

NEW CANAAN POLICE DEPARTMENT

**SUBJECT: K-9 CONTROLLED SUBSTANCE HANDLING
& STORAGE**

DIVISION ORDER NUMBER: 11-01-07

FILE: OPS 15

I PURPOSE/POLICY

The New Canaan Police Department maintains a Canine (K-9) Unit. One of the major duties of the canine unit is the detection of various types of illegal drugs within the Town of New Canaan. The courts have recognized the legal constitutionality of a positive response/ alert from a specially trained and certified narcotic canine detector, as evidence of the presence of narcotics.

The purpose of this policy is to provide procedural guidelines for maintaining a licensed instructional laboratory to handle controlled substances in compliance with the regulations set forth by the Drug Enforcement Administration (DEA) Registration Unit and the State of Connecticut Department of Consumer Protection, Drug Control Division. These controlled substances will be used for the training of the canine unit.

II RESPONSIBILITY

It is the responsibility of all department personnel to adhere to this division order. It is the additional responsibility of the Commanders of Operations and Staff Services to ensure compliance.

III PROCEDURES (GENERAL GUIDELINES)

- A.** The Police Department shall maintain a license with the Drug Enforcement Administration (DEA) Registration Unit and the State of Connecticut Department of Consumer Protection, Drug Control Division. More specifically, the department shall be licensed as an instructional Laboratory licensed to handle Controlled Substances in Schedules 1 through 5.
- B.** Training will include detection of Marijuana, Heroin, Cocaine, Crack Cocaine and Methamphetamines. These drugs are the most commonly abused drugs within the Town of New Canaan and within the jurisdiction of the Towns that may request the use of New Canaan's canine. Training will be ongoing in nature, and consist of both initial and in-service. Training will be conducted in the Town of New Canaan and other locations. This training will average a minimum of 8-16 hours per month, and will be documented accordingly.

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IV PROCEDURES

- A.** When not in use for training, all controlled substance packages shall be kept in secure safe located within a secure storage room. The safe will meet all requirements and specifications of the Drug Enforcement Administration (DEA) and the Consumer Protection Drug Control Division (CPDCD). Each controlled substance shall be kept in a re-sealable plastic container within the safe. Substances will be divided/stored by type to avoid cross contamination. As with all property held by property management, only the Commander of Staff Services and the Property Clerk will possess the combination to the safe.
 - 1.** When a controlled substance is obtained from an outside source (Department of Consumer Protection, Toxicology Lab, Lab Supply Company etc.), the substances must be weighed by the providing agency and a receipt obtained for the same by the officer taking possession of the substance(s). The substance(s) weight must be verified by the officer whenever possible and Property Clerk prior to initially securing it in the safe. This process must be recorded using the log as noted in the section which follows.

- B.** The Property Clerk shall maintain a log used to document the storage and removal of all controlled substances from the safe located within the storage room. When a substance is removed from the safe, the log will record the name and signature of both the Canine Officer and witness (i.e. Property Clerk or Commander of Staff Services) along with the date, time, and reason for removal, weight and location of the training. Upon return of the substance, it will be used to record all of the same information except for the reason for and location of the training.
 - 1.** When a controlled substance is removed from the safe for training purposes, it shall be weighed by the Canine Officer. The weighing must be witnessed as noted in the above section. Once weighed controlled substance will be double packaged in order to ensure that there is no spillage or loss.
 - a.** All controlled substances used for training purposes, will be under the strict control of the Canine Officer and held in their possession for a time no longer than necessary to conduct such training.
 - b.** When not in use, all controlled substances in the possession of the Canine Officer shall be secured in a safe that is permanently affixed to the K-9 vehicle. Once at the training location, the canine officer may remove the controlled substance(s) and place in a container deemed appropriate to facilitate training.
 - c.** All controlled substances shall be promptly returned to the K-9 vehicle's safe upon completion of the training.
 - d.** In the event any controlled substance is lost or destroyed during training while in possession of the Canine Officer, the officer must promptly notify the shift supervisor. A Case/Incident report will be filled out as soon as practicable and forwarded to the Division Commanders and the Canine Unit Supervisor.
 - 2.** When a controlled substance is returned to Property Management's control, the substance(s) will again be weighed. As with the removal, the weighing must be witnessed and all information recorded on the log.

- C. Any discrepancies in the quantity of a controlled substance must be reported promptly in a Case/Incident report. Copies of the report shall be forwarded to the Division Commanders and the Canine Unit Supervisor
 - 1. Any discrepancy unresolved after 24 hours will be reported to the Drug Enforcement Administration on DEA Form 106 and a copy will be sent to the Connecticut Department of Consumer Protection, Drug Control Division, within 72 hours of discovery of discrepancy. Any evidence of criminal activity will be reported to the Chief of Police or designee.
- D. Inspection and inventory of controlled substances used for canine unit training shall be done by the Canine Unit Supervisor on a monthly basis. Additional audits/inventories shall be conducted in accordance with General Order 88-1-44, Property Management.
 - 1. Additional audits will be conducted in accordance with the State of Connecticut, Department of Consumer Protection mandates.
- E. All required records will be maintained and available for inspection for a minimum of 3 years. The Canine Unit Supervisor shall be responsible for ensuring these records are properly maintained.
- F. Because controlled substances may become contaminated and/or will eventually lose their potency over time they should be replaced when they no longer appear to be effective as a training device.

VII DISTRIBUTION

This division order will be reproduced in electronic and traditional media. All sworn personnel shall have access to Department division orders through a read-only file on their individual domain of the Department's computer network. Printed copies and/or CD's will also be placed in locations throughout headquarters so that they are easily accessible to all personnel.

VIII EFFECTIVE DATE

This division order was approved by the Police Commission on December 21, 2011 and is effective on January 1, 2012.

Per Order,

Edward J. Nadriczny
Chief of Police