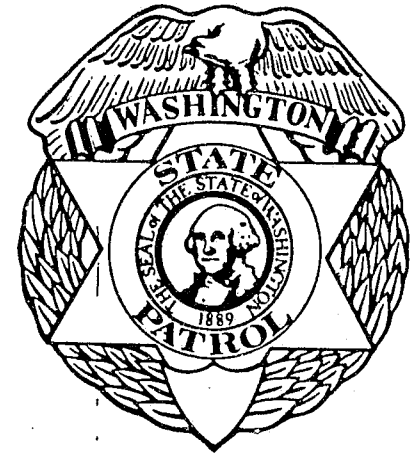


# GUIDELINES



FOR



# COOPERATIVE NARCOTIC

# ENFORCEMENT

# TASK FORCES

NARCOTIC ENFORCEMENT TASK FORCE  
POLICY AND PROCEDURES MANUAL

The enclosed Task Force Operations Manual was developed as a prototype to assist cooperating agencies in establishing task force operations. The subjects covered in this manual are written as suggested minimum guidelines regarding areas of operational interest. The enclosed forms at the back of the manual are widely used and are enclosed to provide tracking systems, accountability, and aid you in retrieving needed statistics.

If in-depth explanations for the areas covered are needed, please call the Investigative Assistance Division commander at (206) 753-3287, or the State Narcotics Section at (206) 753-6800 for additional information.

I trust this publication will assist you in implementing your task force and wish you success in your future endeavors.

Sincerely,

  
CHIEF GEORGE B. TELLEVIK

GBT:pr  
Enclosure

# NARCOTIC ENFORCEMENT TASK FORCE POLICY AND PROCEDURE MANUAL

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GUIDELINES FOR COOPERATIVE NARCOTIC ENFORCEMENT TASK FORCE

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## PREFACE

In order for this unit to operate effectively, uniformity and standardization is essential. One area of necessary standardization is the policies and procedures which will govern the unit's operation.

This manual shall be approved by each agency's chief administrator and will govern the conduct of the Narcotic Enforcement Task Force and all personnel assigned to it.

Officers encountering situations not addressed in this manual shall follow their agency's procedural manual, if applicable; if not, the matter will be resolved by the Executive Board.

Officers assigned as agents shall remain subject to the disciplinary procedures of their parent department.

All municipal sworn members shall be deputized by the sheriffs of participating counties to enable the officers to function as peace officers within the geographical boundaries of the county.

## CHAPTER 1

### INTRODUCTION

This manual establishes the basic policies and regulations which will govern the Narcotic Enforcement Task Force. It is intended to provide the Executive Board, Project Coordinator, Unit Supervisor, and other personnel with standardized operating procedures. Revisions and supplements will be issued as necessary.

Additional policies may be developed by the Executive Board, as necessary.

Supplemental policy will be implemented as unit orders to take effect on the date specified in the order. All active unit orders will be reviewed by the Executive Board as needed. If a unit order supersedes a prior order or a provision of the manual, it will be incorporated into this manual as a manual revision.

All forms in the Appendix and referred to within the text of this manual are suggested standardized forms that may be used by members of the Narcotics Enforcement Task Force for purposes of uniformity.

CHAPTER 2

ASSIGNMENT OF MANUAL

Each member of the Executive Board and each person assigned to the unit will be provided with a copy of the unit manual.

Each manual will be issued a control number and, upon issuance, each recipient will provide a certification that he/she has read and understands the policies and procedures as set forth in the manual.

CHAPTER 3

MANUAL COORDINATOR

The Project Coordinator is the manual coordinator and is responsible for maintaining the unit manual.



CHAPTER 4  
EXECUTIVE BOARD

An Executive Board will consist of the chief administrator or his designee of each of the following participating agencies:

Overall guidance of the unit's operations, including the setting of investigative priorities and general operating procedures, will be vested in the Executive Board.

Each member of the Executive Board shall have an equal vote in the conduct of its business. One member will be elected by the members as Chairperson and will remain in that capacity for one year. A new election will occur each year. The Executive Board will meet at least four times each year to review the unit's activities and policies.

The powers and duties of the Executive Board shall include:

1. Administering affairs of the Narcotic Enforcement Task Force as its chief administrative officers.
2. Selecting a Project Coordinator from one of the participating agencies, who shall serve on a one-year rotational basis.
3. Selecting a Unit Supervisor from one of the participating agencies.
4. Approving the acceptance of persons recommended for assignment to the Task Force and recommending the discharge, suspension, or transfer of the Task Force members appointed.
5. Working with the Project Coordinator in the preparation and upkeep of unit policy and procedure documents.

CHAPTER 5  
PROJECT COORDINATOR

Under the direction of the Executive Board, the Project Coordinator shall act as principal liaison and facilitator between the Executive Board and the Task Force.

Specific responsibilities of the Project Coordinator shall be to perform the following duties as required by the Executive Board:

1. Select a Unit Secretary with the approval of the Executive Board. The Unit Secretary to the Task Force shall be paid through grant monies.
2. Assist the Unit Supervisor in the preparation of reports of unit activities and make monthly reports of unit activities to the Executive Board.
3. Oversee the expenditure of Task Force funds and maintain accountings of such funds in conjunction with the Unit Supervisor.
4. Work with the Unit Supervisor in the preparation and upkeep of unit policy and procedure documents.
5. Prepare press releases when necessary and in conjunction with the prosecutor's office when appropriate (see Chapter 22).
6. Command the activities of the Task Force.
7. Maintain regular liaison with the chairperson of the Executive Board and with the full Executive Board as required.
8. Set agenda for Executive Board and meeting dates; send out notices as needed or quarterly.

CHAPTER 6

UNIT SUPERVISOR

Under the direction of the Project Coordinator, the Unit Supervisor will:

1. Direct the day-to-day activities of the Task Force, including:
  - a. Assignment of investigations and other tasks.
  - b. Scheduling of personnel.
  - c. Review and approval of investigative reports.
  - d. Supervision of personnel.
  - e. Coordination and assignment of personnel to appropriate training.
  - f. Acting as Task Force liaison with other law enforcement agencies.
2. Be responsible for maintenance and upkeep of unit property and equipment, including the unit's office premises.
3. Prepare weekly activity reports for the Project Coordinator and for review by the Executive Board upon request. Submit a weekly activity summary to the Washington State Patrol for data analysis (see Appendix A).
4. Maintain up-to-date policy and procedure manuals for Task Force operations.
5. Maintain regular contact with the Project Coordinator.
6. Maintain regular contact with the Task Force prosecutor.

CHAPTER 7

UNIT SECRETARY

The Unit Secretary shall be subject to a thorough background investigation and be required to take a polygraph examination prior to employment.

The Unit Secretary shall be assigned working hours which will be consistent with the need for clerical services.

The Unit Secretary shall work under the immediate supervision of the Unit Supervisor.

The Unit Secretary shall be responsible for the preparation and maintenance of records and files. The Unit Secretary will assist in the preparation and maintenance of accounting records, case reports, statistical data retrieval and compilations, and will be responsible for the operation and maintenance of office machines.

CHAPTER 8

OFFICE PROCEDURE

The office will be kept neat and portray a professional appearance.

Agents shall be responsible for the security of all investigative, intelligence, or evidentiary material contained within the office. Such material shall not be left out or unsecured in the agent's absence.

The last agent (or secretary) to leave the office will ensure that all material as previously described is secure and that the office doors and windows are locked and secured.

CHAPTER 9  
CODE OF CONDUCT

The success of this unit will be greatly influenced by the conduct, character, and demeanor of each unit member. Personnel will adhere to their agency's code of conduct.

In order to ensure conduct which is appropriate to the goals and missions of the unit, the following guidelines will be followed.

Unit members appearing in court shall be punctual and shall appear in appropriate dress clothing, or as directed by the attorney prosecuting the case. Conduct in court matters shall always be of the highest standard of professionalism.

Unit members, including the Unit Secretary and Executive Board members, shall treat the official business of the Task Force as confidential, and shall not impart it to anyone not having a need or right to know.

Unit members shall not socialize with, or receive gifts or trade from, any criminal informant, criminal suspect, or other person known to be of ill repute. It is necessary that unit members interact with these persons on a frequent basis, and all such interaction shall be carried out strictly at a professional level.

The use of drugs is strictly forbidden by all unit members unless taken under the direction of a physician or in a life-threatening situation. The simulation of use of illegal drugs is a violation of unit policies and procedures.

The unit's effectiveness is dependent upon each unit member's willingness to conform to unit goals, objectives, and procedures.

The policy of the Task Force is when informants attempt or request to take a pinch of the product, it will be denied. If it kills the deal, detectives will not contribute to the taking or use of the drug. Payment for their efforts would circumvent this and they can buy their own drugs which the detective or informant would not be a party to this transaction.

CHAPTER 10

APPEARANCE/DRESS

Agents may look and dress as appropriate to the unit goals and mission; however, each agent is expected to maintain a neat appearance when not immediately involved in a role-playing capacity.

Agents shall have available to them on short notice a change of clothes appropriate for court, business meetings, or any other assignment for which his present dress is inappropriate.

## CHAPTER 11

### INVESTIGATIVE PROCEDURES

No agent shall make a previously planned contact with a suspect in an undercover capacity without the cover of at least one other agent.

When a drug purchase is made from a suspect, conversation should bring out the suspect's knowledge and intent, when possible. The agent shall make every effort to make two or more purchases on separate days. The conversation showing intent, coupled with multiple buys, will greatly assist the prosecutor's office in its preparation of the case and will be submitted in a written report to the supervisor within 48 hours.

Every investigation shall be supervised by an agent in charge. The Unit Supervisor shall designate an agent to be in charge when he is absent.

Investigations out of the Task Force's jurisdiction require notification to the agency having jurisdiction. When appropriate, agents will request the participation of the agency having jurisdiction.

When possible, nonparticipating agencies shall be given prior notice of any Task Force operation taking place within their jurisdiction. This procedure will not be necessary on routine surveillance or investigative activity, but rather is intended for those occasions when an arrest is anticipated or any other enforcement action is anticipated that would interfere with or require the assistance of that agency having jurisdiction.

Every attempt will be made to positively identify each suspect prior to:

1. Meeting with the suspect in an undercover capacity.
2. Making an undercover purchase.
3. Arresting any suspect.
4. Conducting a search of any premises named in a search warrant.



## CHAPTER 12

### ARREST AND RAID PROCEDURES

No agent shall effect an arrest alone, except in emergency circumstances where an arrest must be made for the protection of persons or property. In such circumstances, an agent shall comply with the dictates of sound judgement.

All arrests or raids shall be accomplished with the use of an operational plan/format. This operational plan shall minimally include, but not be limited to, the following:

1. Identity and photograph of the informant, if applicable.
2. Identity of suspects and associates who may be encountered in the investigation. Photographs of each individual should be available.
3. A detailed description of locations which will be searched in the investigation.
4. Identification and description of all suspect vehicles which may be encountered.
5. The potential for violence of any suspect, any weapons, dogs, or other dangers which may be posed to investigation members.
6. Arrest or duress signals (both verbal and visual).
7. A contingency plan.

All arrests or raids shall be preceded by an operational briefing. The briefing will include a review of the operational plan/format, the assignment of personnel to investigative tasks, and an introduction of all investigation members to one another.

If the circumstances indicate the probability of dangerous persons, the Unit Supervisor will determine if an Emergency Response Team or SWAT Team will be used to conduct the raid.

It is recommended that the appropriate court and county jail be notified when a large number of arrests are anticipated.

#### Warrants

1. It is unit policy that arrest and search warrants will be served at a residence by a minimum of two unit agents accompanied by uniformed officer(s) from the agency of jurisdiction. Exceptions to this procedure will require prior authorization by the Unit Supervisor.
2. Agents or other plain-clothes officers shall wear a jacket or coat which clearly represents them as police officers when serving arrest and search warrants. A cap with appropriate identification is also recommended. Exceptions to this procedure must receive prior approval from the Unit Supervisor. The Executive Board encourages prosecutor review of any affidavit. In all cases, the question of officer safety will be the prevailing issue, in conjunction with the mission and goals of the unit.

3. Protective body armor shall be assigned to each agent and shall be worn beneath the arrest/raid jacket.

When a search is conducted of a residence, the Unit Supervisor or case agent will direct the activities of team members insofar as assigning search assignments, evidence finders and custodians, prisoner custody, etc.

When practical, all searches should be followed up with a second search by a second officer.

All agents will be equipped with the following equipment during any "raid-like" situation:

1. Raid jacket and body armor shall be worn (cap additionally recommended).
2. Duty weapon -- Should be weapon that agent is most familiar and proficient with.
3. Extra ammunition -- As a general rule, a minimum of two reloads of ammunition should be available to the agent.
4. Handcuffs.
5. Flashlight.
6. Available communications equipment.

