TOPEKA POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL
4.28 CLANDESTINE LAB

SUBJECT: Clandestine Lab		
4.28	**EFFECTIVE:** 5-15-2024	*Bryan Wheeles* Bryan Wheeles, Chief of Police
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4.29.1 PURPOSE

The Department recognizes the hazards involved in the discovery and dismantling of clandestine labs. These guidelines are designed to enhance officer and public safety.

4.29.2 POLICY

All sworn members shall follow the rules and regulations outlined in this Order.

4.29.3 IN GENERAL

A. Clandestine lab is an illicit operation of a sufficient combination of apparatus and chemicals that either has been or could be used in the manufacture or synthesis of controlled substances.

B. Only officers certified for clandestine lab seizures by the DEA, KBI, and/or OSHA may seize drug labs for the Department.

C. Officers shall notify the Field Commander when a clandestine lab is discovered.

D. The OIC should consider evacuating the immediate area prior to handling the lab chemicals if there is the possibility of an explosion at the scene.

4.29.4 PROCEDURE

A. Responsibilities of officer not assigned to Narcotics

1. A supervisor and two certified officers shall be immediately called in all cases of the discovery of an active lab, passive lab or chemical found.

   If a certified officer cannot be contacted, the supervisor shall request dispatch contact the KBI who will notify the Kansas Department of Health & Environment for disposal.

2. All non-certified officers who respond to an active lab, passive lab, or chemical find, shall immediately secure the scene by removing all occupants from the location and handle the scene as a crime scene.

3. If the find is an active lab or passive lab:

    a. Responding officers shall not remain in the location any longer than is necessary. The longer a person remains in those conditions the greater the risk of contamination by harmful chemicals, fumes and particles.
    b. Responding officers shall immediately contact dispatch and request a supervisor if one is not on scene.
    c. The supervisor shall implement the Incident Command System.

        The Incident Commander shall assess the need for:

        1) A safety perimeter;
        2) Fire personnel;
        3) Ambulance staging; and
        4) An evacuation of the area.

    d. The certified officer shall determine the level of contamination based on chemical spills, fumes and condition of the lab. The persons removed shall not be transported in any vehicle nor taken to DOC until they have been cleared by the certified officer.

4. No officer shall enter an active lab, passive lab, or chemical find once it has been evacuated, unless that officer has been certified by DEA, KBI, and/or OSHA to do so. Officers shall not enter a lab that has not been assessed by a certified officer and is determined to be safe.

4.29.5 DECONTAMINATION

A. The Decontamination Zone

1. The scene shall be divided into three zones:

    a. The HOT zone is that area where contamination has likely occurred. In the case of a residence, this zone would most likely be the entire interior of the residence and perhaps a portion of the exterior as well.
    b. The WARM zone is where decontamination takes place.
    c. The COLD zone is that area free from contamination.

2. A corridor should be roped or taped off leading between a portion of the HOT and COLD zones.
3. No officer shall cross from the COLD zone to the HOT zone unless that officer is part of the entry team or assessment team.
4. No officer shall cross from the HOT zone to the COLD zone without using the corridor.
5. Decontaminate any person, including officers and suspects, passing from the HOT zone to the COLD zone through the corridor.

a. Create a screen using blankets to block the view of persons undressing in the corridor.
b. Remove and bag all suspect clothing in the corridor. Provide the suspect with clean coveralls prior to transportation to the LEC or DOC.
c. The decontamination team shall wash all equipment and clothing used by officers during entry, assessment and seizure of the lab site.

    1) Use a child's inflatable swimming pool filled with water and a chemical cleanser to wash the equipment.
    2) Leave the water and equipment used to wash the items in the corridor for disposition by a hazardous waste disposal company.

