



EVIDENCE AND PROPERTY			806.00	
<div><div></div><div>DESTRUCTION OF CONTROLLED SUBSTANCES AND DRUG PARAPHERNALIA</div><div></div></div>				
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PURPOSE

The purpose of this standard operating procedure is to establish guidelines for the appropriate destruction of controlled substances and drug paraphernalia in accordance with Florida State Statutes (FS).

SCOPE

This procedure shall apply to all Punta Gorda Police Department personnel.

DISCUSSION

The Punta Gorda Police Department is required to seize controlled substances and drug paraphernalia in violation of [FS 893.13 – Prohibited acts](#). [FS 893.12 \(1\) – Contraband, seizure, forfeiture](#), mandates that illegal controlled substances and drug paraphernalia that are found or recovered as evidence, shall be disposed of properly. This procedure provides guidelines for the proper disposal of controlled substances and drug paraphernalia in accordance with Florida Statutes.

PROCEDURE

I. CONTROLLED SUBSTANCES AND DRUG PARAPHERNALIA TURNED IN FOR DESTRUCTION

- A. The Evidence Technician shall maintain an ongoing list of all controlled substances and drug paraphernalia turned in for destruction. This form will be titled *Cases for Destruction*.
- B. Until a court order is obtained for the destruction of controlled substances and drug paraphernalia, the Evidence Technician will place the contraband in a designated storage space.
- C. As needed, the Evidence Technician shall complete the below outlined destruction procedures for the disposal of contraband.

II. CONTROLLED SUBSTANCES AND DRUG PARAPHERNALIA TURNED IN AS EVIDENCE

- A. Periodically, the Evidence Technician shall review all disposed cases to determine which cases have corresponding controlled substances or drug paraphernalia that can be destroyed.
- B. While reviewing each disposed case, the Evidence Technician shall verify that if any co-defendants exist charges in that case have been satisfied or disposed of.
- C. Once it has been determined that submitted controlled substances or drug paraphernalia no longer have evidentiary value, the items shall be moved from the standard evidence storage area to a designated storage space pending destruction. The Evidence Technician shall maintain an on-going list of all cases that have been disposed of through the court system until such time as a court order is requested for destruction of the items.

III. DESTRUCTION PROCEDURES

- A. As needed, the Evidence Technician shall complete a destruction order for the disposal of controlled substances and drug paraphernalia submitted for destruction and drug contraband that no longer holds evidentiary value. A complaint number shall be generated for the destruction process. All transactions, including court orders, shall be referenced to this complaint number.
- B. The Evidence Technician shall submit a list of all cases that no longer have evidentiary value or were originally submitted by a police officer for destruction to the Crime Scene Technician. Upon completion of this task, the Crime Scene Technician shall complete the *Records Check Sworn Statement* form.

- C. The Evidence Technician and the Crime Scene Technician shall verify all items submitted for destruction against the prepared list. As each case is reviewed, the evidence will be placed in a box. After all items on the list have been verified and placed in the box, the box will be sealed with evidence tape and initialed by the Evidence Technician and the Crime Scene Technician. A *Verification Sworn Statement* form shall be signed by the Evidence Technician and the Crime Scene Technician.
- D. A “Petition” for the destruction of controlled substances and drug paraphernalia shall be generated by the Evidence Technician and submitted to the Chief of Police for their signature. In addition, the Evidence Technician shall generate an *Order of Destruction* form for the judge.
- E. The Evidence Technician shall take the *Order of Destruction* form along with *Records Check Sworn Statement* forms, *Cases for Destruction* form, *Verification Sworn Statement* form, and *Petition* form to the Chief Circuit Judge’s office. After the judge signs the order and it is returned to the Punta Gorda Police Department, the disposal shall be made as soon as possible.
- F. The Evidence Technician and a sworn law enforcement officer shall take the sealed box of contraband to the designated destruction site for disposal. Both individuals shall personally witness the destruction of the box of contraband.
- G. Upon destruction of the box containing the contraband, the Evidence Technician shall complete a *Return* form within ten days which will be forwarded to the Clerk of Circuit Court.
- H. All paperwork, which shall be scanned and attached to the corresponding case number in the Records Management System, generated for a destruction order shall be maintained electronically by Evidence Technician for a period of three years. After a three year period, the file may be forwarded to the Records Section where the file shall be retained in accordance with record retention laws.

APPROVED



PAMELA R. SMITH, CHIEF OF POLICE

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