



2-96 CLANDESTINE DRUG LABORATORY AND INDOOR MARIJUANA GROW SITE INVESTIGATIONS

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence and Property

B. Form(s)

Exposure Report Form

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-96-1 Purpose

The purpose of this policy is to outline procedures for Albuquerque Police Department (Department) personnel when investigating and handling clandestine drug laboratories and indoor marijuana grow sites.

2-96-2 Policy

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

N/A 2-96-3 Definitions

A. Case Agent

The detective responsible for investigating and presenting the criminal case for prosecution. The Case Agent should be a certified clandestine drug laboratory investigator.

B. Certified Clandestine Drug Laboratory Investigator

A sworn officer who has completed an OSHA-approved training course and has been issued the proper certification. The certified sworn officer is authorized to enter, evaluate, and dismantle a clandestine drug laboratory.



C. Chemical Exposure

Any contact, including inhalation, between an individual's person and any potentially hazardous chemical resulting in the possibility of an adverse reaction to the hazardous chemical.

D. Clandestine Drug Laboratory

A location where there are sufficient chemicals and/or equipment to manufacture a controlled substance or demonstrate the intent to manufacture a controlled substance. A clandestine drug laboratory may also be known as a "clan lab", "meth lab", "drug lab", or "lab".

E. Clandestine Drug Laboratory Team

A team consisting of certified Clandestine Drug Laboratory Investigators to safely process and dismantle a clandestine drug laboratory. The team will be a minimum of three (3) people, which will include a Site Safety Officer and two (2) additional certified Clandestine Drug Laboratory Investigators.

F. Grow Equipment

Items that are used to enhance the growth of marijuana plants, including grow lights, fertilizer, pots, enhanced soil, or atmosphere enhancement equipment.

G. Indoor Marijuana Grow Site

A marijuana grow with one (1) or more plants that uses equipment to grow marijuana or has over twenty (20) mature marijuana plants in a structure.

H. Mature Marijuana Plant

A marijuana plant that is harvestable and is flowering or budding.

I. Medical Marijuana Grow Site

A site that is licensed by the State of New Mexico and is in compliance with the conditions to grow medical cannabis.

J. Personal Protective Equipment (PPE)

A Tychem or Tyvek suit and breathing protection that includes either an air purifying respirator (APR) or a self-contained breathing apparatus (SCBA).

K. Site Safety Officer



A certified Clandestine Drug Laboratory Investigator who has completed the Occupational Safety and Health Administration (OSHA) approved Site Safety Officer/Supervisor course and will act as the Incident Commander (IC) at the scene of a clandestine drug laboratory investigation.

7 2-96-4 Clandestine Drug Laboratory Investigations

A. Securing the Scene

1. When Department personnel locate or suspect they have located a clandestine drug laboratory, they shall:
 - a. Secure the location;
 - b. Establish a perimeter at a safe location a minimum of five-hundred (500) to one thousand (1,000) feet away from the laboratory;
 - i. Sworn personnel shall adjust the size of the perimeter as they receive new information on hazardous materials.
 - c. Evacuate anyone within one-thousand (1,000) feet of the laboratory to a safe distance;
 - d. Notify their on-duty supervisor who shall be responsible for notifying the on-call Narcotics Section Detective; and
 - e. Obtain information and identification from individuals suspected of criminal activity and from witnesses.
2. Department personnel shall not enter a known functioning clandestine drug laboratory without the appropriate Level B PPE, including:
 - a. Positive pressure air respirator with emergency self-contained breathing apparatus (SCBA) that has been approved by the National Institute for Occupational Safety and Health (NIOSH);
 - b. Chemical-resistant gloves that are double layered;
 - c. Clothing that is resistant to chemicals; and
 - d. Chemical resistant steel-toed boots.
 - i. The boot shank, or the supportive structure between the insole and outsole, shall be steel.
3. Upon their arrival, the Narcotics Section Detective shall assume control of the investigation and scene and shall determine whether the on-call Clandestine Drug Laboratory Team shall be called out.

B. Chemical Exposure

1. If Department personnel are exposed to a chemical exposure at a clandestine drug laboratory and exhibit adverse effects associated with the exposure, they shall immediately report the exposure to the Site Safety Officer and their on-duty supervisor.