CHAPTER 13

FIREARMS

Unit personnel will adhere to their own agency's firearms policy and the use of deadly force. Each agent assigned will be required to be familiar with the policy of the other agencies involved in this Task Force.

Each agent will maintain a weapon with which he/she is competent and which is approved for use by both his/her agency and the Task Force Unit Supervisor. Each agent is required to qualify, as required by his/her agency, with the weapon(s) that have been authorized for use. Each agent shall be familiar with the operation of firearms used by other Task Force members.

Personnel will qualify with their weapon scheduled through their appropriate agency. Agents will notify the Unit Supervisor whenever required to attend agency training functions, such as firearms qualification.

Any agent who discharges his/her weapon while on duty, either by intention or by accident, will report same to the Unit Supervisor immediately and shall file a written report of said incident as soon as practicable.

Firearms discharges, except for training purposes, will be investigated by the agency responsible for that particular agent.

CHAPTER 14  
INTELLIGENCE FILES

General

Intelligence files shall be maintained for the duration of the Task Force. When the Task Force is disbanded, participating agencies will be provided the information on request.

Material stored in the narcotics intelligence file should be restricted to documents of criminal intelligence and related information from public record and media sources. Examples of excluded material are religious, political, or sexual information which does not relate to criminal conduct and associations with individuals which may not be of a criminal nature.

File Description

The Unit Supervisor or designee shall be the Intelligence Coordinator/Analyst and is responsible for maintaining and securing the intelligence files. Intelligence files consist of, but are not limited to:

1. Files on businesses, corporations, and/or persons involved in narcotics criminal activity.
2. Cross-index files pertaining to various vehicles used in narcotics transportation (marine, aircraft, and land).

Intelligence File Defined

A narcotics intelligence file consists of stored information on the activities and associations of individuals and groups known or suspected to be involved in narcotics trafficking acts or in the planning, organizing, or financing of narcotics transactions. More specifically, this stored information relates to:

1. Individuals suspected of:
  - a. Being involved in the planning, organizing, financing, or commission of drug-related crimes or having threatened, attempted, planned, or performed those crimes.
  - b. Having an established association with known or suspected traffickers.
2. Organizations and businesses suspected of:
  - a. Being operated, controlled, financed, infiltrated, or illegally used by crime figures.

Accuracy of Narcotics Intelligence Files

To ensure that accurate data is maintained within the narcotics files, the following procedures shall be strictly adhered to:

1. Before data is entered into the file, it shall be checked for accuracy by the Intelligence Coordinator/Analyst. In addition to the file criteria, the following shall be taken into consideration:
  - a. Information source
  - b. Date
  - c. Evaluation of validity and/or reliability of information
  - d. Consistency of data contained within file or on card
2. The information shall be placed in file as warranted by the file criteria.
3. Information stored in any intelligence file that is discovered to be inaccurate shall be updated or destroyed by the Intelligence Coordinator/Analyst.
  - a. If destruction is necessary, the Intelligence Coordinator/Analyst shall make that recommendation to the Project Coordinator as outlined in Method of Destruction.
  - b. Final destruction shall meet prior approval of the Project Coordinator.

#### File Criteria

1. Information which relates that an individual, organization, business, or group has been involved, is involved, or suspected of being involved in drug trafficking.
2. In addition to falling within the confines of narcotics activities, the subject to be entered into the permanent file should be identifiable - distinguished by a unique identifying characteristic (e.g., date of birth, criminal identification number, driver's license number). Identification at the time of file input is necessary to distinguish the subject from any similars in file or any others that may be entered at a later time.

#### Computerized Narcotics Intelligence Files, Computerized Purging

When an automated indexing system is in place, the following procedures shall take effect:

1. Project Coordinator concurrence shall be obtained prior to purging any file.
2. All files ordered expunged by a court order shall be purged. Destruction of intelligence material shall be carried out in accordance with the order for expungement.
  - a. The Intelligence Coordinator/Analyst shall complete the purging.
    - (1) Material considered of extreme importance shall be referred to the Executive Board for possible court defense.

Method of Destruction

1. All source document intelligence copy files approved for destruction by the Project Coordinator shall be destroyed by shredding.
2. All computerized entries approved for destruction by the Project Coordinator shall be removed from the computer by a purging order.
3. Following the completion of a purging order to the computer, an attempt to recall the file shall be made to ensure it has been purged by the computer.

## CHAPTER 15

### INFORMANT MANAGEMENT PROCEDURE

#### Introduction

The purchase of drugs, property, information, and the employment of operators are essential elements in the function of the Task Force. The utilization of informants to accomplish unit goals is essential. Informants will be utilized only to the extent that their assistance is necessary to accomplish unit goals.

#### Definitions

1. Confidential Informant: A confidential informant is a person who provides information and/or services to members of the Task Force with or without expectation of compensation in the form of money, or other considerations made under the direction of the Task Force, the county prosecutor's office, or any other branch of the criminal justice system.
2. Defendant/Informant: As above, but subject to arrest and prosecution for a state offense; or a defendant in a pending federal or state case who expects compensation for assistance in either the form of judicial or prosecutive consideration; or compensation of another form.
3. Restricted-Use Informant: An informant who meets any of the following criteria shall be considered a "restricted-use informant":
  - a. Persons on probation or parole (federal or state): only with written consent of supervising agency.
  - b. Persons formerly dependent on drugs or currently participating in a drug-treatment program: with the approval of the Unit Supervisor.
  - c. Persons with two or more felony convictions: with the approval of the Unit Supervisor.
  - d. Persons who have been convicted of a drug felony: with the approval of the Unit Supervisor.
4. A Source of Information: A person or organization, not under the direction of a specific agent, who provides information without becoming a party to the investigation itself (i.e., a business firm furnishing information from its records; an employee of an organization who, through routine activities, obtains information of value to the Task Force; or a concerned citizen who witnesses an event of interest to the Task Force). The title "informant" does not apply to a "source of information," unless the source seeks financial compensation or becomes a continuing active part of the investigative process.

#### Informant Criteria

There are four criteria that must be met to establish a person as a Task Force informant:

1. The person is in a position to measurably assist the Task Force in a present or future investigation.
2. The person shall not compromise Task Force interests and activities.
3. The person shall accept the measure of direction necessary for effective utilization of their services.
4. Approval of Unit Supervisor: To obtain Unit Supervisor approval, the requesting detective will submit an Informant Background form (Appendix B), which shall contain all specified information, including:
  - a. Informant's case number.
  - b. Social Security number.
  - c. Home and business telephone numbers.

The request form shall be accompanied by a rap sheet and a current photograph of the informant. In the absence of a rap sheet, a set of fingerprint cards will be necessary. The informant's true identity must be known prior to utilizing his/her services.

In the remarks section of the form, it must be noted if the informant has a pending case. If so, the prosecuting attorney's office will be notified, and the prosecutor authorizing the use of the informant will be named in this section.

#### Photographs

All informants shall be photographed (unless a recent photograph is already available). One print shall be attached to each copy of the establishing report. This requirement may be waived by the Unit Supervisor in cases of extreme sensitivity.

#### Criminal History Check

1. A preliminary check on each informant shall be conducted through WACIC/NCIC to determine if there is an outstanding warrant on file.
2. All potential informants shall be processed through the State Identification Section (WASIS) and FBI Identification files.

A request shall be made for a "criminal history check" and shall include all information available concerning the potential informant from the informant's Personal History Report and any other source accessible.

3. The informant may be utilized on a provisional basis while awaiting a response from WASIS and the FBI. The current status and utilization of the informant shall be reviewed in light of information contained in the subsequent FBI responses. Adjustments to procedures, status, and/or use shall be made as appropriate.
4. If identity of the informant is in question, a fingerprint check may be utilized. For extremely sensitive informants, a polygraph test may be utilized to establish veracity.



### Defendant/Informants

The following guidelines are intended to ensure that defendant/informants provide information or render services in a manner that recognizes their status as individuals subject to legal sanctions for criminal violations. The use of defendant/informants shall be governed by the following:

1. The approval of the appropriate prosecutor (i.e., federal, state, or local) shall be obtained prior to seeking the cooperation of a defendant.
2. A defendant may be advised that cooperation will be brought to the attention of the appropriate prosecutor. No further representations or assurances shall be given without approval of the Task Force prosecutor. The appropriate prosecutor shall have sole authority to decide whether or not to prosecute a case against a defendant/informant.
3. The appropriate prosecutor shall be advised of the nature and scope of the defendant/informant's cooperation throughout the period of the investigation. The procedures and frequency of this reporting shall be set by the prosecutor.
4. Prior to formally seeking the dismissal of any criminal charge against a defendant/informant, the Unit Supervisor must obtain the approval of the Project Coordinator.
5. Use of defendant/informants shall be reviewed in the manner prescribed for other informants. Their use may be continued only if they are found to meet the standards set forth therein.
6. A formal agreement shall be signed between the defendant/informant and the prosecutor.

### Utilization of Informants

1. Informants are assets of the Task Force, not specific officers or agencies.
2. Detective/informant contacts shall be of a strictly professional nature. Extrinsic social or business contacts are expressly prohibited.
3. Contacts with informants shall minimize their access to knowledge of Task Force facilities, operations, activities, and personnel.
4. Whenever practical, two Task Force detectives shall be present at all contacts with the informant.
5. All significant contacts with the informant and all information obtained at these contacts shall be documented in debriefing reports (Appendix C).
6. Agents shall obtain a tape-recorded admonishment advising the informant of his/her responsibilities while working with the Task Force. This will protect agents in many situations wherein the informant's conduct becomes unfavorable.

Informants (and sources of information) shall be advised at the outset that:

- a. They shall not violate any criminal law to gather information or provide services for the Task Force.
  - b. They shall not possess, sell, or deliver any narcotics or controlled substances, except as specifically directed to do so by a Task Force detective.
  - c. They are not a police officer and they do not have any power of arrest or other legal authority.
  - d. The Task Force will use all lawful means to protect their identity, but this cannot be guaranteed.
7. The prosecutor shall be advised of any assurances and/or compensation provided an informant or defendant/informant in advance of any judicial proceeding.
  8. When informants participate in undercover purchases involving official funds, controlled drugs, or items of potential evidentiary value, the buy will require a minimum of two detectives for surveillance purposes. Each buy will be controlled in the following manner:
    - a. The informant will be thoroughly searched preceding the buy. If the informant's vehicle or residence is utilized in the investigation, a thorough search will also be conducted of those areas to which the informant had access.
    - b. The informant will be given Narcotic Enforcement Team funds, which have been recorded by serial number, for the purchase of any contraband. The informant shall not purchase any contraband with personal funds. To avoid any error, all personal funds should be taken from the informant prior to contact with the suspect. The personal funds shall be returned to the informant immediately upon completion of the transaction.
    - c. When possible, constant surveillance will be conducted on the informant after the search and until he/she meets with surveilling agents.
    - d. The informant shall then be thoroughly searched as in Step a. All evidence and Narcotic Enforcement Team funds will be retrieved from the informant. When possible, the entire process (Steps a-e) should be accomplished by the same agent, with the same witness thereto.
    - e. The informant shall be thoroughly briefed and an Investigative Report (Appendix D) signed by the informant shall be obtained. If a written report is not practical at that time, a statement should be recorded for later transcription. The statement shall include a complete description of the suspect, a detailed account of all circumstances and conversations involved in the transaction, and any other facts which may be of importance.

#### Search of Informants

All searches shall be conducted by a unit member or other law enforcement member of the same sex as the informant.

9. Informant Payment: No money shall be paid to any informant unless the following conditions are satisfied:

- a. A Voucher for Payment for Information and Purchase of Evidence (Appendix E) is signed in informant's true or fictitious name and filed in the informant's file.
- b. The agent making payment is required to have two agent signatures on the voucher.
- c. Prior approval has been obtained from the Project Coordinator.

All monies paid to an informant will be recorded on a payment log in the informant file by the Unit Supervisor. Monies shall not be paid to any informant prior to the completion of his services unless other arrangements were made at the start of the investigation. It shall be the general rule that all payments shall be made in full at that time. Agents are discouraged from promising an informant a fixed sum of money. Payments will first be discussed with the Unit Supervisor. Informants will be paid in amounts appropriate to the following criteria:

- a. Nature and complexity of investigation.
- b. Impact of this investigation/arrest on community.
- c. Past reliability and work record of informant.
- d. Informant's willingness to testify in court.

10. Information obtained from informants will be evaluated and tested (where possible) before police action is initiated.

11. Personal contact with informants of the opposite sex shall be accomplished with two officers present.

12. Informants shall not be given agents' home addresses or home telephone numbers. A business telephone number will be given to all informants where the agent can be reached.

13. Although it is sometimes necessary to exchange consideration in pending cases for defendant informant services, this practice will require careful scrutiny. The approval of the Task Force prosecutor shall be obtained prior to seeking the cooperation of a defendant.

#### Informant Control

1. Each informant will be given an identification number.
2. The Unit Supervisor shall maintain a log of informant identification numbers in sequential order.

