



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-96

Effective: 01/10/18 Review Due: 01/10/19 Replaces: 12/07/15

2-96 CLANDESTINE DRUG LABORATORY AND INDOOR MARIJUANA GROW INVESTIGATIONS

2-96-1 Policy

Department policy is to investigate, dismantle and render safe clandestine drug laboratories and indoor marijuana grows with due consideration given to the safety of personnel and the community.

2-96-2 Definitions

A. Clandestine Lab

A location where there are sufficient chemicals and/or equipment to manufacture a controlled substance or demonstrate the intent to manufacture a controlled substance. Also known as a clan lab, meth lab, drug lab or lab.

B. Dump Site

A location where waste, chemicals, equipment and/or other paraphernalia associated with a clandestine lab have been discarded.

C. Certified Clan Lab Investigator

A person who has successfully completed an OSHA approved training course. This person will be authorized to enter, evaluate and dismantle a clandestine lab. Only certified clandestine lab investigators will be allowed to enter and dismantle a clandestine lab.

D. Certified Clan Lab Chemist

A formally trained Department forensic scientist who has successfully completed an OSHA-approved training course.

E. Site Safety Officer/Supervisor

A person who has completed an OSHA approved site safety officer/supervisor course (8 hours). The site safety officer will be the supervisor of the clandestine lab regardless of rank. The site safety officers will be comprised of certified clan lab investigators.

F. Case agent

The detective who is responsible for investigating and presenting the criminal case for prosecution. The case agent should be a certified clan lab investigator.



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G. Clan Lab team

A team consisting of a sufficient number of certified clandestine lab investigators to safely process and dismantle the clandestine lab. The team will be a minimum of three people, which will include a site safety officer and two additional certified clan lab investigators.

H. Initial Assessment Team

A team consisting of at least two certified clan lab investigators who are responsible for evaluating the lab, assessing the potential hazards, recommending to the site safety officer the level of protective equipment to be utilized, and establishing the investigative protocol for the lab.

I. Chemical Exposure

A specific eye, mouth, other mucous membrane, intact or non-intact skin contact with a potentially hazardous chemical or inhalation of the hazardous chemical resulting in the likelihood of an adverse reaction to the hazardous chemical.

J. Indoor Marijuana Grow

Marijuana grow which uses equipment (grow lights, atmosphere enhancement equipment or large amounts of fertilizer) or over 20 mature marijuana plants in a structure.

K. Mature Marijuana Plant

A marijuana plant which is harvestable and is flowering/budding.

L. Personal Protective Equipment (PPE)

Includes protective suits (either Tychem or Tyvek suits) and breathing protection (either APR or SCBA)

M. Grow Equipment

Items used to enhance to growth of marijuana plants. Such as grow lights, fertilizer, pots, enhanced soil or atmosphere enhancement equipment.

N. Outdoor Marijuana Grow

Marijuana grow which is not in an enclosed structure.



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O. Medical Marijuana Grow

Marijuana grow which is licensed by the State of New Mexico and is in compliance with the conditions for a Medical Marijuana Grow.

2-96-3 Rules and Procedures

A. Notifying Personnel and Securing the Scene

1. When an officer locates or suspects they have located a clandestine lab the Officer will:
 - a. Secure the location and set up a perimeter at a safe location
 - b. Evacuate people to a safe distance
 - c. Notify their immediate supervisor, who will be responsible for notifying the on-call narcotics detective
 - d. Obtain information and identification from suspects and witnesses
2. Upon arrival of a narcotics detective will assume control of the investigation and scene and will determine if the on-call clan lab team will be called out.

B. Entry of a Clandestine Laboratory

Officers should not enter a known "actively cooking" clandestine lab without appropriate protective equipment (Level B).

C. Chemical Exposure

1. If personnel are subjected to a chemical exposure at a clandestine lab and have any adverse feelings associated with the exposure, they will report the exposure to the site safety officer and their immediate supervisor.
2. The supervisor on scene or the site safety officer will be responsible for ensuring the exposed person(s) obtain medical attention in compliance with Department SOP, Administrative Orders 3-72.

D. Case Agent/Site Safety Officer Responsibilities

The supervisor will ensure that the chemical exposure is thoroughly documented in the original or supplemental report and an Exposure Report Form should be completed before the officers leave the scene, unless a medical emergency requires an officer's immediate removal to a medical facility. The officer's supervisor will be responsible for having the Exposure Report Form is turned over to the Site Safety Officer.



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E. Children Present at Clandestine Labs

If children or persons unable to care for themselves are present, the following steps will be implemented:

1. The responding officer will request emergency medical services to ensure the child's or vulnerable adult's welfare.
2. The case agent will be responsible for notifying CYFD or Adult Protective Services to assist in removing the child or vulnerable adult from the environment.
3. The case agent will be responsible for collecting appropriate documentation, evidence and witness interviews to substantiate child abuse charges.
4. Replacement clothing provided by a local vendor will be provided for the child and turned over to CYFD personnel.

F. Reporting Requirements

1. An Original Report will be generated on all clan labs.
2. All assisting personnel will complete a supplementary report detailing their observations and activity.
3. The supplementary report will be given to the case agent before leaving the scene.
4. The case agent will complete the investigation and forward it to the District Attorney's Office for review and consideration for prosecution.
5. The case agent's supervisor will be responsible for ensuring the completion of the EPIC National Clandestine Laboratory Seizure Report

G. Indoor Marijuana Grow Investigations

1. Notifying Personnel and Securing the Scene
 - a. When an officer discovers a marijuana grow which fits the criteria for an Indoor Marijuana Grow the officer will secure the location and evacuate it of all persons.
 - b. Officers should contact the on-call narcotics detective for the area command which the Indoor Marijuana Grow was located.
 - c. The on-call narcotics detective will determine if the Marijuana Grow fits the criteria of an Indoor Marijuana Grow and call out other detectives, as needed.
 - i. If other detectives are required, the detectives on-call for Meth Labs will be utilized



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- ii. The Meth Lab Vehicle will be utilized to obtain PPE equipment for processing the Indoor Marijuana Grow
- d. If it is determined to be an Indoor Marijuana Grow the on-call narcotics detective will be the case agent of the investigation.
 - i. The case agent will determine the need of a search warrant or permission search.
 - ii. The case agent will determine the charges and who will be charged for violations of New Mexico State Statutes
- e. The Case Agent will determine what items will be seized and tagged into APD Evidence and which items will be seized for destruction
 - i. Evidence seized for destruction- the case agent will contact the City of Albuquerque Solid Waste to have a vehicle sent to the location. Items to be destroyed will be taken to a landfill for destruction and disposal.
 - ii. An APD sworn officer will accompany the items to the landfill and oversee the destruction and disposal of the items. The officer will note this in their APD police report.

H. Children Present at Indoor Marijuana Grow Sites

If children or persons unable to care for themselves are present, the following steps will be implemented:

1. The responding officer will request emergency medical services to ensure the child's or vulnerable adult's welfare.
2. The case agent will be responsible for notifying CYFD or Adult Protective Services to assist in removing the child or vulnerable adult from the environment.
3. The case agent will be responsible for collecting appropriate documentation, evidence and witness interviews to substantiate child abuse charges.
4. Replacement clothing provided by a local vendor will be provided for the child and turned over to CYFD personnel.