer shall weigh the evidence with the packaging, record the packaged weight of the item, and add a note "Count not determined due to safety concerns" in the description field. The officer will also document the safety concern in their report.

C. Presumptive Testing

If a presumptive test of suspected CDS is required to establish probable cause for an investigation, a preliminary hearing, or for any other reason, the CDS Unit should be consulted, so the testing can be conducted in a safe manner within a controlled environment.

D. Photographs

Photographs will be taken for all seized CDS evidence and uploaded as an attachment to the records management system under the police case number. Prior to placing sealed CDS evidence bags into the drop box, the sealed CDS evidence bag will be photographed in such a manner so the contents can be clearly distinguished in the photograph. A description of what the attachment(s)/photograph(s) is/are, including the Item Number generated by the records management system, will be entered in the "Description" field of each attachment as part of the process of adding the attachment(s) to the records management system.

1. If it is determined that the suspect is going to be charged with *an Intent to Distribute/Distribute* CDS violation, the seizing officer will take a photograph of the suspected CDS, packaging material, currency, weapons, and any other evidence that supports the felony charge. These photographs will be uploaded as an attachment to the records management system by the officer. A description of what the attachment(s)/photograph(s) is/are, including the Item Number generated by the records management system, will be entered in the "Description" field of each attachment as part of the process of adding the attachment(s) to the records management system.
2. A photograph will be taken of all seized suspected cannabis and/or cannabis paraphernalia, when a civil citation has been issued to the suspect. These photographs will be uploaded as an attachment into the records management system and will be used as evidence for court proceedings. A description of what the attachment(s)/photograph(s) is/are, including the Item Number generated by the records management system, will be entered in the "Description" field of each attachment as part of the process of adding the attachment(s) to the records management system.
3. A photograph will be taken of all seized powders or liquids. Unless the photographs are taken in the CDS Unit under safe conditions, these substances should not be removed from the packaging in which they were found. A description of what the attachment(s)/photograph(s) is/are, including the Item Number generated by the records management system, will be entered in the "Description" field of each attachment as part of the process of adding the attachment(s) to the records management system.

E. Packaging

Only the CDS Evidence bags provided by Forensic Services will be used to package CDS. After photographing, and documenting the count/weight of an item, place evidence in the clear CDS evidence bag. Note: Cutting the CDS evidence bag is prohibited. The bags must show all four original factory edges and must remain in the factory dimensions. Live plants seized from grow operations can be packaged in cardboard boxes to increase airflow and reduce the risk of mold growth.

1. Use as many CDS evidence bags as required in order to clearly visualize every item submitted and eliminate cross contamination. Small plastic bags can be used to separate items within a CDS evidence bag.
2. Seal the CDS evidence following the directions provided on the bag. Prior to sealing the CDS evidence bag, the sealing officer must date, sign and print their name, including ID number, in the

space provided on the bag (The “Owner/Possessor” signature is not required for CDS submissions). Only the manufacturer’s self-sealing adhesive will be used to seal the CDS evidence bag closed.

3. If there are multiple evidence bags pertaining to the same case, the submitting officer may utilize a transport box to contain all of the items. Each evidence bag(s) must have the appropriate label(s) from the records management system adhered to the center of the evidence bag containing the item(s) described. A transport box is an unsealed physical container that holds properly labeled and sealed evidence bag(s) belonging to the same case. Each bag must be scanned, using the Mark 43 Evidence app on a departmental issued phone and then placed into the unsealed transport box. The transport box shall be labeled “Transport Box” and include the case number.

F. Property/Evidence Labels

The officer must produce a Property/Evidence Label from the records management system. Attach the Property/Evidence label to the CDS evidence bag by sticking the Property/Evidence label to the center of the evidence bag. The officer must ensure that all information is accurate and visible.

1. When entering drug items into the records management system, all persons associated with each item and their association type must be added. The association type, “In Possession Of” will be used when suspects are found in possession of drugs (See Index Code 1201 for additional information).
2. Chain of custody: The chain of custody will be recorded through the Department’s computer systems. It is important to enter information into the records management system as described in Index Code 1201 so the information is accurate. The chain of custody will document all persons who took possession of the item(s) and the containers (locker, drop box, etc.) where the item(s) were stored. As a safeguard, all containers of CDS will be inspected by each recipient for evidence of tampering. If a container appears to have been tampered with, a supervisor will immediately be notified.