2. The on-duty on-scene supervisor or the Site Safety Officer shall be responsible for ensuring the exposed person(s) obtain medical attention as directed by the Site Safety Officer.

C. Case Agent/Site Safety Officer Responsibilities

1. The Case Agent/Site Safety Officer or their designee shall ensure that the chemical exposure is thoroughly documented in a Uniform Incident Report or Supplemental Report and shall ensure that the officer completes an Exposure Report Form before they leave the scene, unless a medical emergency requires an employee's immediate transport to a medical facility.
 - a. When the officer is unable to complete the Exposure Report Form, the exposed officer's supervisor shall provide an Exposure Report Form to the Case Agent/Site Safety Officer.

D. Reporting Requirements

1. Case Agent/Site Safety Officer shall generate a Uniform Incident Report on all clandestine drug laboratory investigations.
2. All assisting Department personnel shall complete a Supplemental Report detailing their observations and activity.
 - a. Assisting Department personnel shall forward their Supplemental Report to the Case Agent before leaving the scene.
3. The Case Agent when they are not the Site Safety Officer shall complete the investigation and consult with the Site Safety Officer regarding charges.
4. The Case Agent when they are not the Site Safety Officer shall forward the case to the District Attorney's Office for review and consideration for prosecution.
5. The Case Agent/Site Safety Officer shall be responsible for ensure the investigation is tracked in the EPIC National Clandestine Laboratory Seizure Report.

2-96-5 Indoor Marijuana Grow Site Investigations

A. General Procedures

1. When Department personnel discover an indoor marijuana grow site that exceeds legal limits for cultivation, they shall secure the location and evacuate all persons.
2. Sworn personnel shall notify the on-duty supervisor and contact the on-call Narcotics Section Detective.



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3. The on-call Narcotics Section Detective shall determine whether the marijuana grow site fits the criteria of an Indoor Marijuana Grow Site and call out other detectives, if needed.
 - a. If other detectives are needed, the on-call clandestine drug laboratory detectives shall respond first to the scene.
4. If site is verified as being an Indoor Marijuana Grow Site, the on-call Narcotics Section Detective shall:
 - a. Be the Case Agent for the investigation;
 - b. Determine whether a search warrant is needed or whether they must obtain permission to search the site;
 - c. Determine the charges and who shall be charged; and
 - d. Determine which items need to be seized and tagged into evidence, consistent with SOP Collection, Submission, and Disposition of Evidence and Property and which items need to be seized for destruction.
 - i. When evidence is seized for destruction and cannot be handled or accepted by Criminalistics Laboratory personnel, the Case Agent shall contact the City of Albuquerque Solid Waste Department to request a vehicle to be sent to the location.
 - ii. Items to be destroyed will be taken to a landfill for destruction and disposal.
5. Sworn personnel shall accompany the items to the landfill and oversee the destruction and disposal of the items.
 - a. The officer shall note the destruction of the items in their Uniform Incident Report.

2-96-6 Juveniles and Vulnerable Adults Present at Clandestine Drug Laboratories or Indoor Marijuana Grow Sites

- A. If juveniles and/or vulnerable adults are present at a clandestine drug laboratory or an indoor marijuana grow site that exceeds legal limits for cultivation, the following steps shall be implemented:
 1. The responding officer shall request for emergency medical services personnel to respond to the scene to evaluate the juveniles or vulnerable adult's welfare;
 2. The Case Agent shall be responsible for notifying New Mexico Children, Youth and Families Department (CYFD) or Adult Protective Services personnel to assist in removing the juvenile or vulnerable adult from the environment;
 3. The Case Agent is responsible for collecting appropriate documentation, evidence, and witness interviews to substantiate child abuse charges; and



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4. Prior to releasing them from the scene, the Site Safety Officer shall decontaminate juveniles and vulnerable adults and shall provide them new clothing.

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Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

2-73 Collection, Submission, and Disposition of Evidence and Property

B. Form(s)

Exposure Report Form

C. Other Resource(s)

None

D. Rescinded Special Order(s)

None

2-96-1 Purpose

The purpose of this policy is to provide outline procedures for Albuquerque Police Department (Department) personnel when in the investigating and handling of clandestine drug laboratories and indoor marijuana grow sites.