3. Each informant identification number shall have six characters, designed as follows:

(1) (2) (3) (4) (5) (6)  
I - 8 - 7 - 0 - 0 - 1

- (1) The first character shall always be the letter "I" (informant).
- (2), (3) The next two characters shall be the last two digits of the fiscal year of establishment.
- (4), (5), (6) The last three characters shall be a sequential three-digit number.

#### Informant Files

1. A separate file jacket shall be established for each informant. These files shall be stored in a secure location, segregated from any other files, and under the control of the Unit Supervisor.
2. In instances of extreme sensitivity, files of informants for whom a waiver of established procedures was granted may be stored separately from other informant files. Access shall be limited to the Unit Supervisor and Task Force personnel designated to control the informant's utilization. Upon deactivating such informants, the Unit Supervisor shall determine whether the file should be integrated into the regular informant files.
3. Informant files shall be maintained in identification number sequence under two headings: active informants and deactivated informants.

#### Problem Informant File

A Problem Informant File will be maintained by the Task Force under the control of the Unit Supervisor. This file will contain the name, identification number, and investigator involved. The Problem Informant Card File entry will contain a brief summary of why the particular individual is classified as a Problem Informant.

Entry into this file will not necessarily exclude the use of the informant, but additional screening will be required.

Reasons for entries in the Problem Informant Card File may include: giving false information, unreliability in handling money and/or evidence, continuous criminal activity while serving as an informant, etc.

In the event informant becomes unreliable, the unreliable informant information shall be submitted to WSIN.

#### Deactivation of Informants

1. Deactivation shall occur when:
  - a. The informant no longer has the potential to furnish information or services which could lead to a significant prosecution or interception of drugs.

- b. The informant is no longer willing to cooperate.
  - c. The informant's cooperation has been determined to be unsatisfactory.
2. Informants shall be deactivated by the decision or with the approval of the level of supervision which approved the establishment.
  3. A deactivation report shall be included in the informant file indicating the circumstances surrounding the deactivation.

CHAPTER 16  
ELECTRONIC SURVEILLANCE

Definitions

Detective in charge: The detective who immediately supervises and oversees the interception and recording of the interceptions is the detective in charge.

Technical investigative equipment includes all nonfirearm, nontwo-way radio communications, and nonrestraining equipment (e.g., photographic, visual, audio, and radio frequency, and surveillance equipment and testing devices).

A consensual intercept is an intercept or monitoring of a conversation or telephone conversation that is accomplished by natural means or through the use of electronic, mechanical, or other devices with the prior consent of at least one of the parties participating in the conversation. Washington law requires a court order--a one-party consent is unlawful in Washington without a court order.

Procurement and Maintenance of Monitoring Devices

It is the policy of the Narcotic Enforcement Task Force to procure and maintain only a reasonable and necessary number of monitoring devices for use in participant monitoring of conversations for investigative purposes.

Access to Technical Investigative Equipment

1. All technical investigative equipment (e.g., electronic tracking devices, tele-digital decoders, and officer protection devices) shall be stored in a locked and secured room or safe.
2. The Unit Supervisor shall designate an officer as custodian of all technical investigative equipment to be responsible for care and maintenance of such equipment.
3. Keys or combinations shall be held by the Unit Supervisor or the assigned officer/custodian, and it shall be the officer's/custodian's responsibility to issue such equipment with the prior authorization of the Unit Supervisor.
4. Other surveillance equipment, including radios and photographic equipment, shall be secured at a specified location under the responsibility of the assigned officer/custodian.
5. The officer/custodian designated should either be thoroughly trained or have shown an aptitude for training in the technical aspects and practical use of such equipment.
6. An inventory shall be maintained on a current basis at each location where the equipment is stored. All equipment shall be accounted for at all times, and when equipment is withdrawn from storage, a record shall be made as to the time of withdrawal and subsequent return to storage.

7. All equipment shall be returned to storage when not in actual use, unless returning the equipment would interfere with its proper utilization.
8. Each detective to whom the equipment is assigned shall prepare an Authorization and Use Report of Consensual Equipment form (Appendix F), accounting fully for the time the monitoring equipment was possessed and the uses made of it.

### Maintenance of Technical Investigative Equipment

#### General

The officer/custodian assigned shall be responsible for the proper and timely maintenance of all electronic surveillance equipment. A card file shall be kept on each item of equipment listing the person in possession of the equipment, the condition of the equipment, and the equipment's maintenance log. Maintenance includes, but is not limited to, the following:

1. Clean and follow maintenance instructions for all equipment permitting field maintenance, such as tape recording heads, camera lens, etc.
2. Send equipment out for professional maintenance in accordance with manufacturer's instructions.
  - a. Have frequency checked on radios at least once each year.
3. Conduct yearly inventory of all capital electronic equipment.
4. Plug in rechargeable equipment periodically to maintain charge.
5. Maintain file of operating and maintenance instructions.

#### Issuing Equipment

1. Explain equipment use to any detective unfamiliar with its use.
  - a. Explain the setting of equipment to proper operation after transportation.
  - b. Issue spare expendable equipment such as film, batteries, etc.
2. Pretest equipment for proper operation.
3. Pretest used batteries with battery tester.
4. Record on equipment file card the name of the person responsible for the equipment.

#### Checking in Equipment

1. Check equipment for damaged or missing parts.
2. Record condition of equipment on equipment card.
  - a. Equipment repairs shall be forwarded to Unit Supervisor with repair request.

3. Remove batteries prior to storage.
4. Reorder expendable supplies such as batteries, film, etc.
  - a. Inventory expendable supplies each six months.

#### Recordkeeping, Retention of Records, Transcripts, and Recordings

1. For consensual voice intercepts, the general policy is that where technically feasible, every effort should be made to both monitor and record all potentially incriminating conversations involving the subject of the investigation.
2. Results obtained from monitored intercepts shall be included in appropriate reports.
3. Any recording that has been obtained for use as evidence shall immediately be secured in a sealed evidence envelope. The detective performing such task shall date, initial, and seal the recording through prescribed methods outlined in the evidence policy. Full documentation shall accompany the evidence showing location, time, name of detective recording such conversations, and length of that particular recording.
4. Transcription of recordings of consensual intercepts is permitted when necessary; however, routine preparation of transcripts should be avoided. As a matter of policy, intercepts shall be transcribed only when needed for prosecution or when directed by the court.
5. All recordings of consensual intercepts, whether audible or inaudible, including those inaudible because of equipment malfunction together with any transcripts made of intercepted conversations, shall be retained in appropriate files.
6. All recordings of communications or conversations made pursuant to an investigation shall be retained for as long as any crime may be charged based on the events or communications or conversations recorded (RCW 9.73.090).

#### Disclosure of Intercepted Information

1. Information contained in records and reports pertaining to intercepted conversations shall be divulged to law enforcement personnel or prosecutorial personnel only when essential to operations, and only on a need-to-know basis.
2. Any lawfully-recorded or intercepted communication or conversation may be divulged pursuant to RCW 9.73.090.

#### General Overview of Steps Leading to an Authorized Interception Order

1. Detective develops substantial probable cause to support an application for an interception order.
2. Coordination between detective and Unit Supervisor.
3. Detective coordinates investigation with the Task Force prosecutor.



4. Detective and prosecutor prepare appropriate documents.
5. If approved, prosecuting attorney and detective in charge apply to judge or magistrate for an interception order.
6. If the court approves the application, interception may begin.

#### Participant Monitoring

1. "Prior to any interception, transmission, or recording, a detective shall obtain written or telephonic authorization from a judge or magistrate, who shall approve the interception, recording, or disclosure with a nonconsenting party for a reasonable and specified period of time, if there is probable cause to believe that the nonconsenting party has committed, is engaged in, or is about to commit a felony" (RCW 9.73.090).
2. "If the above authorization is given by telephone, the authorization and officer's statement justifying such authorization must be electronically recorded by the judge or magistrate on a recording device in the custody of the judge or magistrate at the time transmitted, and the recording shall be retained in the court records and reduced to writing as soon as possible" (RCW 9.73.090).
3. "Should telephonic authorization be deemed necessary, the detective in charge shall see to it that a recording is being made of the immediate request, to be transcribed as soon as possible thereafter" (RCW 9.73.090, S.S. 2).
4. Each application for an authorization to record communications or conversations shall be made in writing upon oath of affirmation and shall state:
  - a. The authority of the applicant to make such application.
  - b. The identity and qualifications of the investigative personnel for whom the authority to record a communication or conversation is sought and the identity of whomever authorized the application.
5. A particular statement of the facts relied upon by the applicant to justify belief that an authorization should be issued, including:
  - a. The identity of the particular person, if known, committing the offense and whose communications or conversations are recorded.
  - b. Details as to the particular offense that has been, is being, or is about to be committed.
  - c. The particular type of communication or conversation to be recorded and a showing that there is probable cause to believe such communication will be communicated on the wire communication facility involved or at the particular place where the oral communication is to be recorded.
  - d. The character and location of the particular wire communication facilities involved or the particular place where the oral communication is to be recorded.

- e. A statement of the period of time for which the recording is required to be maintained (RCW 9.73.090, S.S. 4) if the character of the investigation is such that the authorization for recording should not automatically terminate when the described type of communication or conversation has been first obtained, a particular statement of facts establishing probable cause to believe that additional communications of the same type will occur thereafter.
  - f. A particular statement of facts showing that other normal investigative procedures with respect to the offense have been tried and have failed or reasonably appear to be unlikely to succeed if tried or could be dangerous to employ.
6. Where the application is for the renewal or extension of an authorization, a particular statement of facts showing the results thus far obtained from the recording or a reasonable explanation of the failure to obtain such results, shall be included.
  7. A complete statement of the facts, known to the detective making the application, shall be included concerning all previous applications made to any court for authorization to record a wire or oral communication involving any of the same facilities or places specified in the application or involving any person whose communication is to be intercepted and the action taken by the court on each application.
  8. Such additional testimony or documentary evidence in support of the application as the judge may require shall also be included. These procedures are set forth by RCW 9.73.130.
  9. Whenever an order authorizing interception is entered, the order may require reports to be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Such reports shall be made at such intervals as the judge may require.

Prior approval from the Project Coordinator is required for consensual intercepts of telephone conversations.

#### Procedures for Consensual Intercepts

##### Fixed Installation of Consensual Intercept Equipment

1. Recordings and Transcripts. Recordings shall be made of all consensual intercepts when technically feasible. Transcripts of consensual intercepts shall be prepared only as necessary. Recordings and transcripts shall be secured along with the office working case file until they are determined to either:
  - a. Have possible evidentiary value, at which time they shall be treated as nondrug evidence. The fact that a case may result in possible prosecution warrants the retention of such recordings and any transcripts as nondrug evidence.
  - b. Recordings and transcripts determined to have possible evidentiary value shall be retained, whether audible or inaudible.

- c. Have no evidential value, at which time they may be disposed of.
2. Reporting. The separate reporting of monitored consensual telephone conversations is required. All consensual telephone conversations will be reported in the appropriate reports of investigation and/or informant statements.

#### Advance Approval

1. a. The detective in charge of the investigation shall complete an Authorization and Use Report of Surveillance Equipment form and forward data therefrom to the Project Coordinator. Where time limitations preclude the advance submission of the form to the Project Coordinator, the necessary information may be provided by telephone and promptly confirmed by the form as soon as practicable.
- b. The approval may pertain to one or multiple intercepts (not to exceed 12 contacts) to be conducted over a specified period of time not to exceed 7 days.
- c. Approval may be continued under the same authorization number when the specified time period has lapsed and additional intercepts are anticipated. Requests for continuations shall follow the same procedures as the initial request, with additional information furnished as to the number of intercepts previously conducted and a summary of the results obtained therefrom.
- d. Where authorization has been granted and the name of the nonconsenting person is unknown, the Unit Supervisor shall notify the Project Coordinator within 21 days concerning the identity of the unknown nonconsenting person. If the unknown person is not identified within the 21-day period, a negative notification is required.
2. Upon completion of an authorized intercept, the detective in charge of the investigation shall complete Part II of an Authorization and Use Report of Surveillance Equipment form (Appendix F). Details of the results obtained from use of consensual intercept equipment shall be documented in an Investigative Report.

#### Tracking Equipment (Vehicles, Boats, Aircraft)

1. Prior authority from the Project Coordinator is required when placing a beacon transmitter on vehicles, boats, or aircraft.
2. A beacon transmitter may be placed on a vehicle or boat with the operator's consent or may be attached to the outside of a vehicle or boat parked or docked in a public place, or in the driveway, open dock, or open land of the owner without a court order. However, a court order is required when placing a device inside a vehicle, aircraft, or boat (this includes making any connection to the power supply of the vehicle, aircraft, or boat).

#### Ground Sensor Equipment

Ground sensors may be placed along airstrips, roads, trails, open fields, etc., for the purpose of monitoring the activities of suspects landing on the strips or passing by certain locations. When the sensors are activated, a coded signal is transmitted to a remote command post indicating the area of activity.

