Drug Paraphernalia, DUI Evidence Forms, and Drug Analysis of Suspect Evidentiary Samples

600.1 PURPOSE AND SCOPE

This procedure provides direction on the proper documentation and retention of drug paraphernalia and forms related to Driving Under the Influence (DUI) investigations, as well as requesting drug analysis for evidentiary samples from suspects. Employees are encouraged to consult with their supervisor if they have questions about proper procedures.

600.2 DRUG PARAPHERNALIA

Employees should follow the below practices for paraphernalia:

- Employees will use Department issued phones to photograph the paraphernalia next to a ruler. The use of the ruler is essential to provide a reference for scale comparison. Multiple photos are encouraged if needed.
- Employees may choose between options (a) and (b), listed below, for how they photograph the items:
    - Employees are encouraged to utilize the Axon Capture application to take photographs and to upload them into Evidence.com. This is our recommended practice.

        In such cases, the employee shall add identifying information to the photograph record in Evidence.com, including ID, Title, and Category.

        The employee shall document in the narrative of their report that they have uploaded the photographs into Evidence.com.
    - If employees elect to photograph the paraphernalia separate from Axon Capture, they shall print out the photo(s) and drop them in the Records box in the Sergeants office with an attachment form.

        Records staff will scan printed photo(s) and attach them to the RIMS case file under the "Attachments" tab.

        - Records staff will confirm that the photo(s) have successfully been attached to the case file. The photo(s) will then be destroyed.

        Employees shall document in their narrative that they submitted the photo(s) for later attachment to the case file.
- Photo(s) attached to the RIMs case file can be printed and serve as the actual items of evidence for court proceedings if needed.
- If photos are logged into Evidence.com, officers should follow established practice to obtain copies.
- Once properly photographed, the paraphernalia will be placed in a paper bag and submitted to the SMPD Evidence locker. If the item contains fentanyl or you have concerns that it contains fentanyl, package the item in a double K-pak to reduce the exposure of the evidence staff. Place stickers on the K-pak to indicate to evidence

Copyright Lexipol, LLC 2026/03/06, All Rights Reserved.
Published with permission by San Mateo Police Department

personnel that there is potential fentanyl contained in the item. Evidence staff will destroy the paraphernalia when they have their regular checks of the property lockers. Any items that contain glass that have jagged edges that could poke through a paper bag should be safely secured in a cylinder tube (for pipes, tooters, etc.) or in a small cardboard box. This ensures property personnel do not get injured when retrieving items from the locker.

In cases where the paraphernalia has specific, evidentiary value (ie: the pipe contains a useable amount of a controlled substance), the officer will package the pipe and submit it into Evidence for retention. If an officer has questions on the appropriate disposition of the paraphernalia, they should consult with their supervisor.

600.3 DUI FORMS

In DUI cases, employees do not need to submit the actual paper forms associated with the breath test and the phlebotomist process into SMPD Evidence. These forms should be submitted to Records as a case attachment, and Records personnel will scan and attach them electronically to the RIMS case file.

Proper procedure is the following:

- Employees will drop off the actual paper forms associated with the breath test and the phlebotomist process in the Records box in the Sergeants office with an attachment form.
- Records staff will scan these forms and attach them to the RIMS case file under the "Attachments" tab.
    - Records staff will confirm that the forms have successfully been attached to the case file. The forms will then be destroyed.
- Employees will document in their narrative that they submitted the forms for later attachment to the case file.
- The attachments can be printed and serve as the actual items of evidence for court proceedings if needed.

600.4 TESTING OF SAMPLES FOR DRUG ANALYSIS

There will be cases when the Department wants to request testing to determine what, if any, drugs are present in a suspect's submitted sample (the two current options are blood or urine). Due to current policies at the County Forensic Laboratory, Department employees will not initiate a request to conduct such testing. Employees will instead wait for the DA's Office to request it (through documented requests such as 'Golden Rods,' specific emails, etc). with the exception of drug only related DUI's. If you reasonably think someone was under the influence of drugs only, you will need to fill out the "San Mateo County Sheriff's Office Forensic Laboratory Blood/Urine Drug Testing Request" form and turn it into property.

Once the investigating officer has completed the "San Mateo County Sheriff's Office Forensic Laboratory Blood/Urine Drug Testing Request" form to property, the Property Unit employees will coordinate with the court liaison to ensure that request is implemented, recorded, and uploaded to

Copyright Lexipol, LLC 2026/03/06, All Rights Reserved.
Published with permission by San Mateo Police Department

RIMS. There may be times when the Department needs to initiate the process to have a sample tested for drug analysis. In such instances, a sergeant or command staff member is required to authorize the request.

Copyright Lexipol, LLC 2026/03/06, All Rights Reserved.
Published with permission by San Mateo Police Department