


Atlanta Police Department Policy Manual		Standard Operating Procedure
Effective Date: September 11, 2020		APD.SOP.6160 Drug Testing and Destruction
Applicable To: All employees		Review Due: 2024
Approval Authority: Chief Rodney Bryant		
Signature: Signed by RB		Date Signed: 9/11/2020

1. PURPOSE

To establish a policy and procedure for the testing, storing, and destruction of drug evidence.

2. POLICY

The Atlanta Police Department will test and store drug evidence in accordance with established guidelines and protocols and destroy all evidence that is no longer needed (CALEA 6th ed. Standard 84.1.1).

3. RESPONSIBILITIES

3.1 The Administrative Operations Commander will monitor the implementation of this directive, destruction of drug evidence, and inspecting drug evidence.

3.2 The Administrative Operations Commander will implement this directive, appoint a Drug Evidence Custodian (DEC) and one or more assistant DEC's. The Drug Evidence Custodians (DEC) are responsible for the transportation of all drug evidence, maintaining a system of storage for drug evidence, and documenting and preserving the chain-of-custody.

3.3 The Administrative Operations Commander or their designee will supervise the drug testing program, the system of storage for all of the department's drug evidence, the chain-of-custody of the drug evidence, and the destruction of drug evidence.

3.4 The Marijuana Certified Examiner (MCE) is responsible for testing marijuana evidence, maintaining certification, and compliance with this directive.

3.5 The Staff Inspections Unit is responsible for the audit and inspection of drug evidence.

4. ACTION

4.1 The department's drug evidence will be stored in the drug storage vaults located in the Property Control Unit. Leafy substances may also be stored in the drug storage vaults at the department's Crime Lab (CALEA 6th ed. Standard 84.1.2).

4.2 All movement of drug evidence to and from the drug storage vault must be documented to preserve the chain-of-custody (CALEA 6th ed. Standard 84.1.1).

4.3 Drug evidence can only be transported from the Property Control Unit by sworn employees.

4.4 Drug Testing of scheduled narcotics



Atlanta Police Department Policy Manual

APD.SOP.6160 Drug Testing and Destruction



- 4.4.1 The Drug Evidence Custodians (DEC) is responsible for inventorying and transporting drug evidence to and from the State Crime Lab as necessary, however, no less than once per week. All drug evidence will be submitted with an inventory sheet/submission form for each piece of evidence.
- 4.4.2 After testing has been completed, the Drug Evidence Custodians (DEC) will transport the drug evidence back to the department for reconciliation and storage in the drug storage vault. The DEC must receive an inventory receipt from the State Crime Lab that lists the contents of the container by the crime lab case number. The receipt will be kept on file to preserve the chain-of-custody.
- 4.4.3 Any discrepancies between the state inventory receipt and the department inventory will be brought to the attention of the Administrative Operations Commander and the state crime lab supervisor for resolution. Discrepancies will be documented in a memorandum to the Administrative Operations Commander, with a copy of the memorandum kept with the state crime lab receipt.
- 4.5 Drug Testing of Leafy Substances
 - 4.5.1 Employees must have completed the Marijuana Certified Examiner Course through the Georgia Bureau of Investigation, Division of Forensic Sciences, and hold a current certification to perform marijuana testing.
 - 4.5.2 The Marijuana Certified Examiner (MCE) or Forensic Technician must maintain the chain of custody when removing leafy substances evidence for testing and document all movement both to and from the drug vault. (See APD.SOP 6030 "Property and Evidence Control" for further detail).
 - 1. Evidence must remain in the MCE's or Forensic Technician control at all times.
 - 2. Evidence that is not in the MCE's or Forensic Technician immediate control must be secured in a storage area that is inaccessible to other persons.
 - 3. Evidence can only be removed from the drug vault immediately prior to testing and must be returned to the vault immediately after testing.
 - 4.5.3 All leafy substance evidence must be tested by certified marijuana examiners using electronic balance, microscopic analysis; the Duquenois Levine test; and the Fast-Blue B test.
 - 1. The Marijuana Certified Examiner (MCE or Forensic Technician must seal and initial the evidence bag immediately after completing the test procedures.
 - 2. All test results must be documented.
- 4.6 Destruction of Drug Evidence (CALEA 6th ed. Standard 84.1.7).
 - 4.6.1 The Drug Evidence Custodians (DEC) in coordination with the Administrative Operations commander will destroy all drug evidence that is no longer needed for judicial proceedings.
 - 1. Prior to destruction, the Crime Lab commander or assigned personnel will notify each prosecuting agency with an interest in the drug evidence to be destroyed that the



Atlanta Police Department Policy Manual

APD.SOP.6160 Drug Testing and Destruction



Department intends to destroy specific evidence after a period of at least sixty calendar days. All evidence to be destroyed will be listed in detail. Notification must be documented, i.e., a hand delivery receipt or certified mail with a return receipt.