Photographic, Optical, and Electro-Optical Equipment

1. There are no legal restrictions concerning the use of binoculars, cameras, night viewing devices, and CCTV video systems, either for viewing, taking photographs, or recording evidence on video tape or motion picture film, providing there is no violation of the individual's Fourth Amendment rights.
2. Photographs, motion picture film, and video tapes shall be handled as nondrug evidence.

## CHAPTER 17

### SEIZURES AND FORFEITURES

#### Philosophy

Although forfeiture is an action against property, that action inevitably impacts person(s). The court then can be expected to view such action in terms of its impact on the constitutional rights of the person(s) so affected. Therefore, the officer's use of discretion and good judgment is as necessary during a forfeiture as in an arrest situation.

#### General Seizures

The Fourteenth Amendment to the United States Constitution provides that no state shall deprive any person of property without due process of law. RCW 69.50.505 sets forth the circumstances under which a law enforcement officer may effect a seizure of drug-related property.

1. Drug-related property may be seized:
  - a. Upon process issued by any superior court having jurisdiction over the property.
  - b. A seizure incident to an arrest or a search under a search warrant.
  - c. When the property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding upon RCW 69.50.
  - d. When the law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety.
  - e. When the officer has probable cause to believe that the property was used or is intended to be used in violation of RCW 69.50.
2. The following property is subject to seizure and forfeiture:
  - a. All controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of RCW 69.50.
  - b. All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of RCW 69.50.
  - c. All property which is used, or intended for use, as a container for property described in paragraphs a or b.
  - d. All conveyances, including aircraft, vehicles, or vessels which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in paragraphs a or b, subject to exceptions listed under "Conveyances," paragraph 2.

- e. All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of RCW 69.50.
  - f. All drug paraphernalia.
  - g. "All moneys, negotiable instruments, securities, or other tangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of RCW 69.50.505, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of RCW 69.50.505: PROVIDED, that no property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent" [RCW 69.50.505(a)(7)].
3. All property, including that which is evidence, must eventually be disposed of if the property is not a controlled substance or contraband. Forfeiture proceedings are the only alternative to considering it returnable property.
  4. The policies and procedures contained in this section apply only to civil forfeitures.

#### Civil Seizure Procedures

##### General

The seizure process leading to forfeiture is essentially the same, regardless of the type of property involved. For some types of property (e.g., drugs in possession of a registrant, conveyances, financial proceeds, and real property), there are specific legal and procedural considerations involved. This subsection treats first the common process, then procedures which specifically apply to special types of property. Where an item of property is encountered which is unusual to the point that the guidance set forth in this section is not sufficient, contact with the Assistant Attorney General through proper channels is recommended.

##### Administrative Seizures

1. RCW 69.50.505 sets forth the circumstances under which law enforcement agencies may effect a civil seizure "administratively" (e.g., prior to filing a complaint for forfeiture with a court). Generally, there is sufficient latitude in these provisions to effect an administrative seizure under any conditions likely to be encountered in Task Force activities. However, seizing property without prior court process is the civil equivalent of arresting a person without a warrant; the probable cause for the seizure has not undergone prior judicial examination. Furthermore, there is a growing case law requiring the government to show a need for urgent action in administrative seizures.
2. Prior to making seizures, detectives shall determine, when possible, what items are to be seized and their locations at the site. Plans shall be made to have any special equipment on hand (e.g., trucks, dollies, boxes, tags, etc.).

3. Access to the property is governed by the laws of criminal search. If the owner or possessor refuses to surrender the item, then a court order shall be obtained and reasonable force may be used to accomplish the seizure.
4. Once it is known that the ultimate disposition of property seized as evidence will be subject to forfeiture, those proceedings must be initiated as soon as possible. Forfeiture proceedings should not be delayed for fear of adverse affect on a parallel criminal action. A stay of discovery and an order sealing pertinent documents may be sought in the civil action pending resolution of the criminal proceedings.

NOTE: Forfeiture proceedings are considered "initiated" in an administrative proceeding by the seizure. They are "initiated" in a judicial proceeding upon filing the Complaint for Forfeiture.

5. The prompt initiation of proceedings requirement does not apply to property subject to forfeiture but not yet seized or otherwise taken into custody. The property need not be seized immediately or at the first opportunity as long as the proceedings are initiated within the Statute of Limitations (RCW 4.16.100).
6. All property seized for forfeiture (except conveyances) shall be marked and sealed according to the department's evidence policy. If there are subparts to the seizure (e.g., a collection of laboratory equipment), nondrug evidence exhibit designators shall be assigned.
7. In each administrative seizure, a Notice of Seizure and Intended Forfeiture letter on Task Force letterhead shall be sent to the person that maintained custody of the property, as well as all other persons with ownership or financial interests, within 15 days. If the property is already in Task Force custody from a prior action (e.g., seized earlier as evidence), this step is not necessary.
8. Seized property shall be stored according to policy.
9. Task Force storage facilities shall be used whenever possible. When this is not possible, a bonded warehouse may be considered. All items of a seizure shall be stored in the same location within a storage site and segregated from any other seizures stored there. If the items must be stored in separate locations, controlled drugs shall be stored in the location having the highest degree of security.
10. At the "initiation" of forfeiture proceedings against any property other than a conveyance, an Investigative Report shall be prepared under the file number and title of the parallel criminal investigation. If there is no parallel criminal investigation, a new file number shall be assigned. The report shall contain the following headings:
  - a. Description of Property: Enter a brief description of the property, plus a reference to the property form which fully describes it.
  - b. Details of Ownership: Include the name and address of the owner, the name and address of the lienor, and the amount of lien.

- c. Probable Cause: Set forth the probable cause for seizure. Include the citation under which the property is being seized.
- d. Details of Seizure: Set forth the circumstances and details of the seizure, including the date and place. If the property was already in Task Force custody from an earlier action, so state and explain.
- e. Special Storage: Set forth the details of storage, including the name and address of the custodian, date delivered, and the storage rate.
- f. Details of Notice/Referral: If an administrative forfeiture, indicate the date(s) the owner (and lienor) were notified. If a judicial forfeiture, include details of referral to the Assistant Attorney General's or prosecutor's office and the date the complaint was filed.

Attach to this report copies of other documents arising from the seizure (complaint, warrant, etc.), the notification letter, and public notice, if any, and a copy of the letter to the Task Force prosecutor.

11. In a strict legal sense, property is "forfeit" at the moment of seizure according to RCW 69.50.505(c). Subsequent forfeiture proceedings merely confirm or proclaim the forfeiture. The Task Force has a legal interest in property being held pending resolution of forfeiture proceedings. Therefore, theft of property in this status constitutes a violation of RCW 9A.56.020, and the commission of "damage or mischief" to such property constitutes a violation of RCW 9A.48.070 through .090.

#### Judicial Seizures

1. Property subject to forfeiture under RCW 69.50.505 may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property [RCW 69.50.505(b)].
2. A "process" to seize the property may be issued as the result of a complaint filed with any superior court.
3. The "process" may be issued before any arrest or search and be a part of those warrants, or it may be after the search and arrest. The latter may be necessary to recover property when its location was unknown at the time of the search and arrest action.
4. Prior to filing the complaint or requesting the court order ("process"), the detectives shall:
  - a. Establish the probable cause for the seizure.
  - b. Determine, insofar as possible, what items are to be seized and their locations at the site.
5. The detective shall coordinate with the prosecutor in order to prepare a petition and request a court order for seizure of the vehicle.



6. The court order shall be presented at the time of seizure to the owner or to the party maintaining control of the property.
7. All property seized for forfeiture shall be marked, sealed, and stored as set forth in the Task Force policy.

#### Conveyances

1. RCW 69.50.505 provides "All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, in any manner to facilitate the sale of (drug) property," are subject to seizure and forfeiture. Certain exclusions are set forth in paragraph 2, which follows.

The law thus provides the latitude to seize conveyances under a broad range of circumstances. Task Force policy shall be to seize any conveyances subject to seizure under RCW 69.50.505(a)(4).

2. Legal exceptions to the policy of routine seizure are as follows:
  - a. "No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this [RCW 69.50.505(a)] section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter."
  - b. "No conveyance is subject to forfeiture under this [RCW 69.50.505(a)] section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent."
  - c. "A conveyance is not subject to forfeiture for a violation of RCW 69.50.401(c)." (marijuana possession less than 40 grams)
  - d. "A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission." [RCW 69.50.505(4) (i), (ii), (iii), (iv)]
  - e. When, in the period between the time the conveyance was used in a violation and the time it may be seized, possession has transferred to an innocent party. Examples:
    - (1) If a lienor has repossessed the conveyance for reasons to avoid seizure, the conveyance shall be seized.
    - (2) If the conveyance was rented at the time of the violation, but is returned to the rental company prior to seizure.
    - (3) If, prior to seizure, the conveyance is sold to an innocent purchaser (if there is indication that this sale was initiated to defeat the seizure, then the seizure should be made).

- f. When only trace amounts of drugs are involved. A trace is defined as less than a dosage unit of a controlled drug (also see paragraph c).
- g. When a stolen conveyance was used and was in this status during the violation.
- h. When the conveyance is inoperable to the point that it reasonably could not be used again in a drug violation.
- i. When the conveyance is in a repair shop and the costs of the repair is substantial versus the value of the conveyance.

NOTE: Where this is not the case, attempt to have the repair shop release the conveyance and file a petition to recover the charges. If this is not possible, pay the repair bill and charge the payment as cost of the seizure.

- j. When a conveyance is used as a site for negotiation, unless the transaction is (1) completed within a "reasonable time" (e.g., hours); (2) completed as negotiated; and (3) completed with no intervening negotiations.
3. When a special circumstance exists in which an exception to 1 or 2 above is felt warranted (either to seize or not to seize), the Task Force prosecutor and the Executive Board should be consulted.
  4. Upon seizing the conveyance, it must be thoroughly searched and its contents inventoried. All articles not part of the conveyance and not having evidentiary value or not subject to separate forfeiture action shall be removed and returned to the owner without delay. Accessories, jacks, and standard maintenance tools are considered part of the conveyance. Installed radios, tape players, etc., are also part of the conveyance. Tapes found in a tape player are part of the conveyance, but loose tapes are not.
    - a. An inventory of all items discovered shall be made on a Record of Seized Vehicle, Vessel, or Aircraft form (Appendix G), and this inventory shall be maintained in the seizure and case file.
  5. Seized aircraft should not be moved without the assistance of a qualified pilot.
  6. As soon as possible following the seizure (within five working days), an Investigative Report shall be prepared which contains the probable cause for the seizure. Also prepare a Record of Seized Vehicle, Vessel, or Aircraft form (Appendix G) and assure that a forfeiture file is created using the investigation file number and that a notice of seizure is sent to all persons having an interest in the vehicle.
  7. Quick Release Policy: Since lenders do not have the abilities to access all criminal record systems, it is Task Force policy that, upon satisfactory showing, conveyances shall be released to innocent registered owners or lienholders prior to initiating forfeiture proceedings. Quick releasing a conveyance is merely an expeditious means of resolving seizures which, if pursued through forfeiture proceedings, would ultimately result in the release of the conveyance.

- a. Upon receipt of the working copy of the Record of Seized Vehicle, Vessel, or Aircraft form and the Justification of Seizure form, the Project Coordinator shall determine if quick release of the conveyance is warranted. Innocence of the registered owner shall be considered, but not limited to, the following factors:
- (1) Did the registered owner have knowledge of the violation?
  - (2) Does the registered owner have a prior record or reputation as a drug violator?
  - (3) Was the conveyance registered to the parent for insurance purposes because the violator was underage?
  - (4) Did the violator have principle use and control over the conveyance?
  - (5) Did the drug violation constitute more than possession of 40 grams or less of marijuana?
  - (6) Do other conditions exist that justify the initiation of formal forfeiture proceedings?
- b. If the answers to the foregoing questions are determined to be no, the conveyance should be returned to the registered owner, provided a Vehicle Indemnity Agreement is signed by the owner.
- c. Prior to releasing a conveyance to the registered owner, the detective shall determine whether a lien exists on it. If so, a letter shall be sent via Registered Mail to the lienholder stating:
- "This letter is to advise you that on (date) a (description of conveyance) registered to (name and address) was seized by the Cooperative Narcotic Task Force of \_\_\_\_\_ County for violation of RCW 69.50.505. However, on (date), in consideration of the entering of a vehicle indemnity agreement to hold the Task Force harmless, the conveyance was released to (name and address)."
- d. If the answer to any question in paragraph (a) is yes and no lien exists, proceed with appropriate forfeiture procedures.
- e. If the answer to any question in paragraph (a) is yes, and a lien exists, a full lien inquiry shall be conducted to determine the extent of the lienholder's equity.
- (1) If the difference between the lien and appraised value is more than \$1,000, the appropriate forfeiture proceedings shall be followed.
  - (2) If the difference between the lien and appraised value is less than \$1,000, the vehicle should be released to the lienholder, provided:
    - (a) The lienholder had no prior knowledge of the violation nor consent concerning the act or omission.