2-96-24 Policy

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

N/A

2-96-32 Definitions

A. Case Agent

The detective who is responsible for investigating and presenting the criminal case for prosecution. The case agent Case Agent should be a certified clandestine drug laboratory investigator.

B. Certified Clandestine Drug Laboratory Chemist

A trained Department forensic scientist who has successfully completed an Occupational Safety and Health Administration (OSHA) approved training course.



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~~F~~.B. Certified Clandestine Drug Laboratory Investigator

A ~~person-sworn officer~~ who has ~~successfully~~ completed an OSHA-~~approved~~ training course ~~and has been issued~~ received the proper certification. ~~This person~~ The certified sworn officer ~~is~~ will be authorized to enter, evaluate, and dismantle a clandestine drug laboratory.

~~Only certified clandestine lab investigators will be allowed to enter and dismantle a clandestine lab.~~

~~H~~.C. 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.~~ Any contact, including inhalation, between an individual's person and any potentially hazardous chemical resulting in the possibility of an adverse reaction to the hazardous chemical.

~~I~~.D. Clandestine Drug Laboratory (Clan 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. A clandestine drug laboratory may ~~is~~ also be known as a "clan lab/clan lab" ~~clandestine drug laboratory~~, "meth lab", "drug lab", or "lab".

~~J~~.E. Clandestine Drug Laboratory team/Team

A team consisting of ~~a sufficient number of certified clandestine~~ Clandestine Drug Lab Laboratory investigators ~~investigators~~ to safely process and dismantle ~~the a~~ a clandestine drug/clandestine laboratory. The team will be a minimum of three (3) people, which will include a Site Safety Officer and two (2) additional certified ~~clan lab~~ Clandestine Drug Laboratory investigators ~~investigators~~.

~~K~~. Dump Site

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

~~O~~.F. Grow Equipment

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

~~P~~.G. Indoor Marijuana Grow Site

~~A M~~ marijuana grow with one (1) or more plants ~~which~~ that uses ~~grow~~ grow equipment to grow marijuana ~~(grow lights, atmosphere enhancement equipment, or large amounts of fertilizer)~~ or has over twenty (20) mature marijuana plants in a structure.



~~Q. Initial Assessment Team~~

~~A team consisting of at least two (2) certified ~~clan~~ Clandestine lab Laboratory investigators. Investigators who are responsible for evaluating the clandestine drug laboratory, assessing the potential hazards, recommending to the ~~Site Safety Officer~~ the level of protective equipment to be utilized/used, and establishing the investigative protocol for the laboratory.~~

~~U.H. Mature Marijuana Plant~~

~~A marijuana plant which plant ~~which~~ that is harvestable and is flowering or ~~#~~ budding.~~

~~V.I. Medical Marijuana Grow Site~~

~~A Mmarijuana grow site which that is licensed by the State of New Mexico and is in compliance with the conditions to grow for a ~~Medical~~ medical Marijuana cannabis ~~marijuana~~ Grow.~~

~~W. Outdoor Marijuana Grow~~

~~A Mmarijuana grow which is not in an enclosed structure.~~

~~AA.J. Personal Protective Equipment (PPE)~~

~~A Tychem or Tyvek includes protective suits that are ~~(either made of Tychem or Tyvek suits)~~ and breathing protection ~~(either which that includes either an Air Purifying Respirator (APR) or a Self-Contained Breathing Apparatus (SCBA)).~~~~

~~BB.K. 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. A certified Clandestine Drug Laboratory Investigator that who has completed the Occupational Safety and Health Administration (OSHA) approved Site Safety Officer/Supervisor course and will act as an the Incident Commander (IC) of the scene of a clandestine drug laboratory investigation.~~

7 2-96-43 ~~Rules and Procedures~~ Clandestine Drug Laboratory Investigations

~~A. Notifying Personnel and Securing the Scene~~

1. When ~~sworn~~ Department an officer personnel locates or suspects they have located a clandestine drug laboratory, ~~the Officer~~ they personnel sh will:

a. Secure the location;



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~~b. Establish and set up a perimeter at a safe location at a minimum of five-hundred (500) to one thousand (1,000) feet away from the laboratory;~~