Item numbering: The records management system will assign an Item Number to each item of Evidence and Property (CDS, Firearms, Other Items). Drug items will be entered into the records management system separately and include the physical description of the suspected drugs along with their packaging. If the items are pills, capsules, or tablets, the quantity or count is required. The weight in grams will also be entered into the appropriate fields. (Note: Item Numbers are assigned by the records management system sequentially in the order items of all types are entered into the system. If more than one officer is processing and entering evidence and property, the Item Numbers will be based on the time each item was entered. An exception to counting the capsules or pills can occur when there is inherent concern for officer safety due to possible exposure to suspected fentanyl. When this occurs, the officer shall weigh the evidence with the packaging, record the packaged weight of the item, and add a note “Count not determined due to safety concerns” in the description field. The officer will also document the safety concern in their report.

3. Any time a CDS is mentioned by name in a narrative (Report, charging documents, etc.), it should be preceded by “suspected” and then the name of the CDS believed to have been recovered. For example, “suspected cannabis” or “suspected crack cocaine.” NIBRS reporting requires drug type data. It is presumed all drug types documented in an Offense/Incident Report are “suspected” until confirmed through forensic analysis.
4. If the CDS evidence is related to a suspected fatal overdose, the officer will select the appropriate attribute from the “Reason For Police Custody” list.
5. If charges are pending the outcome of the laboratory analysis, the officer will select the appropriate attribute from the “Reason For Police Custody” list.
6. If the charges are related to a felony CDS violation, the officer will select the appropriate attribute from the “Reason For Police Custody” list.

8. If an officer recovers suspected cannabis in the amount of 2.5 ounces or less and the suspect is charged for a civil citation, the officer will select the appropriate attribute from the “Reason For Police Custody” list. Forensic Services will hold the suspected cannabis for six months. Exception: An analysis shall be requested when a suspect is charged with 21-902 (c) and/or (d), and 2.5 ounces or less of suspected cannabis was recovered. An officer will also request an analysis of 2.5 ounces or less of suspected cannabis when scientific proof that the substance is in fact cannabis would be relevant in a criminal prosecution of the suspect.
9. When an officer recovers suspected CDS with no suspects or any reasonable expectations of developing a suspect, the packaging and submission procedure outlined in this subsection will be followed. The officer will select “To Be Destroyed” from the “Reason For Police Custody” list.

G. CDS Drop Box

The department will provide a secure, locked drop box for CDS, and a CDS bulk storage locker, at each of the district stations, CID Narcotics & Special Investigations Section, and at the Anne Arundel Central Holding and Processing Center (CHPC). The drop box at the CHPC may be used for CDS recovered during a prisoner search. There is no CDS bulk storage locker located at the CHPC. CDS evidence may also be dropped off directly to a CDS Officer at Forensic Services during business hours. A drop box for CDS is located in the lobby of the Crime Laboratory for use during normal business hours when a CDS Officer is not available to accept the evidence for the purposes of returning non-bulk CDS evidence from court. The security of the drop boxes will periodically be inspected by the CDS Officer. Only the CDS Officer(s) will have keys to the drop boxes.

1. If the prepackaged CDS is too large for the CDS evidence bags provided by Forensic Services, CDS will be sealed in a cardboard box. Cardboard boxes will be sealed using “strapping tape”, by making a continuous loop around the box. BLUE “Evidence tape” will be placed across the location where the continuous loop intersects. The sealing officer will sign their name and ID number across the surface of the box, the strapping tape, and the evidence tape. Property/Evidence Labels of all items contained in the box must be affixed to the box.
2. Officers will use the Mark 43 Evidence application on a departmental cellphone to scan the label on the CDS evidence and then scan the label on the CDS drop box and place the sealed bag(s) into the drop box.
3. If the sealed evidence is too large to fit into the regular CDS Drop Box, scan the CDS evidence label utilizing the Mark 43 Evidence application on a departmental cellphone and then scan the label on the storage locker and place the evidence into the designated CDS BULK EVIDENCE STORAGE LOCKER, close the lock, and notify the CDS Officer that evidence has been placed in the locker (if the CDS Officer is not available, leave a message regarding the bulk CDS). If the CDS Bulk Evidence Storage Locker is already in use, drop the evidence in the CDS Bulk Evidence Storage Locker at another district station.