- (b) The lienholder provides satisfactory proof of interest (sales contract, installment note, etc.).
  - (c) The lienholder obtains the signature of the registered owner on a release or other document authorizing the lienholder to take possession.
  - (d) The lienholder agrees to pay all costs of seizure.
  - (e) Where a conveyance is quick released (to either the registered owner or the lienholder), an Investigative Report entitled "Indemnity Agreement" (Appendix H) shall be prepared. The report shall contain a full justification for releasing the conveyance, as well as the details of the return. Copies of any documents surrounding the release shall be attached.
8. Once it is determined that a conveyance will undergo forfeiture proceedings, it shall be stored in a reasonably secure storage facility and prepared for long-term storage (to include at least the following):
- a. Exterior accessories such as hub caps shall be removed and locked in the trunk.
  - b. Tires shall be inflated to correct pressure.
  - c. Battery shall be properly filled.
  - d. When climate dictates, sufficient antifreeze shall be added to the radiator.
  - e. All doors shall be locked; all windows shall be closed.
9. The forfeiture action shall be initiated promptly following seizure. Delay in instituting the forfeiture action may jeopardize the seizure (Seguin v. Eide, 645 F. Rep. 2d 804, 1980).

#### Financial Proceeds Seizures

1. Property subject to forfeiture under RCW 69.50.505(a)(7) shall include: "All moneys, negotiable instruments, securities, or other intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of RCW 69.50.505, subject to the restrictions contained in the chapter."
2. All financial proceeds shall be seized and processed as follows:
  - a. The proceeds shall be inventoried by two detectives.
  - b. The owner shall be given a Cash Receipt for all financial proceeds seized.

- c. The financial proceeds shall be delivered to the Unit Supervisor for storage and sealed with the proper forms attached.
- d. Administrative forfeitures shall be initiated as soon as possible.

### Forfeiture Procedures

#### General

1. The lead agency shall be the seizing agency, and disposal of property shall be in accordance with RCW 69.50.505 and any agreement signed by and between participating agencies.
2. The Unit Supervisor shall coordinate with the Task Force prosecutor on tracking and processing of asset seizures.

#### Classes of Forfeiture - Criteria

There are three means of processing a forfeiture under state law:

1. Summary Forfeiture: Any controlled substance or plant falling under the provisions of RCW 69.50.505 is subject to seizure and forfeiture, without the necessity of any further proceedings. Property meeting either of these criteria is considered contraband and will be handled as drug evidence.
2. Administrative Forfeiture: Any item falling under the provisions of RCW 69.50.505 may be handled administratively.
3. Judicial Forfeiture: Any item falling under the provisions of RCW 69.50.505 and having a unit value of over \$500 (where an affected party submits a judicial claim) must be handled judicially.

#### Investigation Procedures Involving Contested Seizures

The Investigative Report shall have the following format:

1. Background: Attach a copy of the Record of Seized Vehicle, Vessel, or Aircraft form.
2. Claimant's Interest: If the claimant is a lienholder, report the basis of interest, the names and addresses of persons to whom credit was extended (including cosigner), the date and place where the credit was extended, and all details as to lienor's net equity.
3. Record or Reputation for Drug-Related Crime: The report shall specifically detail:
  - a. The violator's record or reputation for drug-related crime.
  - b. Whether the petitioner knew or was likely to know of this record or reputation and the degree of knowledge of the claimant.
  - c. If loaned, the circumstances under which the vehicle or other property was loaned to the violator.

- d. If the claimant is a lienholder and it is believed that a straw purchase took place, the basis for this belief and whether it was known to the lienor.
4. Other Facts Bearing on the Hearing: Any other facts which have a bearing on whether the claim should be granted or denied, such as the claimant's cooperativeness, the truthfulness, etc., shall be included.
5. Summary: All the foregoing as it bears on the determination to grant or deny the petition shall be summarized.
6. The Unit Supervisor shall prepare a memo to the Task Force prosecutor containing a recommendation to grant or deny the petition. If the recommendation is to grant the petition and the petitioner's equity, balanced against the type and condition of the property is such that it would be beneficial for the Task Force to pay the equity and keep the property, the memorandum shall so indicate.
7. The report and the cover memorandum (with a copy of the request for hearing attached) shall be distributed as follows:
  - a. Copy to the Task Force prosecutor
  - b. Copy to the Executive Board
  - c. Copy to the detective's case file

CHAPTER 18  
DRUG EVIDENCE

Drug Evidence

Drug evidence includes all evidence seized or taken by a narcotics detective pursuant to RCW 69.50.505. This material shall be collected, maintained, and disposed of in the manner set forth in this section.

Responsibility for Evidence

The detective who acquires or is assigned responsibility for drug evidence shall maintain custody of the evidence until it is transferred to a Washington State Patrol Crime Laboratory, evidence custodian, or a court. The number of detectives involved in actual handling of exhibits shall be restricted to minimize the number of detectives who must subsequently testify in court. The detective responsible for evidence shall process and submit it to the nearest Washington State Patrol Crime Laboratory as soon as possible.

Collection

Strict adherence to the following procedures and precautionary measures is essential. Detectives shall:

1. Not attempt to identify a substance by taste or odor.
2. Not permit suspects to retrieve or handle evidence during a search.
3. Photograph suspected drug evidence in its original location prior to collection during a search.
4. Collect and handle evidence acquired from different locations as separate exhibits.
5. Collect and handle separate unpackaged quantities of suspected drug evidence as separate exhibits.
6. Collect and handle empty containers or paraphernalia with evidence of suspected drug residue as drug evidence.
7. Exercise care to avoid contamination of evidence and loss by spillage.
  - a. Use noncontaminated containers when it is necessary to place evidence in a substitute container.
  - b. Ensure that the substitute container will fully contain and safely preserve the substance during handling and shipping.
  - c. Do not use the plastic evidence envelope as a substitute container for powdered substances.
  - d. Package and identify substances recovered after inadvertent spillage as a separate exhibit.

### Field Tests

Field tests shall be conducted as necessary to determine the identity of the drug and immediate investigative strategy to be employed. All detectives shall be trained in the proper procedures.

1. Report the performance and results of the field test (positive or negative), including the name of the detective conducting the test and witnessing officers, in the Investigative Report.
2. Under no circumstances shall a detective destroy or otherwise dispose of suspected drug evidence which does not react positively to a field test.

### Reporting Drug Acquisitions

1. All drug acquisitions shall be documented on the Evidence Property Report (Appendix I).
2. A Request for Laboratory Examination form (available at any Washington State Patrol Crime Laboratory) shall be prepared for all drug evidence submitted to a Washington State Patrol Crime Laboratory for analysis.

### Seized Money

1. Procedures When Funds Are Discovered
  - a. Seizures of funds shall be carefully handled to avoid discrepancies in counting the funds and to avoid accusations of theft or misappropriation of a defendant's funds.
  - b. Whenever funds are discovered on a defendant or in the premises being searched, the finding detective shall summon a witnessing detective immediately. The defendant or person claiming ownership of the funds shall be taken to the location where the funds were found if not found on the defendant's person. At no time shall the detectives allow a person to reach into a drawer, closet, etc., to retrieve the funds. The detectives shall determine the location of the funds and retrieve them in the subject's presence. The funds shall be counted in the presence of two detectives and the defendant or other person claiming ownership. If no defendant or other person is present, the funds shall be counted by one detective, with a second detective as a witness. The person from whom funds are seized shall be given a Receipt for Cash or Other Items (Appendix J) or a copy of the search warrant, and shall be required to sign the receipt to acknowledge the amount of funds taken.
2. Authority to Seize Funds
  - a. Funds may be seized as evidence, which means that they are previously recorded and expended advance funds. Funds may be seized for comparison with lists of advance funds previously expended provided there is reason to believe the funds may contain bills from previous expenditures.
  - b. Funds may be seized for safekeeping subject to return to the lawful owner.



- c. All monies seized by the Task Force shall be proceeded against as an administrative forfeiture pursuant to RCW 69.50.505(a)(7). Money that is not traceable under RCW 69.50.505(a)(7) could be subject to a jeopardy tax assessment from the Internal Revenue Service.

### 3. Processing Seized Funds

- a. The total amount of the seized funds shall be listed on an Evidence/Property Report. The currency serial number of each bill need not be listed. If the funds consist of recovered advanced funds, a notation shall be placed on a copy of the original money list next to the serial number of each recovered bill which identifies that particular bill as being recovered. The copy of the original money list shall be stapled to the evidence envelope containing the recovered funds.
- b. Separate Evidence/Property Reports shall be used for recovered advanced funds and other funds seized which are not identified as previously-expended advanced funds.
- c. The funds shall be segregated, as the disposition of funds may be different for each type seized.
- d. The funds shall be identified by assigning exhibit designations in alphabetical sequence. Funds seized from different locations shall be assigned separate exhibit designations.
- e. A separate exhibit designation shall be assigned to recovered advanced funds expended for different drug exhibits, even if they were recovered at the same time and place.
- f. All of the funds accounted for on a particular Evidence/Property Report shall be placed in one evidence envelope.
- g. The funds shall be counted by two detectives and serial numbers checked against the original money list. The funds shall then be placed in the evidence envelope with the original money list bearing the notation as to which bills were recovered. The two detectives who counted the funds shall witness the sealing of the funds in the evidence envelope by signing the Evidence/Property Report. A copy of the original money list shall be stapled to the outside of the evidence envelope.
- h. The Unit Supervisor shall take custody of the funds and acknowledge receipt on an Evidence/Property Report, identifying the funds by exhibit designation and the assigned case number. The funds shall be placed in a bank safe deposit box unless a safe is available.
- i. The investigative file shall contain a copy of the Evidence/Property Report and any other receipts which establish the chain of custody for the funds from the time the agent seized them and turned them over to another authorized individual.
- j. At no time shall a detective turn seized money over to another person without determining that the person is entitled to the funds and obtaining a proper receipt for the funds.

k. The details of the seizure shall be included in the Investigative Report documenting the operation.

4. Identified Advanced Funds in Hands of Innocent Third Parties

- a. Under certain conditions, it may be important to an investigation to recover, as evidence, identified advanced funds that have been transferred to an innocent third party (bar, business establishment, etc.). Detectives shall be cautious not to jeopardize the investigation while taking action to recover the funds. In these circumstances, recovery of funds shall be considered only when it is important to the investigation. It shall be clearly established that the person from whom the funds are recovered is, in fact, an innocent third party.
- b. Generally, the third party shall be given other advanced funds in exchange for the expended funds which are to be recovered. In effect, the evidence (the recovered bills) is being purchased from the innocent third party. This type of expenditure shall be reported on a Voucher for Payment for Information and Purchase of Evidence as a purchase of evidence, and the recovered funds shall be processed as described in 3 above (Processing Seized Funds).

Handling of Weapons

1. Caution must be utilized when weapons (particularly firearms) are seized. Firearms shall be unloaded immediately upon seizure by the detective most familiar with the weapon, except where the firearm could be evidence in a shooting.
2. In situations where the apparent owner of a weapon is not present, a copy of the warrant noting the seizure or Receipt for Cash or Other Items shall be left at the premises where the weapon was seized.
3. Upon the seizure of any weapon within the jurisdiction of the Bureau of Alcohol, Tobacco, and Firearms (ATF), the seizing detective shall notify the nearest ATF Office of the seizure within one working day.
  - a. When ATF indicates interest in adopting a Task Force-seized weapon for prosecution, the seizing detective shall surrender the weapon to ATF at the earliest possible time.
  - b. To properly transfer the weapon, a Disposition of Non-Drug Evidence form shall be completed and signed by the seizing detective, the receiving ATF official, and a witness.
4. When a firearm (or other weapon) is secured solely for detective safety while conducting a search, it shall be removed from the premises when the detective leaves.
  - a. The securing detective shall provide the owner of the firearm with a Receipt for Cash or Other Items and advise the owner of the location where the firearm shall be taken and held.
  - b. The firearm shall be properly sealed and turned over to the appropriate Property Custodian. An Evidence/Property Report shall be completed and the proper signature shall be obtained.