~~a.i. Sworn personnel shall adjust the size of the perimeter and should be adjusted as they receive new information on hazardous materials are received.~~

~~b.c. Evacuate anyone within one-thousand (1,000) feet of the location laboratory people to a safe distance;~~

~~e.d. Notify their immediate on-duty supervisor, who shall be responsible for notifying the on-call narcotics Narcotics Section detective Detective; and~~

~~e. Obtain information and identification from individuals suspected of criminal activity and from witnesses.~~

2. Department personnel should not enter a known (~~actively cooking/working~~ functioning) clandestine drug ~~destine~~ laboratory without the appropriate Level B ~~protective equipment~~ PPE (Level B), including:

a. Positive pressure air respirator with emergency self-contained breathing apparatus (SCBA) that has been approved by the National Institute for Occupational Safety and Health (NIOSH);

b. Chemical-resistant gloves (that are double layered);

c. Clothing that is resistant to chemicals; and

d. Chemical resistant steel-toed boots.

~~2.i. The boot shank, or the supportive structure between the insole and outsole, shall also be steel.~~

3. Upon ~~their arrival~~ arrival of a ~~the narcotics Narcotics detective Section Detective~~ shall assume control of the investigation and scene and shall determine if ~~whether~~ the on-call ~~clan lab Clandestine dDrug lLaboratory team Team~~ shall 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).~~

~~E.B. Chemical Exposure~~

1. If Department personnel are ~~subjected~~ exposed to a chemical exposure at a ~~clandestine drug destine laboratory~~ and have ~~exhibit any~~ adverse effects feelings associated with the exposure, they shall immediately report the exposure to the ~~Site S~~ Site Safety Officer and their ~~immediate on-duty~~ supervisor.

2. The ~~on-duty on-scene~~ supervisor on scene or the ~~Site S~~ Site Safety Officer shall be responsible for ensuring the exposed person(s) obtain medical attention ~~as directed by the Site S~~ as directed by the Site Safety Officer.

~~in compliance with Department SOP, Administrative Orders 3-72.~~

~~F.C. Case Agent Case Agent/Site Safety Officer Responsibilities~~



~~1. The case agent~~ Case Agent/ or the supervisor Site Safety Officer or their designee ~~shall~~ will ensure that the chemical exposure is thoroughly documented in the a ~~original Uniform Incident Report or supplemental Supplemental Report~~ offense/incident Uniform Incident Report and shall ensure that the officer ~~completes~~ -an Exposure Report Form shall ~~could be completed before the~~ officers sworn personnel they ~~leave the scene,~~ unless a medical emergency ~~requires an officer's personnel employee's~~ immediate removal transport ~~to a~~ medical facility.

a. When the officer is unable to complete the Exposure Report Form, the ~~exposed~~ officer's supervisor shall be responsible for having provide the an ~~Exposure Report Form is turned over to the case agent~~ Case Agent/ Site Safety ~~Officer.~~ Officer.

~~G. 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 evaluate 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.~~

~~H.D.~~ Reporting Requirements

- ~~1. (Someone)~~ Case Agent/ Site Safety Officer shall generate An A Original Uniform Incident R ~~Offense/ Incident Report shall be generated on all clan lab clandestine~~ drug laboratory investigations.
- ~~2. All assisting Department personnel shall complete a supplementary~~ Supplemental report Report ~~detailing their observations and activity.~~
- ~~3-a. Assisting Department personnel shall forward The their supplementary~~ Supplemental report Report shall be given forwarded to the case agent Case ~~Agent~~ Agent ~~before leaving the scene.~~
- ~~3. The case agent Case Agent, when they are not the Site Safety Officer, shall~~ will ~~complete the investigation and consult with the Site Safety Officer regarding~~ charges. ~~and~~



- 4. ~~Cases may be~~ The case agent ~~Case Agent,~~ when they are not the Site Safety Officer, ~~may~~ shall ~~forwarded~~ the case to the District Attorney's Office for review and consideration for prosecution.
- 5. The ~~C~~ Case A Agent/ ~~case agent's supervisor~~ Site Safety Officer ~~sh~~ will be responsible for ensuring the investigation is tracked in the ~~completion of the~~ EPIC National Clandestine Laboratory Seizure Report.