H. Discrepancy Notices

Discrepancy notices will be issued in Mark 43 by the CDS Unit to the submitting officer and the officer’s commander. Notifications of “substantive discrepancies” as defined in the Forensic Services Standard Operating Procedures will be made in writing to the Senior Forensic Chemist/Technical Leader, the Forensic Quality Assurance Manager, the Forensic Services Director, the Commander of the Support Services Division, and the Commander of the Office of Professional Standards. Improperly packaged or documented evidence will be collected and stored by the CDS Officer until the submitting officer has corrected the deficiency. In the case of “substantive discrepancies”, the evidence and all documentation will be stored and may not be manipulated, transferred or released to anyone without the authorization of the commander of the Office of Professional Standards. When all deficiencies have been resolved, the evidence may then be made available to a forensic chemist for analysis.

III. CDS PARAPHERNALIA - HANDLING; RESTRICTIONS ON ANALYZING

A. Due to the inherent dangers of handling a used syringe or razor blade, Forensic Services will not analyze syringes or razor blades, unless a deviation is approved by the Forensic Services Director.

B. All CDS related paraphernalia; including syringes and razor blades related to a suspected fatal overdose will be recovered and submitted as evidence. Syringes and razor blades recovered as a result of a suspected fatal overdose will be placed in a portable plastic “sharps” container, and must have the cap(s) sealed with an orange “Biohazard” label. The “sharps” container will then be placed into a cardboard box/tube specifically designed to contain and transport the plastic “sharps” container. The box/tube must be properly sealed and taped. The recovering/submitting officer must place his/her initials across the seal. The box/tube containing the “sharps” container will then be placed into a CDS evidence bag. The CDS evidence bag containing the packaged syringe will be sealed, labeled and submitted following the submission procedures outlined in this Index Code.

C. Syringes and razor blades that are to be disposed and are not related to a CDS case will be placed in a designated “sharps” disposal box (see section IX). There are “sharps” disposal containers located within each district station, EMS transport units and medical facilities. The recovery and disposal of non CDS case related syringes and razor blades will be documented in an incident report.

D. CDS paraphernalia (i.e. metal pipes, digital scales, etc.) that are crucial to the case will be packaged in CDS evidence bags and placed in the drop box for submission to the Forensic Services. Paraphernalia which will not be analyzed will be submitted to Property Management. The appropriate Property Management forms and packaging specifications will be utilized.

IV. CHARGING

A. Should the arresting officer have any questions, if there is a need for immediate follow-up (i.e. search warrants, indoor grow operations, chemical labs, etc.), or if the suspect has indicated a willingness to cooperate with furthering the investigation, the officer’s supervisor will contact the District Narcotics Team or the CID Narcotics & Special Investigations Section. If the arrest is made during the hours of 0700-2300 Monday through Friday, the arresting officer’s supervisor will contact the appropriate District Operations Unit supervisor; or a CID Narcotics & Special Investigations Section supervisor. If the arrest is made between the hours of 2300-0700 or on the weekends, a shift supervisor will contact the Communications Section supervisor to obtain the name of the on call Criminal Investigation Division supervisor. The supervisor will then be contacted and advised of the arrest. The on call CID supervisor will discuss the facts of the case with the patrol supervisor and determine if a detective will be sent out for immediate follow up, or if the follow up can be conducted at a later time.

B. **THE APPROXIMATE STREET VALUE SHOULD NOT BE INCLUDED IN THE STATEMENT OF PROBABLE CAUSE OR THE APPLICATION FOR STATEMENT OF CHARGES.** If known, the approximate street value **WILL BE** documented on the Property Card/Property Side Panel in the records management system. The officer should also state in the probable cause other contributing factors identified through training, knowledge, and experience (i.e., packaging, money, cell phones, open air drug market, scale, etc.) that identifies possession with intent.

V. PROCEDURES FOR WITHDRAWING CDS EVIDENCE FOR COURT

A. Officers will access the records management system prior to trial to obtain a copy of the Forensic Services Report related to the drug analysis, which should be available fifteen (15) days prior to the trial date. If the completed analysis form is not available, officers will contact the CDS Officer at least seven (7) days prior to the trial date to ensure that the analysis has been completed. To take custody of the evidence for court, the officer will contact the CDS Officer between 0700 and 0900 hours and 1200 to 1300 hours on the day of the trial. For enhanced safety precautions, officers should not withdraw Heroin, Fentanyl, Fentanyl analogues, or PCP for court without Assistant State’s Attorney request. Safety sensitive cases are designated with a green poison control sticker on the laboratory case file. The Forensic Services Report, the Offense/Incident Report Export, Chain of Custody documentation, and photographs can be utilized for court in lieu of the CDS evidence.