- c. Detectives securing firearms for safety purposes shall immediately conduct a thorough investigation to determine if the owner is legally entitled to possess the firearm. Such an investigation should include, but not be limited to:
    - (1) Confirming with ATF, with WACIC, and local authorities the legality of the possession of the firearm.
    - (2) Determining any state or local licensing requirements with respect to only firearms involved.
    - (3) Determining from federal and local authorities whether a ballistics examination is desired.
    - (4) Determining through NCIC whether the firearm has been reported stolen.
  - d. Firearms which have been secured at Task Force offices for safety reasons and are found to be legally possessed by the owner shall be surrendered in an unloaded condition to the owner as soon as such a determination has been made.
    - (1) The surrender by the Evidence Custodian of such firearm to the owner shall be witnessed by at least one other officer.
    - (2) One copy of the Disposition of Non-Drug Evidence form shall be forwarded to the detective by the Evidence Custodian.
  - e. Firearms seized and held as evidence shall be disposed of in accordance with agency policies when no longer required as evidence and a Disposition of Non-Drug Evidence form completed.
6. The details of the seizure shall be included in the Investigative Report documenting the operation.
  7. Weapons other than firearms and explosive devices shall be disposed of by the appropriate Property Custodian when no longer required as evidence. Any such disposition shall be witnessed by at least one detective. Any means of disposition chosen by the appropriate Property Custodian shall ensure such weapons are rendered unuseable. A Disposition of Non-Drug Evidence form shall be completed and properly filed.

Report of Nondrug Property Collected, Purchased, or Seized

An Evidence/Property Report shall be prepared on any occasion that nondrug evidence is collected, purchased, or seized.

1. An Evidence/Property Report shall be prepared prior to the submission of nondrug evidence to the Property Custodian.
  - a. Only nondrug exhibits of the same case may be reported on the same Evidence/Property Report.
  - b. Nondrug exhibits of the same case which were obtained on different occasions shall be reported on separate Evidence/Property Reports.

- c. Nondrug exhibits of the same case which were obtained from different locations shall be reported on separate Evidence/Property Reports.
  - d. Nondrug exhibits obtained from different suspects or different defendants of the same case shall be reported on separate Evidence/Property Reports.
2. An Investigative Report shall be prepared for any nondrug evidence released to other federal, state, or local authorities for examination or prosecution.
  3. The detective who seizes, collects, or purchases nondrug evidence shall prepare the proper reports.
  4. If the Evidence/Property Report documents the seizure of money, the detective delivering the money to the Imprest Fund Cashier shall be responsible for the Evidence/Property Report, the Receipt for Cash or Other Items, the Investigative Report, and the Disposition of Non-Drug Evidence form.
    - a. The Imprest Fund Cashier shall maintain the evidence separate from all other funds in a deposit box.
    - b. For cash items, the Imprest Fund Cashier shall function as a Property Custodian and follow all normal procedures outlined above for that position.

#### Custody of Evidence

#### Documenting Transfer of Evidence

1. A Receipt for Cash or Other Items shall be used by Task Force personnel to document the transfer of evidence, except as noted in paragraph 2.
  - a. Transfer of evidence exhibits with different case numbers shall be documented on separate Receipts for Cash or Other Items.
  - b. Transfer of multiple exhibits of both drug and/or nondrug evidence with the same case number to the same person may be documented on a single Receipt for Cash or Other Items.
2. The initial transfer of nondrug evidence to the Property Custodian shall be receipted on an Evidence/Property Report.

#### Production of Evidence in Court

1. Detective's Presentation of Evidence
  - a. When evidence is withdrawn for any purpose from the property room, approval shall be based upon:
    - (1) Identification of the requestor
    - (2) Reason for the request
  - b. Whenever possible, the detective responsible for the initial collection of the evidence shall transport it to court.

- c. The detective and the Property Custodian shall sign a Receipt for Cash or Other Items showing transfer of evidence.
  - d. The evidence shall remain in the detective's immediate custody until presented to the court to be marked as evidence.
  - e. The signature of the court official shall be obtained on a Receipt for Cash or Other Items.
  - f. If the court decides to retain evidence brought before it, a Disposition Report (Appendix K), either drug or nondrug, shall be signed by the court official receiving the evidence. The court official shall also sign the Receipt for Cash or Other Items if not previously signed.
2. The judge may direct the detective to retain the evidence throughout the court proceedings.
    - a. If secure storage is available which permits only single access, the detective may store the evidence until required.
    - b. If secure storage is not available, the evidence shall remain in the detective's immediate possession until returned to the Property Custodian or the Crime Laboratory.
3. Return of Evidence to the Appropriate Property Custodian
    - a. In jurisdictions where evidence is returned to the Task Force after the trial or the appeal process, the detective in charge of the case will normally be responsible for returning the evidence to the appropriate Property Custodian.
      - (1) If the seal has been broken on any exhibit returned to the Task Force by a court, the following action shall be taken:
        - (a) The detective in charge shall reseal the exhibit immediately upon receipt from the returning court official.
        - (b) When a plastic evidence envelope has been used, the detective in charge shall inventory the contents of the unsealed container to ensure that all subdivisions of the exhibit are present. The detective shall acquire the signature of the court official on a Receipt for Cash or Other Items on which the unsealed exhibits are listed and provide a copy to the court official. A copy of the Receipt for Cash or Other Items shall be filed in the case file. Promptly upon return to the office, the detective who accepted custody shall reseal the exhibit in the presence of a witnessing detective, and the two shall jointly verify the gross weight of the exhibit.

- (2) In jurisdictions where the court assumes responsibility for final disposition of evidence at the conclusion of the judicial process, the detective in charge shall document such disposition on a Disposition Report (Appendix K), either drug or nondrug. A copy of this form(s) shall be forwarded to the appropriate Property Custodian.

#### Evidence Requiring Special Processing or Reporting

##### Clandestine Laboratory Evidence

1. When a clandestine laboratory seizure is anticipated, arrangements should be made to have a Drug Enforcement Administration or Washington State Patrol Crime Laboratory chemist present.
2. The detective in charge of a clandestine laboratory investigation shall supply the assigned Washington State Patrol chemist with all the information available about the clandestine laboratory. If a debriefing of an informant involved in the investigation by the chemist would be useful, the detective in charge shall arrange one.
3. In emergency situations when a clandestine laboratory is encountered and the services of a chemist are not immediately available, the detective in charge of the investigation shall request the aid of a qualified local law enforcement chemist.

##### Handling Clandestine Laboratory Evidence

1. Smoking, eating, and drinking are prohibited in the laboratory.
2. The detective in charge shall summon the accompanying chemist, who shall inspect the premises and make recommendations for the collection of evidence.
3. When a chemist is not at the laboratory site during seizure, the detective in charge should consult a chemist prior to closing down or dismantling any apparatus.
4. The chemist shall inspect the laboratory to determine the sequence of manufacturing.
  - a. The chemist shall direct the close-down of the apparatus after determining the manufacturing sequence. The apparatus should not be shut down arbitrarily as this could cause a reverse reaction leading to an explosion.
  - b. Prior to any dismantling of equipment or the handling of chemicals, the entire laboratory shall be photographed to show all aspects of the operations. Flashbulbs shall not be used.
  - c. If a tableting machine or any other dosage unit packaging machine is encountered, it shall not be dismantled or touched until it is examined by a chemist.
  - d. The detective in charge shall designate a detective to prepare a complete inventory of the laboratory with the assistance of the chemist.

5. The detective in charge, assisted by the chemist, shall determine what items are to be seized as evidence and what items are subject to civil seizure.
  - a. Hazardous catalysts, reagents, and solvents identified by the chemist shall not be seized by Task Force detectives. The chemist may seize and retain custody of small samples when identification is essential to prosecution. The detective in charge shall request the local fire department or a qualified bomb squad to remove and dispose of such chemicals.
  - b. All samples of chemicals seized as evidence shall be submitted to the nearest State Crime Laboratory.
    - (1) Detectives transporting suspected drugs, precursor chemicals, in-process materials, etc., from the clandestine laboratory site for processing shall ensure that a dry chemical or carbon dioxide fire extinguisher is readily available for emergency use.
    - (2) For directions in handling and processing inprocess materials, the chemist should be consulted.

#### Handling of Bulk Drug Evidence

##### General

1. Requirements as to the quantity of seized evidence to be submitted vary among the courts; therefore, standard procedures cannot be prescribed for Task Force use.
2. The detective in charge shall determine, in consultation with the Task Force prosecutor and the Unit Supervisor, the precise bulk evidence requirements.
3. The sampling and photographic procedures prescribed in this section shall be employed, unless directed otherwise by the prosecutor.

##### Collection of Bulk Drug Evidence

In situations where it is impracticable to forward the entire seizure to a Crime Laboratory, the seizure shall be secured and the Task Force prosecutor consulted to determine the precise sampling, photographic, and destruction techniques to be employed.

1. Identify separate exhibits.
2. The initial photographing of evidence shall be accomplished at the site of the seizure. When practicable, the extraction of samples and the photographic record shall be accomplished where the evidence stored.
3. The prosecutor shall be encouraged to be present during the seizure.
4. When evidence is discovered in vehicles, aircraft, or boats, the conveyance may be moved to an area where cargo handling equipment is available or moved to a more convenient area for unloading and processing.

## Photographing and Extracting Samples of Bulk Drug Evidence

1. Two separate sets of photographs are required: One set shall be identified and filed in the case file, and one set shall be identified as photographic evidence.
  - a. To ensure on-site that a photograph of good resolution has been obtained, a color camera which provides prints immediately shall be used for one set of photographs.
    - (1) This set of photographs shall be identified with the name of the detective taking the photograph on an evidence sticker affixed to the reverse and shall be filed in the case file.
    - (2) If required, this file set of photographs may be provided to the prosecutor with the Investigative Report.
  - b. A second photograph of each scene shall be taken with the instant print camera or a 35 mm camera with color film for evidence purposes.
    - (1) This set of photographs shall be identified with the name of the detective taking the photograph on an evidence sticker affixed to the reverse and shall be filed in the case file.
    - (2) If required, this file set of photographs may be provided to the prosecutor with the Investigative Report.
  - b. A second photograph of each scene shall be taken with the instant print camera or a 35 mm camera with color film for evidence purposes.
    - (1) Access to photographic laboratory facilities, processing time, and requirements for enlargement of the evidence photographs should be considered in selecting the camera to be used.
    - (2) The instant print photographs or the developed negatives shall be identified by the photographer as photographic evidence on separate evidence sealing stickers affixed to each.
2. Each photograph taken shall be self-documenting. A sign shall be prepared and positioned so that the following information is clearly readable in each:
  - a. Case number
  - b. Names of seizing detectives
  - c. Exhibit number
  - d. Date and time of the seizure
  - e. Geographic location of the seizure



For the second series of photographs to be used as evidence, a clearly visible unit of measure--such as a ruler, yardstick, or a detective--shall be included to indicate the size of the seizure.

3. As an example, in the case of a large marijuana seizure, the evidence shall be assembled and photographed as follows:
  - a. First, the bulk exhibit in the original position and location in which it was discovered.
  - b. Next, the unloaded, assembled, stacked, or piled evidence such that samples may be extracted or sampled locations marked; if the substance is enclosed in containers or wrappings that obscure the substance contained, openings shall be made in several of the containers to reveal the substance contained.
    - (1) After assembling the evidence, extract from location either one kilogram or one brick of the substance. Place a clearly readable marker bearing the letter "A" on the sample location. Next, extract samples of approximately five grams each of the substance from ten dispersed locations. As each sample is extracted, consecutively mark each location with the letters "B" through "K."
    - (2) Photograph the entire seizure. Ensure that both the descriptive sign and all of the letters on the sample markers are clearly displayed.

#### Weight, Count, and Examination of Bulk Evidence

Accountability of bulk seizures shall be maintained in terms of weight, the number and type of containers, and the count of items, depending on the form of the drug substance. In most instances, the ultimate destruction of the evidence will be accomplished and certified through Task Force destruction procedures, which will include filing a Drug Evidence Disposition Report (Appendix K). The weight and count information on the report will clearly document the destruction of the total seizure submitted to the laboratory for analysis.

1. The seizing detectives shall visibly examine the contents of each package to verify the uniformity of the seizure and determine if other types of contraband are present.
2. The gross weight of the bulk seizure exhibit shall be determined either by actual weighing of the entire seizure in original packaging or by weighing representative containers and computing the weight by multiplication of that weight by the number of like containers. In either case, the gross weight of the entire exhibit shall be entered on the inventory form.
3. The net weight of the entire bulk seizure shall be estimated. First, weigh one of each representative empty container or original wrapping and compute by multiplication the weight of all such containers. The container weight shall then be subtracted from the gross weight. The net weight shall be entered on the inventory form.

4. The number and type of containers shall be entered on a Drug Evidence Seizure Report and continued on another form, if necessary. If the substance is in brick form, the number of bricks shall be entered.
5. Should a sample of bulk evidence be removed for emergency analysis by a local law enforcement laboratory, such removal and analysis shall be considered a field test. The field test must be followed and confirmed by a Washington State Patrol Crime Laboratory analysis.

#### Storage of Bulk Drug Evidence

1. Bulk drug evidence shall be stored in such a place as to assure its safekeeping until the receipt of the Washington State Patrol Crime Laboratory analysis.
2. After receipt of the Washington State Patrol Crime Laboratory analysis, bulk evidence shall either be destroyed in accordance with Task Force procedures or the entire seizure shall be preserved for submission as evidence, depending on the requirements of the particular court jurisdictions.