2. Drug evidence that is of continuing interest to a prosecuting agency will remain in the storage vault until that prosecuting agency no longer has an interest in that evidence.
 3. The Chief Administrative Officer, or their designee, will prepare an affidavit to destroy drug evidence and an inventory of the evidence to be destroyed. The affidavit must be signed by a Fulton County Superior Court Judge and filed with that court. Notarized copies of the affidavit will be kept on file in the drug storage vault for at least ten years.
 4. Drug evidence will be transported to the incinerator and destroyed in full view of the transporting DEC. The transporting DEC's will scan the individual items indicating that the drug evidence has been destroyed. The inventory sheet will be kept on file in the Crime Lab for a minimum period of ten years.
 5. Property Control Unit commander (PCU) or designee can destroy any contraband that is not associated with a criminal or civil complaint. See APD.SOP.6030 "Property and Evidence Control Unit (section 4.5.13). The APD Crime Lab will be notified, and proper documentation will be maintained in the Property Control Unit. The inventory sheet will be kept on file in the Crime Lab for a minimum period of ten years.
- 4.6.2 Drug evidence that is not associated with a defendant or suspect, and not of interest to any neither prosecuting agency nor needed for judicial proceedings can be destroyed as deemed necessary by the Administrative Operations Commander.
- 4.7 Inspection (CALEA 6th ed. Standard 84.1.6).
- 4.7.1 At least annually, the Administrative Operations, or their designee, will inspect drug evidence to determine adherence to procedures governing the control of property and evidence. A copy of the inspection report will be forwarded to the SSD, FIS, PRAU, and Crime Lab commanders and kept on file for five years.
- 4.7.2 When a new commander is assigned to the Crime Lab, the new commander and a representative of the Asset Forfeiture Unit will conduct an inventory of drug evidence to ensure that records are correct and properly annotated. The purpose of the inventory is to ensure the continuity of custody and does not require accounting for every single item but must be sufficient to ensure the integrity of the system and the accountability of the drug evidence. Any discrepancies must be documented. A copy of the inspection report will be forwarded to the SSD, Asset Forfeiture Unit, and PRAU commanders and kept on file until a new Crime Lab commander is appointed or for five years, whichever is longer.
- 4.7.3 Annually, the Staff Inspections Unit will audit drug evidence held by the Department. The purpose of the audit is to ensure the integrity of the drug evidence and does not require accounting for every item but must be sufficient to ensure the integrity of the system and the accountability of the drug evidence. Any discrepancies must be documented. A copy of the inspection report will be forwarded to the Chief Administrative Office, Asset Forfeiture Unit, PRAU, Administrative Operations, and Crime Lab commanders and kept on file for (5) five years.
- 4.7.4 The Asset Forfeiture Unit will conduct unannounced inspections of drug evidence at least once per year. The purpose of the audit is to ensure the integrity of the drug evidence and does not



Atlanta Police Department Policy Manual

APD.SOP.6160 Drug Testing and Destruction



require accounting for every item but must be sufficient to ensure the integrity of the system and the accountability of the drug evidence. Any discrepancies must be documented. A copy of the inspection report will be forwarded to the Chief Administrative Office, Asset Forfeiture Unit, PRAU, Administrative Operations and Crime Lab commanders and kept on file for five years.

5. DEFINITIONS

N/A

6. CANCELLATIONS

APD.SOP.6160 "Drug Testing and Destruction," effective January 1, 2016.

7. REFERENCES

Commission on Accreditation for Law Enforcement Agencies (CALEA) 6th ed. Standards; 84.1.1. 84.1.2, 84.1.6, and 84.1.7.

APD.SOP.6030 "Property and Evidence Control"

8. SIGNIFICANT CHANGES

Only minor changes were made to policy during review.