



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## *Procedure 710 – Preliminary Drug Identification*

Office with Primary Responsibility:	IDC	Effective Date: Prior Revision Date:	July 31, 2010 October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, FTC	Number of Pages:	2
Forms Referenced in Procedure:	None	Related Procedures:	None

### **.01 INTRODUCTION**

This procedure establishes a process for the preliminary identification of suspected dangerous drugs and controlled substances in both felony and misdemeanor criminal offenses.

### **.02 TERMINOLOGY** *(For specific use within this procedure, see Glossary)*

Controlled Substance      Dangerous Drug      Probable Cause Identification      Trained Member

### **.03 PROBABLE CAUSE IDENTIFICATION - SUSPECTED FELONY DRUG OFFENSES**

- A. Officers who suspect a substance contains or consists of a controlled substance or a dangerous drug and probable cause identification of the substance is required to establish probable cause for a felony offense under the Texas Controlled Substances Act or the Dangerous Drug Act of the Texas Health and Safety Code shall conduct a reagent test or visual/physical comparison of the substance if they are a trained member. However, if they are not trained they shall request a trained member of the Narcotics Unit, Repeat Offenders Program, or Crime Scene Unit to conduct a reagent test or visual/physical comparison of the substance.
- B. The probable cause identification of suspected controlled substances or dangerous drugs shall take place at the location where the suspect was stopped, unless the suspect is under arrest for another offense, in which case the probable cause identification may take place at the location of the stop, a department facility, or a detention facility.
- C. The probable cause identification of the substance and any subsequent criminal charge shall be based on the determination of the trained member's findings.
- D. In the event the probable cause identification is inconclusive or there is no trained member available to perform the probable cause identification:
  1. The individual is not booked for the suspected offense;
  2. The substance is placed in the Property Room for laboratory testing by the Bexar County Medical Examiner's Office;
  3. The officer prepares an offense report, with the offense classification listed as "Found Property," with the details of the stop, a description of the suspected substance, his disposition of the substance, the identification and disposition of the person, and the findings of any probable cause identification. The officer makes a copy of the offense report and routes the copy to the Narcotics Unit; and
  4. In the event the substance is later identified as a controlled substance or a dangerous drug, a criminal charge is filed against the individual by the Narcotics Unit.
- E. Trained members who perform a probable cause identification of a suspected controlled substance or a dangerous drug prepare and submit a supplemental report detailing their findings and determination. A copy of the supplemental report is routed to the Narcotics Unit.



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### **.04 PROBABLE CAUSE IDENTIFICATION - SUSPECTED MISDEMEANOR DRUG OFFENSES**

- A. Officers who suspect a substance contains or consists of a controlled substance or a dangerous drug and probable cause identification of the substance is required to establish probable cause for a misdemeanor offense under the Texas Controlled Substances Act or the Dangerous Drug Act of the Texas Health and Safety Code do not have to be trained members to establish probable cause identification for misdemeanor drug offenses.
- B. Officers shall conduct a visual/physical comparison of the controlled substances or dangerous drug using their training and experience. Reagent tests are not conducted on misdemeanor drug offenses.
- C. If the controlled substance or dangerous drug consists of capsules or tablets (pills), officers may use a Physician's Desk Reference (PDR), contact a pharmacist, or call the Poison Center at 1-800-764-7661 to establish probable cause identification.
- D. In the event the visual / physical comparison is inconclusive, officers handle the suspect and substance in accordance with Subsection .03D.

### **.05 AVAILABILITY OF TRAINED MEMBERS**

- A. Unit directors assigned to the Crime Scene, Narcotics and ROP Units are responsible for ensuring members assigned to their respective units successfully complete a course of instruction in the preliminary identification of controlled substances and dangerous drugs and necessary supplies and documents are available in sufficient quantity to trained members for the accomplishment of their task.
- B. The Crime Scene Unit Director shall ensure a sufficient number of trained members are assigned and deployed to each shift to allow for the availability of a trained member on a twenty-four (24) hour basis.