## CHAPTER 19

### SECURITY

#### Facilities

##### 1. Responsibilities

- a. The Unit Supervisor has primary responsibility for establishing and maintaining overall physical and operational security.
- b. The Unit Supervisor is responsible for maintaining and supervising security on a daily basis.
- c. Each member of the Task Force is responsible for enforcing security conditions and requirements, for making on-the-spot corrections when necessary, and for providing constructive recommendations to improve security conditions.

##### 2. Visitors

- a. The number of visitors having access to the facility in which classified material is stored or intelligence analysis and collation is conducted shall be held to a minimum.
- b. Positive identification is required for all visitors.
- c. All visitors shall be escorted by the person who the visitor is contacting.
- d. Informants shall not be allowed in the office area (a separate secure room away from the office may be provided for informant debriefing and interviewing).

#### Information

##### 1. Shredding

- a. Working papers, notes, and draft reports
  - (1) All working papers, notes, and draft reports no longer needed shall be destroyed by shredding.
  - (2) Do not place any material in the waste basket that could be possible intelligence material for others.

#### Communication

Telephone: A direct line is provided that bypasses switchboard and is available for use of informants and undercover contacts.

## CHAPTER 20

### VEHICLES

All vehicles will be insured by the individual sponsoring agencies, for purposes of this Task Force.

Any unit member who is involved in an accident involving their assigned vehicle will summon the law enforcement agency having traffic investigation responsibility for that area. The agent involved shall consult with the Unit Supervisor as soon as possible. The Unit Supervisor shall be responsible for compliance with the participating agency's accident report requirements.

No unit member shall operate his/her assignment vehicle for purposes other than the conduct of his/her official duties or travel to and from said duties.

Major repairs of unit vehicles, other than routine and normal maintenance, require authorization from the sponsoring agency supervisor.

Vehicles shall be properly maintained, equipped, and ready for use at all times.

Vehicles shall only be operated by law enforcement personnel. Informants shall not operate Task Force vehicles.

CHAPTER 21

OVERTIME PROCEDURE

In order to accomplish unit objectives, it will be necessary to flex and rearrange hours on a regular basis. It is necessary to work more hours some days and allow less hours on other days.

Overtime will be paid at each agency's overtime rate.

The Unit Supervisor will attempt to schedule and manage agents' hours in such a manner as to accomplish unit goals and provide the least disruption to agents' regular work hours. Agents are required to follow individual agency overtime procedures, and the Unit Supervisor will follow those guidelines.

Members will keep accurate records of all time worked and all time taken off. These records will always be available to each member agency, at request. These records will be kept on file and not destroyed.

CHAPTER 22

PRESS RELEASES

Because of the nature of investigations of the Task Force, the media will perceive an interest to exploit whatever information personnel may have or whatever operations may be occurring; therefore, to ensure consistency, the Project Coordinator or his designee will be the only one authorized to talk to the media regarding investigations that the unit is performing or has performed in the past.

Any ongoing investigative information that the Project Coordinator may give to the media must be coordinated through the prosecutor's office. General press releases will be coordinated through the staff members of each participating agency, and press releases will be distributed as a cooperative law enforcement effort between those agencies involved. A generic statement giving equal credit to all participating agencies shall precede the case specifics given to the press.

APPENDIX KEY

APPENDIX A .....	Narcotics Task Force Weekly Activity Summary
APPENDIX B .....	Personal History Report (Informant)
APPENDIX C .....	Informant Debriefing Report
APPENDIX D .....	Investigative Report
APPENDIX E .....	Voucher for Payment of Information and Purchase of Evidence
APPENDIX F .....	Authorization and Use Report of Consensual Eavesdropping Equipment
APPENDIX G .....	Record of Seized Vehicle, Vessel, or Aircraft
APPENDIX H .....	Indemnity Agreement (Release of Seized Property)
APPENDIX I .....	Evidence/Property Report
APPENDIX J .....	Receipt for Cash or Other Items
APPENDIX K .....	Drug Evidence Disposition Report
APPENDIX L.....	Narcotics Task Force Operational Agreement





Contact Type - Required Entry

A Arrest  
 C Additional Charges against person arrested  
 T Target Identified  
 I Informant/Intelligence contact  
 S Seizure  
 F Forfeiture  
 D Disposition  
 O Other - explain in misc field

Class of Target Operation - Required Entry

Identify the class of target operation using the standard four DEA class quantity and quality identifiers. Use this form to update class designations of earlier targets, if necessary.

Offense - Required Entry

Offense may be broken into more broad categories than previously, but not to RCW level. The offense categories are as follows:

1. Production
2. Distribution
3. Manufacture
4. Importation
5. Possession (if marijuana, indicate Mis/Felony in Misc.)
6. Possession with intent to deliver
7. Conspiracy
8. Other

Drug Group - Required Entry

Drugs will be grouped in the broad categories listed below:

- A. Heroin
- B. Opium
- C. Morphine
- D. Other Narcotics
- E. Cocaine
- F. Marijuana
- G. Hashish
- H. Hash Oil/Derivatives
- I. Methamphetamines/Amphetamines
- J. Other stimulants
- K. Barbiturates
- L. Other depressants
- M. PCP
- N. LSD
- O. Other hallucinogens
- P. Unknown drug
- Q. Other controlled substances

Seizure/Court Disposition Type

D.	Drug seizure	1.	Convicted
P.	Drug purchase	2.	Reduced (explain in Misc.)
E.	Eradication	3.	Acquitted
C.	Currency	4.	Dismissed
V.	Vehicle	5.	Declined Prosecution
S.	Ship	6.	Unknown
A.	Aircraft		
W.	Weapons		
F.	Financial Instruments		
R.	Real Property		
O.	Other (explain in misc. field)		

Quantity

The use of this field is dependent on the contact type, and takes on differing attributes with differing types.

Type	Seizure	Field Attribute
A		Number of persons arrested for that particular drug group, offense and class.
C		Number of additional charges for that particular drug group, offense and class.
T		Number of persons identified as targets with similar class, offense and drug types.
I		Number of informants/witnesses and other intelligence contacts within similar class, offense and drug type groups.
S	D	Quantity of drugs seized, in units of measurement as follows: <ul style="list-style-type: none"> <li>Cocaine - Kilograms</li> <li>Opiates - Kilograms               <ul style="list-style-type: none"> <li>Heroin, Opium, Morphine</li> </ul> </li> <li>Cannabis - Pounds               <ul style="list-style-type: none"> <li>Marijuana, Hashish, Hash Oil</li> </ul> </li> <li>Dangerous Drugs - Dosage Units               <ul style="list-style-type: none"> <li>Methamphetamines,</li> <li>Amphetamines, other</li> <li>stimulents, barbiturates,</li> <li>other depressants, PCP, LSD,</li> <li>other hallucinogens</li> </ul> </li> <li>Unknown/Other - Appropriate measure, indicate which units in miscellaneous field.</li> </ul>

Quantity, continued ...

Type	Seizure	Field Attribute
S	P	Quantity of drugs purchased, same units as above.
S	E	Quantity in pounds of marijuana eradicated
S	C	Number of currency seizures for similar class, drug group and offense.
S	V,S,A,W,F,R	Number of seizures of item for similar class, drug group and offense.
S	O	Whatever makes sense - document in miscellaneous field
F	C	Number of currency forfeitures for similar class, drug group and offense.
F	V,S,A,W,F,R	Number of forfeitures of items for similar class, drug group and offense.
F	O	Number of other forfeitures for similar class, drug group and offense.
D	1,2	Corrections Type Code - Multiple sentence criteria to same person, indicate the most serious

P. Prison  
 J. Local Jail  
 C. Community Corrections  
 X. Probation  
 F. Fine  
 S. Sentence entirely suspended  
 O. Other (explain in Misc.)

Value

The use of this field is dependent on the contact type, seizure/disposition and quantity codes. The Value field takes on differing attributes with differing types, similar to the quantity field.

Type	Seizure	Quantity	Field Attribute
A,C,T			No entry allowed
I			Amount paid for information
S	D		Street value of drugs seized
S	E		Street value of marijuana eradicated
S	P		Amount paid for drug purchase
S	C		Actual value of currency
S	V,S,A,W,F,R		Market value of item
S	O		Whatever makes sense-document in miscellaneous field
F	C		Value of currency forfeited
F	V,S,A,W,F,R		Actual forfeiture value of item
F	O		Whatever makes sense-document in miscellaneous field
D	1,2	P,L,C	Net length of sentence in months
D	1,2	F	Net fine in dollars

Miscellaneous

This field is used for brief clarifying comments, and when made necessary by entry combinations as noted above.

Federal Involvement

Place a check in this field if the incident line was accomplished in conjunction with federal authorities, such as the DEA.

General Considerations

This form has been designed for computer tabulation of task force activity. There will be a software version available to narcotics task forces which operate under the federal grant structure. This software will feature extensive on-line help for type codes, and field attributes. The software will run on any IBM PC/XT/AT compatible computer.

INFORMANT  
 SUSPECT  
 ARRESTEE  
 VICTIM  
 WITNESS

**PERSONAL HISTORY REPORT**

OFFICER		ICC NO	DATE ENTERED	CASE/FILE NUMBER			DATE ARRESTED		
NAME LAST		FIRST	MIDDLE	SEX	DOB	PRIMARY CAC			
SECONDARY CAC									PHOTO NO.
POB	RACE	HEIGHT	WEIGHT	SKIN	VSM	HAIR	EYES	FBI NO	
SID NO	LOCAL ID NO.		SS NO		DL NO.		STATE		
ALIASES OR MONIKERS			DOB		DOB			DOB	
1			3						
2			4						
PHONE NOS.		RESIDENCE ADDRESS				CITY		STATE	
OCCUPATION		EMPLOYER			LOCATION		PHONE NO		
SPOUSE FIRST	MIDDLE	(NEE)		SEX	PRIMARY CAC		CASE NO.		
BUSINESS/CORPORATION		ADDRESS			CITY		STATE		

ASSOCIATES:

SEE BELOW

REFERENCE FILE NUMBER INFORMATION

SEE BELOW

**ADDITIONAL INFORMATION**

VEHICLE 1	YEAR	MAKE	COLOR	LICENSE NO.	STATE
VEHICLE 2					
LOCATIONS OF CRIMINAL ACTIVITY (CITY, STATE, COUNTRY)					
ASSOCIATES					
REFERENCE FILE NUMBER INFORMATION					
FAMILY			ADDRESS		
OFFICER'S NAME (PRINT OR TYPE)			OFFICER'S SIGNATURE		DATE
SUPERVISOR'S NAME (PRINT OR TYPE)			SUPERVISOR'S SIGNATURE		DATE

USE REVERSE SIDE FOR ADDITIONAL INFORMATION



FBI Criminal History Record ..... SID Criminal History Record ..... DOL Photo ..... DOL Check ..... Firearms Check ..... WEN/NCIC Check ..... City P.D Check ..... Other: Specify ..... Referring Agency .....	YES	NO	COMMENTS
--	-----	----	----------

<b>REMARKS</b>	PHOTO
----------------	-------

[Empty rows for additional remarks and photo area]
--



STATEMENT OF:

DATE OF BIRTH:

PRESENT ADDRESS:

CASE:

DATE:

TIME:

LOCATION:

I do hereby give the following statement to \_\_\_\_\_,  
whom I know to be a Detective of the \_\_\_\_\_ Task Force, and all facts  
contained herein are true to the best of my knowledge and belief.

I, \_\_\_\_\_, have read and signed each page of this  
statement of \_\_\_\_\_ page(s), and it is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Officer's Signature

\_\_\_\_\_  
Signature

## INVESTIGATIVE REPORT

FILE TITLE	OFFICER'S	CASE NO.
SUBJECT	CRIMINAL ACTIVITY CODE	OTHER CASE NO.
SYNOPSIS		
DETAILS AND FINDINGS		
PAGE OF PAGES	OFFICER'S SIGNATURE	DATE
	SUPERVISOR'S SIGNATURE	DATE

**VOUCHER FOR PAYMENT  
FOR INFORMATION AND  
PURCHASE OF EVIDENCE**

APPENDIX E

Voucher No. \_\_\_\_\_

Name of Claimant (print)	Personnel Number	
This Voucher is being used for: <input type="checkbox"/> Payment to Informant \$ _____ <input type="checkbox"/> for Information \$ _____ <input type="checkbox"/> for Expenses \$ _____ <input type="checkbox"/> Purchase of Evidence \$ _____	Outside agency funds also used:  <input type="checkbox"/> Yes <input type="checkbox"/> No	

**EXPENDITURES**

File Number(s)	Amount	Identifier(s)	Exhibit No.(s)
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

Purchase of DRUG Evidence (Describe Purchase, Quantity)	OR	NON-DRUG Evidence (Describe Purchase)

**CERTIFICATION OF INFORMANT**

I certify I received payment in the amount \_\_\_\_\_ dollars U.S. or the equivalent in another currency. If funds received are for the purchase of evidence, any unused funds shall be returned to the State of Washington upon demand and any misappropriation will render me liable for prosecution.