B. CDS evidence may only be withdrawn from the CDS Evidence Vault on the day the case is set for trial.

C. CDS evidence will not be released to any officer before his/her departmental identification is verified.

- D. A Court Tracking and Evidence Status Form will be attached to the CDS evidence. This form will contain a chain of custody log and case disposition. This form must remain with the evidence. This form must be completely filled out with name, date and time of anyone who takes custody, disposition of the court trial and the date and time the CDS evidence was returned to Forensic Services CDS Unit or CDS evidence drop box.
- E. CDS evidence will never be opened in the courtroom.

VI. PROCEDURES FOR RETURNING CDS AFTER COURT

- A. CDS evidence possession by officers will be limited to its initial recovery, possession for court and possession for destruction. CDS evidence will be returned to a CDS Officer at the Forensic Services CDS Unit, or placed in a CDS drop box on the same day it was withdrawn for court purposes. CDS evidence will not be kept in any private locker, vehicle, desk, etc.
- B. Complete the Court Tracking and Evidence Status Form attached to the CDS evidence package. Place the form and the evidence in a CDS drop box or return it to a CDS Officer .
- C. If a portion of the CDS is being held by the court, attach a copy of the court receipt to the remaining CDS, and place it in a CDS drop box or return it to a CDS Officer at the CDS Evidence Vault. The return of CDS evidence to the CDS Evidence Vault after it is released by the court is the responsibility of the officer who initially withdrew the evidence.
- D. If all the CDS is being held by the court, place a copy of the court receipt in a CDS drop box or return it to a CDS Officer at the CDS Evidence Vault. The return of CDS evidence to CDS Evidence Vault after it is released by the court is the responsibility of the officer who initially withdrew the evidence.
- E. If there is a postponement of a trial, the CDS will be placed in a CDS drop box or returned to a CDS Officer at the CDS Evidence Vault.
- F. If there is a postponement or continuation of trial and the CDS evidence will be needed for court within a week, the CDS evidence must be returned to designated personnel at the CDS Evidence Vault or placed in the CDS drop box located in the Forensic Services CDS Unit lobby prior to 1630 hours, so it is available to be withdrawn. If the timing of the trial or an early closure of the CDS Evidence Vault occurs and prevents the return of the CDS evidence to the CDS Evidence Vault and the CDS evidence will be needed for court within a week, the CDS evidence will be placed in a district station CDS drop box and the CDS Officer must be notified.

VII. DESTRUCTION OF CDS

Unless notified otherwise by the States Attorney's Office, CDS cases that have been adjudicated may be slated for destruction 45 days after the adjudication, with authorization in writing from the submitting officer. CDS Status tasks will be sent in an email to the officers from the BEASTiLIMS System. Officers receiving CDS Status tasks/emails must respond to those emails within 10 days of receipt. In the event the case officer is unable to respond (retirement, resignation, etc.), the supervisor of the platoon or unit to which the officer was assigned at the time of the submission will research the case and respond to the CDS Status email in the officer's absence.

VIII. UNWANTED/UNUSED PRESCRIPTION/MEDICATION DROP BOXES

- A. MedReturn drop boxes are provided in the lobbies of all police district stations and Police Headquarters. The drop boxes are located in the lobby easily accessible to the public. The drop boxes are tamper proof and secured to the floor, providing a safe anonymous way for citizens to dispose of unwanted/unused medications. Each drop box contains easily read instructions on the authorized medications to be placed in the drop box. The drop box allows medications of all types, excluding needles, sharps or unsecured liquids to be placed securely inside awaiting disposal. Each drop box contains a cardboard box collection container with a plastic inner liner. The drop box is constructed of 14 gauge steel that will prevent tampering or destruction. Utilization of a drop box is completely anonymous. Citizens are encouraged, but not required to remove all prescription labels from bottles prior to placing them into the drop box. For security purposes, MedReturn drop boxes are conspicuously located in locations where they can be monitored by CCTV.

B. Police personnel may assist the public in utilizing the drop box, however, they will not inquire about the origin of the disposed medications. Possession of the medications will not be transferred to the police employee prior to being placed into the drop box, unless a disability requires individual assistance. In the case of disability, the police employee may assist in placing the medication into the drop box in the presence of the citizen providing the medication for disposal.