B. The Assessment Stage

1. The Topeka Fire Department (TFD) HAZMAT team will enter and seize clandestine laboratories.
2. If the TFD HAZMAT team finds the lab is operational, Officers shall contact all utilities to the residence and have them shut off to stop the chemical reactions present.
3. The TFD HAZMAT team will first establish that the oxygen level at the lab site is between 19.5% and 23.5%. The team shall ventilate the lab site when the oxygen level is below 19.5%, before completing further assessment.
4. The TFD HAZMAT team may then ensure that the environment is below the lower explosive level (LEL). If the environment is above the lower explosive level, assessment will cease until that level is safe.
5. TFD HAZMAT team may then measure the environment to determine the approximate levels of the following chemicals:

    a. Methylamine;
    b. Acetic anhydride;
    c. Acetone;
    d. Ether;
    e. Cyanide;
    f. Phenyl acetic acid;
    g. Hydrochloric acid; and
    h. Formic acid.

6. The results of the measurement for those chemicals in the environment will be reported back in parts per million to the command post.

    a. The parts per million of each chemical shall be noted on the “Clandestine Lab Log Report” by the Commander and checked against the exposure limits for those chemicals.
    b. If the parts per million for any chemical exceed the lower exposure limit, then the assessment should end until proper ventilation has reduced the

parts per million to acceptable levels.

C. The Processing Stage

1. Certified TPD officers will document the lab and collect items into the state approved containers after the scene is rendered safe by the TFD HAZMAT team.

4.29.6 RELEASE OF CRIME SCENE

A. If the decision is made to seize and dismantle a clandestine lab the Department will follow the below listed protocol:

1. Make every effort to turn the dismantling and disposition of the hazardous materials over to an applicable state or federal agency;
2. Contact and request a hazardous waste disposal company while at the scene;
3. The waste company will inspect the site and work with the assessment team to determine what items the waste company will destroy. List all items to be destroyed on the search warrant return;
4. The waste disposal company will account for each item in written form indicating the seizure number assigned by the assessment team, a weight and description of the item;
5. The Department will secure the scene until the waste disposal company has completed the removal of all contaminated items;
6. Upon securing the scene appropriate placards will be placed on each ground floor window and door of the location warning that the premises has been used to manufacture controlled substances; and
7. Call the Kansas State Department of Health and Environment to the scene to assess the environmental impact, to provide direction for hazardous material removal and to identify decontaminated items.

4.29.7 RECOVERY OF COST AND REPORTING

A. Because of the tremendous expense involved in dismantling some drug labs and associated hazardous materials/chemicals found in these labs, the Department will:

1. Aggressively seek the assistance of the KBI and any other federal, state or county agency with expertise in this area to defray costs;
2. Use the Incident Command System and document all Department staffing and working hours dedicated to a lab situation. This information is required to be eligible for reimbursement from FEMA under certain situations;
3. Request legal assistance from the city attorney or state attorney in seeking funds to cover costs associated with drug lab disposal;
4. Request litigation against defendants involved in drug labs, for cost recovery judgments; and
5. Participate in a multi-agency squad concept in dealing with drug lab

investigations and disposal.

B. Reporting Exposure

1. Supervisors must complete a 'Supervisor Clandestine Laboratory Exposure Report' on all officers, including the entry team and assessment team that enter an active or passive lab or site of chemical find.
2. If there was direct contact but there are no symptoms no further reports are required. A copy of the 'Supervisor Clandestine Laboratory Exposure Report' shall be placed in the officer's medical file in the Chief's office.
3. If there is direct contact or if there was no direct contact, but the officer has exposure symptoms, the Casualty Report and phone in report to the Employee Injury Call Center (877-764-3574) shall be completed and a copy of the 'Supervisor Clandestine Laboratory Exposure Report' attached.
4. Any officer noting any health problems soon after the exposure should seek medical attention pursuant to Department policy 3.1, 'Employee Injury and Illness.'
5. The Chief of Police or designee may require the employee to undergo a medical examination as a result of exposure at a lab investigation. Such an examination may be immediate or may be at the next regular hours of the city health care provider.
6. Any officer coming into direct contact shall be required to submit to a physical at the city health care provider. The purpose of these tests is to document any medical problems related to the exposure.