≠ 2-96-5 **Indoor Marijuana Grow Site Investigations**

A. General Notifying Personnel and Securing the Scene Procedures

~~1. Notifying Personnel and Securing the Scene~~

- 1. When sworn ~~Department an officer~~ personnel discovers an indoor marijuana grow site that exceeds legal limits for cultivation ~~which fits the criteria for an Indoor Marijuana Grow, personnel~~ they ~~the officer~~ sh will secure the location and evacuate ~~it~~ of all persons.
- 2. ~~Officers~~ Sworn personnel ~~should~~ sh will notify their ~~on-duty supervisor and~~ contact the on-call Narcotics Section ~~Detective~~ for the area command which the Indoor Marijuana Grow was located.
- 3. The on-call Narcotics Section ~~Detective~~ sh will determine if whether the Marijuana marijuana Grow grow site fits the criteria of an Indoor Marijuana Grow Site and call ~~out other detectives, as if~~ needed.
- a. If other detectives are needed ~~required~~, the ~~detectives~~ on-call for Meth Clan Lab Clandestine drug laboratory detectives sh will be utilized respond first to the scene.
- ~~The Meth Lab Vehicle will be utilized to obtain PPE equipment for processing the Indoor Marijuana Grow~~
- 4. If ~~it~~ site is determined to be verified as being an Indoor Marijuana Grow Site, the on-call Narcotics Section ~~Detective~~ sh will:

- a. ~~be~~ Be the ~~case agent~~ Case Agent ~~of~~ for the investigation;
- b. ~~The case agent~~ sh will ~~d~~ Determine whether a ~~the need of a~~ search warrant is needed or whether they must obtain permission to search ~~must be obtained~~ the site;
- c. ~~The case agent~~ sh will ~~d~~ Determine the charges and who sh will be charged; and ~~for violations of New Mexico State Statutes~~
- 4.d. ~~The Case~~ case Agent ~~agent~~ sh will ~~d~~ Determine what which items sh will need to be seized and tagged into APD Department E evidence, consistent with SOP Collection, Submission, and Disposition of Evidence and



~~Property Submission of Evidence, Confiscated Property, and Found Items~~ and which items ~~sh~~will need to be seized for destruction.

i. ~~When E~~vidence is seized for destruction and cannot be handled or accepted by the crime lab Criminalistics Laboratory personnel, the ~~case agent~~Case Agent sh~~will~~ contact the City of Albuquerque Solid Waste Department to ~~have request for a~~vehicle to be sent to the location.

~~b.ii.~~ Items to be destroyed will be taken to a landfill for destruction and disposal.

5. ~~An APD sworn officer~~personnel sh~~will~~ accompany the items to the landfill and oversee the destruction and disposal of the items.

~~e.a.~~ The officer ~~sh~~will note ~~this~~the destruction of the items in their ~~APD police offense/incident report~~Uniform Incident Report.

~~2-96-6~~ **Children Juveniles and Vulnerable Adults Present at Clandestine Drug Laboratories or Indoor Marijuana Grow Sites**

A. If ~~children juveniles and/ or persons unable to care for themselves~~vulnerable adults are present at a clandestine drug laboratory or an indoor marijuana grow site that exceeds legal limits for cultivation, the following steps ~~sh~~will be implemented:

1. The responding officer ~~sh~~will request for emergency medical services personnel to respond to the scene to ~~ensure~~evaluate the ~~child's~~juveniles or vulnerable adult's welfare;

2. ~~The case agent~~Case Agent sh~~will~~ be responsible for notifying New Mexico Children, Youth and Families Department (CYFD) or Adult Protective Services personnel to assist in removing the ~~child~~juvenile or vulnerable adult from the environment;

3. ~~The case agent~~Case Agent ~~will~~is be responsible for collecting appropriate documentation, evidence, and witness interviews to substantiate child abuse charges; and

4. ~~Prior to releasing them from the scene, (someone)~~the Site Safety Officer -shall sterilize/decontaminate

~~Replacement clothing provided by a local vendor will be provided for the child and turned over to CYFD personnel. Children~~juveniles and vulnerable adults shall be decontaminated and shall provide them new clothing being allowe.