C. Illegal CDS contraband, i.e., cannabis, cocaine, heroin, etc., is not authorized to be placed into the drop boxes. Officers encountering anyone attempting to discard illegal contraband CDS will follow all applicable procedures for recovered CDS along with a thorough investigation of its origin.

D. If the MedReturn drop box malfunctions (i.e. becomes jammed and/or overloaded), personnel from the site where the box is located will place the designated sign over the drop door of the box to prevent any additional items. Any medications left by citizens in the open due to overloading or a malfunction of the drop box will be recovered by a sworn police officer. The officer will place the items in a cardboard box and will seal the box following the procedures in paragraph E.2./E.3. listed below. The box will be placed into a bulk storage locker and logged into the station's CDS Log Book using the Incident Number for tracking purposes. The box of recovered medications will then be recovered by a CDS Officer. The CDS Officer should be notified immediately so the drop box malfunction can be rectified.

E. The CDS officer will empty each drop box at least weekly during his/her regular district CDS pick-up. More frequent regular pick-ups will be made at locations that have a high volume.

1. Each MedReturn drop box is secured by two locks. The key holder for one of the locks is the CDS Officer. The second key holder is a designated supervisor or commander at each drop box location. Both the CDS Officer and the designated supervisor must be present when the drop box is unlocked and opened, until such time the collected medications are sealed into the cardboard storage box for transport.
2. The medications will be placed into a cardboard box and the cardboard box will be sealed using "strapping tape", making a continuous loop around the box to seal the top and bottom flaps closed. YELLOW "evidence tape" will be placed across the continuous loop ending. The sealing officer and designated supervisor will sign their names and ID numbers across the surface of the box, the strapping tape and the evidence tape.
3. The CDS Officer will obtain a CAD Incident Number for a "Drug Box Pick Up" (Nature Code "11P"). The CAD Incident Number will be written on top of the box. In addition, a notation will be written on the top of the box indicating the number of boxes utilized to recover the medications from that site (Box 1 of 1; or Box 1 of 2, 2 of 2, etc.).
4. The CDS officer will transport the sealed cardboard box to the CDS Evidence Vault, where the seal will be verified and initialed by a second CDS Officer or forensic chemist, entered into BEASTiLIMS and stored for disposal. The sealed cardboard box containing the recovered medication must be brought to the CDS Evidence Vault for storage contemporaneously with recovering the medications from the drop box locations. The CDS Officer will not make any unnecessary stops prior to bringing the recovered medication to the CDS Evidence Vault.
5. The drop box contents will be weighed and entered into the BEASTiLIMS upon entry into the Forensic Services CDS Unit for tracking purposes.
6. Collected medications will be incinerated on the regular CDS destruction schedule following procedures approved by the Office of Professional Standards Staff Inspections Unit. The logbook, sealed cardboard box with CAD Incident Number written on top of the box, a verification of removal, and unique seal must be verified before destruction.

IX. SHARPS DROP BOXES

In collaboration with the Anne Arundel County Department of Health, sharps drop boxes are provided in the lobbies of all police district stations and Police Headquarters for citizens to safely dispose of used and unused needles. The

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drop boxes are tamper proof and secured to the floor. Each drop box contains easily read instructions on the authorized method for sharps to be placed into the drop box. The drop boxes will be emptied periodically by a vendor who is contracted by the Anne Arundel County Department of Health. The vendor is responsible for collecting and disposing of the contents of the sharps drop boxes. The contents of the sharps drop boxes are not collected or stored by the police department. The vendor will maintain a key to the drop boxes and is responsible for ensuring that the drop boxes are secure prior to and following a pick up at any of our facilities. The vendor is also responsible for maintaining custody and security of any bins that are removed from the sharps drop box. The Executive Officer of each District will maintain a key to the sharps drop box; and Staff Inspections will maintain a key to the headquarters sharps drop box in the event there is a safety issue with the drop box that must be immediately addressed (i.e. overflowing, etc.). Extreme care must be taken and standing Personal Protective Equipment protocols must be utilized if the drop box must be accessed for this purpose. The vendor will be contacted directly for any maintenance or other issue that does not present an immediate safety issue.

X PROPONENT UNIT: Forensic Services

XI. CANCELLATION: This Index Code cancels Index Code 1202, dated **03-27-23**.