

ALBUQUERQUE POLICE DEPARTMENT
* PROCEDURAL ORDERS*

Effective: 06/08/90; Still In Effect 10/01/95

2-38 CONFISCATION OF LARGE QUANTITIES OF GREEN MARIJUANA

POLICY:

Department policy is to seize, process, and store as evidence for prosecution, large quantities of green marijuana. When ordered by the court, the bulk of seized marijuana will be destroyed after proper documentation, in accordance with the laws of the state of New Mexico.

RULES:

[7]

2-38-1 SEARCH WARRANT REQUIREMENTS

- A. Included in the probable cause section of the affidavit of the search warrant will be the following paragraph:

"In the event any marijuana is seized pursuant to this warrant or by consent of the above named defendant(s) and/or the person(s) with lawful authority over the above described premises to be searched, affiant(s) further request that this court direct and order the Albuquerque Police Department to destroy all but five percent of the total wet weight of the suspected marijuana, but in no event shall the sample saved be less than ten pounds wet weight. This request is based upon both storage and drying problems experienced by APD because of the amount of marijuana being seized within its investigative jurisdiction."

- B. Included in the search warrant, above the judge's signature section will be the following sentence:

"It is therefore ordered that the Albuquerque Police Department destroy all but five percent of the total wet weight of the suspected marijuana, but in no event shall the sample saved be less than ten pounds wet weight."

2-38-2 PHOTOGRAPHS AND/OR DIAGRAMS

Prior to the execution of the search warrant, the field should be photographed, if possible. The location where the sample will be taken should be depicted in the photograph and/or on any diagram of the area.

2-38-3 RECORDING AND DESTRUCTION

- A. After execution of the search warrant, the total weight of the confiscated marijuana shall be recorded prior to tagging it into Evidence.
- B. The entire lot of seized marijuana shall be photographed.
- C. If the excess marijuana cannot be destroyed immediately, arrangements must be made to safeguard it until it can be properly destroyed.

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