



# GENERAL ORDER

Loudoun County Sheriff's Office

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**Chapter:** Operations

**Section:** 414.4

**Subject:** Property and Evidence

**Topic:** Custody of Controlled Substances Illegal Drugs and Paraphernalia

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**Accreditation:** ADM.16.02

**Revised:**

**Reaffirmed:**

**Enacted:** 07/30/2015

**Last Review:** 07/24/2015

**Review:** 07/30/2016

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## I. PURPOSE

The purpose of this General Order is to set forth policies and procedures when controlled substances, illegal drugs, and paraphernalia come into the custody of the Loudoun County Sheriff's Office.

## II. POLICY

It shall be the policy of the Loudoun County Sheriff's Office to safeguard controlled substances, illegal drugs and paraphernalia when seized for evidence or held solely for destruction. Loudoun County Sheriff's Office employees shall be held to the highest degree of accountability when taking custody of these items and shall act in accordance with this General Order.

## III. TERMINOLOGY

**Material:** When used in this General Order, "material" is synonymous for any controlled substance, illegal drug or paraphernalia as defined by the Drug Control Act of Virginia.

## IV. PROCEDURE

Only the material that is to be introduced as evidence in a criminal trial shall be transported for laboratory analysis. Material not expected to be physically introduced at trial, as evidence shall be stored in the Evidence Section. Material shall not be destroyed prior to any criminal proceedings.

### A. Material Seized and Hand Carried for Laboratory Analysis

1. An investigating/arresting deputy may hand-carry material to the laboratory in any circumstance with permission of his/her supervisor. If this occurs, a Property Card will be prepared and annotated indicating that the evidence is being hand-carried to the laboratory. The Property Card shall be turned into the Evidence Technician by the end of the deputy's/investigator's shift.
2. An investigating/arresting deputy may also submit material to the Evidence Section for transportation to the laboratory. A Property Card shall be prepared and turned into the Evidence Technician along with the material by the end of the deputy's/ investigator's shift.

3. A Request for Laboratory Examination shall be completed as described. The form shall be signed at the time it is submitted to a security officer or examiner at the laboratory.
4. An IBR report shall be completed and submitted.
5. Material may be transported to the Northern Virginia Forensic Laboratory, 10850 Pyramid Place, Manassas, Virginia, 21110 Monday through Friday, between the hours of 8:15 a.m. and 5:00 p.m.
  - a. Upon arrival, the deputy or Evidence Technician shall release the material to laboratory personnel. Laboratory personnel shall sign for any material that is being transferred to his/her control. The deputy/investigator or Evidence Technician shall retain a copy of the Request for Laboratory Examination for his/her record.
  - b. If the deputy/investigator has transported evidence to the laboratory, he/she shall ensure that a copy of the Request for Laboratory Examination is submitted to the Evidence Section for attachment to the Property Card.
6. After analysis, the material shall be transported back to the Loudoun County Sheriff's Office and returned to the Evidence Section. The deputy or Evidence Technician on duty at the time of receipt shall sign the Request for Laboratory Examination indicating that he/she has taken custody of the material.
7. A Certificate of Analysis will be mailed to the investigating/arresting deputy by the laboratory or picked up by the Evidence Technician and then distributed through inner-office mail. The Certificate of Analysis will identify, if possible, the material submitted for analysis. The deputy/investigator will file a copy of the Certificate of Analysis with the designated court no less than seven (7) days prior to the assigned court date.
8. When material is no longer required as evidence or for court proceedings in General District Court, Circuit Court or Juvenile and Domestic Relations District Court, the deputy/investigator will immediately proceed from the court to the Office of the Commonwealth's Attorney. The deputy/investigator shall provide the Office of the Commonwealth's Attorney with a copy of the laboratory report and the final disposition of the case. The Office of the Commonwealth's Attorney will file the order after the appeal period has elapsed, ensure that it is signed by the appropriate judge, and once signed, forward the Order to the Evidence Section so that immediate action may be taken to destroy the material.

B. Material Received for Destruction Only

Material that is not evidence and therefore not requiring laboratory analysis shall be disposed of as follows:

1. A Property Card shall be completed with the word "destroy" clearly marked.
2. The evidence envelope and Property Card shall be attached and placed in an evidence locker or delivered to the Evidence Section.
3. The Evidence Section shall transport the material to a designated disposal area and ensure the recording and destruction of the material.