Informant Code No. \_\_\_\_\_ (Sign LAST COPY only) \_\_\_\_\_ Date \_\_\_\_\_

REMARKS:

**CERTIFICATION**

<b>PAYOR NAME:</b> (DETECTIVE MAKING PAYMENT)	(Signature) _____	Date _____
	(Print/Type name) _____	
<b>WITNESS NAME:</b> (OFFICER WITNESSING)	(Signature) _____	Date _____
	(Print/Type name) _____	
<b>APPROVING SUPERVISOR NAME:</b>	(Signature) _____	Date _____
	(Print/Type name) _____	

ACCOUNT CODE									AMOUNT	
FUND	APPROP.	PROGRAM	OBJECT						LIQUIDATION	NET INVOICE
<b>TOTAL</b>										

Distribution: WHITE - Investigative File                      YELLOW - Detective Copy  
 PINK - Informant File Copy

**AUTHORIZATION AND USE REPORT OF  
CONSENSUAL EAVESDROPPING EQUIPMENT**

FILE NUMBER

CRIMINAL ACTIVITY CODE

FILE TITLE

DATE PREPARED

**PART I. REQUEST**

1. REASON FOR PROPOSED USE (Check)

- CORROBORATE TESTIMONY       PROTECT CONSENTING PARTY
- OTHER (Specify)

2. TYPE OF EQUIPMENT (Check)

- TRANSMITTER/RECEIVER       MICROPHONE/AMPLIFIER       CONCEALED RECORDER
- OTHER (Specify)

3. ANTICIPATED TARGETS (Suspects)

4. LOCATION AT WHICH EQUIPMENT WILL BE UTILIZED (Include Address, City, or Vehicle, if known)

5. DURATION OF PROPOSED USE (Period of Days, including Dates, Not to Exceed 7 days)

6. NUMBER OF USES ANTICIPATED DURING THE PERIOD

7. MANNER OF INSTALLATION (Check)

- ON THE PERSON/CONSENTING PARTY
- FIXED LOCATION OR VEHICLE
- OTHER (Specify)

8. JUSTIFICATION

9. APPROVING OFFICER

**PART II. REPORT OF USE**

1. DATE OF USE

2. NUMBER IN A SERIES OF USES OF

3. TYPE OF EQUIPMENT USED (Check)

- TRANSMITTER/RECEIVER       MICROPHONE/AMPLIFIER       CONCEALED RECORDER
- OTHER (Specify)

4. INSTALLATION OF EQUIPMENT (Check)

- CONCEALED ON PERSON       FIXED LOCATION (Specify)

5. NOMENCLATURE/SERIAL NO. OF EQUIPMENT USED

6. ALL PERSONS INVOLVED IN MONITORED CONVERSATIONS

7. WAS RECORDING MADE?

- Yes       No (If No, explain)

8. LOCATION AT WHICH EQUIPMENT WAS UTILIZED (Include Address, City, or Vehicle, if Known)

- a. Consenter:
- b. Suspects:
- c. Others:

9. RESULTS OBTAINED (Include a concise narrative statement of results)

10. APPROVED

11. SIGNATURE OF DETECTIVE

<b>RECORD OF SEIZED VEHICLE, VESSEL OR AIRCRAFT</b>				FILE NUMBER	
				REPORT DATE	
TYPE OF CONVEYANCE		MAKE		MODEL	
<input type="checkbox"/> Car <input type="checkbox"/> Truck <input type="checkbox"/> Vessel <input type="checkbox"/> Aircraft <input type="checkbox"/> Other					
YEAR		MOTOR NUMBER		SERIAL NUMBER	
WEIGHT		WHEEL BASE		COLOR	
APPRAISED VALUE		CONDITION		MILEAGE READING	
				LICENSE (STATE, YR., NO.)	
<b>EQUIPMENT AND ACCESSORIES (SEE REVERSE)</b>				<b>REPAIRS NEEDED</b>	

COMMENTS (FURTHER DESCRIBE VESSELS/AIRCRAFT)

SEIZED FROM		PLACE SEIZED		DATE SEIZED	
B. CONVEYANCE IS REGISTERED IN THE NAME OF.		ADDRESS		DATE NOTIFIED OF SEIZURE	
AMOUNT OF LIEN		NAME AND ADDRESS OF LIENOR		DATE NOTIFIED OF SEIZURE	
S IS THE CONVEYANCE SUITABLE FOR OFFICIAL USE?		SEIZING DETECTIVE		SIGNATURE OF SUPERVISOR	
<input type="checkbox"/> YES <input type="checkbox"/> NO					
RECEIPT OF THE ABOVE PROPERTY IS ACKNOWLEDGED BY		NAME OF FIRM AND CONTRACT CUSTODIAN			
C. DATE RECEIVED		ADDRESS			
STORAGE RATE					
RECEIPT SIGNATURE OF REPRESENTATIVE			TITLE OR POSITION OF REPRESENTATIVE		
SIGNATURE OF DETECTIVE PLACING CONVEYANCE IN STORAGE			SECTION COMMANDER		

Distribution: WHITE - Investigative File  
 PINK - Task Force Prosecutor

YELLOW - Forfeiture/Seizure File

INDEMNITY AGREEMENT

This agreement is made between \_\_\_\_\_  
(Name) (Title)

(Firm Name) (Address)

and \_\_\_\_\_.

The Agreement is made in consideration of the return of a \_\_\_\_\_

(Description of Property)

registered to \_\_\_\_\_  
(Name and Address)

used in violation of R.C.W. \_\_\_\_\_ and for other consideration, the receipt of which is hereby acknowledged. \_\_\_\_\_  
(Firm of Person Involved)

being the \_\_\_\_\_ of the property as evidenced by a  
(Type of Interest)

\_\_\_\_\_ dated \_\_\_\_\_  
(Title, Registration, Contract, Note, etc.)

It is hereby agreed to unconditionally release and hold harmless the \_\_\_\_\_ Task Force, its officers, employees and agents, from any and all claims, demands, damages, causes of actions or suits, or whatever kind of description, and wheresoever situated, that might now exist or hereafter exist by reason of or growing out of or affecting, directly or indirectly, the seizure or the return of the above described property.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Case Number)

\_\_\_\_\_  
(Signature of Person Making The Agreement.) (Date)

\_\_\_\_\_  
(Signature & Date of Task Force Employee)

\_\_\_\_\_  
(Title of Task Force Employee)

Distribution: WHITE - Investigative File                      YELLOW - Forfeiture/Seizure File  
                  GOLD - Firm or Persons Signing Agreement        PINK - Task Force Prosecutor







**DRUG EVIDENCE DISPOSITION REPORT**

(Do NOT Use For Non-Drug Evidence)

FILE NUMBER

DATE

FILE TITLE

ORIGINATOR (DIVISION, SECTION, DETECTIVE)

CUSTODIAN (LAB LOCATION, DIRECTOR)

**PART I**

The following exhibits in this case are no longer needed as evidence and should be

disposed of in accordance with department instructions

transferred to \_\_\_\_\_ (AGENCY)

AGENT			LABORATORY		
EXHIBIT NO.	LABORATORY NO	DRUG	TRANSFERRED	DESTROYED	RETAINED STOCK

DETECTIVE (SIGNATURE)

DATE

APPROVING OFFICIAL (SIGNATURE)

DATE

**PART II**

On \_\_\_\_\_ (DATE) the foregoing exhibits were  disposed of as indicated above

transferred

EVIDENCE TECHNICIAN (SIGNATURE AND DATE)

WITNESS (SIGNATURE AND DATE)

LABORATORY DIRECTOR (SIGNATURE AND DATE)

REMARKS

Distribution: WHITE - Investigative File  
 PINK - Crime Lab

YELLOW - Evidence Custodian  
 GOLD - Attach to Evidence

APPENDIX L

NARCOTICS TASK FORCE OPERATIONAL AGREEMENT  
(Optional Guidelines)

It is suggested that an operational agreement be entered into between participating agencies. This exhibit illustrates a format which may be used in its entirety or in part if such an agreement is to be utilized.

## NARCOTICS TASK FORCE OPERATIONAL AGREEMENT

THIS AGREEMENT is entered into by and between the following agencies pursuant to RCW 10.93 and RCW 39.34 and describes the duties and responsibilities of each agency as referenced in the narcotics control program multi-jurisdictional task force interlocal agreement executed by the governing body of each participating agency.

### I. PROBLEM STATEMENT

\_\_\_\_\_ County and its municipalities have experienced a crime problem due to drug abuse, which has rapidly increased from the 1970's to the mid-1980's. This increase stems not only from an increase in population in all areas and in changing drug abuse trends, but also from the lack of resources to maximize drug enforcement efforts. A significant number of major crimes, such as residential and commercial burglary, robbery, and assault are committed by drug abusers. The city/county's experience in this regard is consistent with national trends that reveal a truly staggering number of crimes committed by drug users.

Enforcement efforts directed at reducing drug trafficking in \_\_\_\_\_ city/county have, for the most part, been fought by law enforcement agencies working alone. There has been little coordinated and concentrated effort directed at drug offenders and offenses, despite the fact that drug traffickers and the crimes they generate do not respect jurisdictional boundaries of municipalities and counties. Significant drug arrests have occurred because of detailed investigations by existing investigative units; however, multi-agency task force operations have been proven more effective in large-scale investigations. An intensive

and concentrated effort directed at such offenders can result in significant crime reductions far in excess of the results of additional manpower devoted to normal police patrol functions.

II. NEEDS STATEMENT

The city/county criminal justice system must check and/or reduce the drug abuse and related problems within \_\_\_\_\_ city/county by a coordinated and concentrated effort, initiating and conducting drug investigations at the highest trafficking level possible and enforcing the criminal provisions of the Uniformed Controlled Substances Act (RCW's 69.32, 69.40, and 69.50).

III. RECOMMENDATION

Federal law enforcement agencies, in conjunction with the Washington State Patrol; county, city, and tribal law enforcement agencies; and county prosecutor's office develop a special enforcement team to target and investigate significant drug groups within the city/county.

IV. PROJECT DESCRIPTION

It is proposed that a Special Investigations Unit or Task Force be created within the city/county effective \_\_\_\_\_. The Task Force may be comprised of personnel assigned from federal law enforcement agencies, the Washington State Patrol, law enforcement agencies within the county, and the prosecutor's office. It is agreed that one full-time investigative person or more will be assigned from each of the following agencies:

Each agency is expected to participate for an initial period of one year, with renewal for a second year possible.

V. BOARD OF DIRECTORS AND STRUCTURE OR ORGANIZATION

Overall governance of the unit's operations, including the setting of investigative priorities and general operating procedures, will be vested in an Executive Board consisting of department heads or their designee from each participating agency.

Each member of the Executive Board shall have an equal vote in the conduct of its business. One member will be elected by the members as Chairperson and will remain in that capacity for one year. The chairperson shall be responsible for keeping parties to the interlocal agreement informed on all matters relating to the function, expenditures, accomplishments, and problems of the Task Force. If the Task Force continues in existence, a new election will occur each year. The governing board will convene at least four times each year to review the unit's activities and policies. The Chairperson may call extra sessions as necessary. When the board votes on any matter, a majority shall be required for passage.

In emergency situations, the Chairperson may conduct a telephone poll of Board members to resolve an issue.

Under the direction of the Executive Board, the Project Coordinator shall act as principal liaison and facilitator between the Executive Board and the Task Force. The Project Coordinator shall be responsible for keeping the Executive Board informed on all matters relating to the function, expenditures, accomplishments, and problems of the Task Force.

All persons assigned to the unit shall work under the immediate supervision and direction of the Unit Supervisor. All persons assigned to



the unit shall adhere to the rules and regulations as set forth in the unit's policy and procedures manual, as well as their individual departmental rules, policies, and procedures.

For the purpose of indemnification of participating jurisdictions against any losses, damages, or liabilities arising out of the services and activities of the unit, the personnel so assigned by any jurisdiction shall be deemed to be continuing under the employment of that jurisdiction and its policing department.

Each agency contributing manpower to the unit will continue that employee as an employee of the contributing agency and will be solely responsible for that employee.

Any duly sworn peace officer, while assigned to duty with the unit as herein provided and working at the direction of the Executive Board, its Chairperson, the Project Coordinator, and the Unit Supervisor, shall have the same powers, duties, privileges, and immunities as are conferred upon him as a peace officer in his own jurisdiction.

Participating agencies may withdraw from the unit by written statement of termination directed to the Chairperson of the Executive Board. Termination of an agency's participation will take place automatically thirty (30) days after receipt of such written notice or immediately upon written notification that said agency is unable to sustain the required funding.

VI. CONTEMPLATED UNIT TASKS

Investigations centering around narcotics trafficking, attempting to impact the highest level dealer and wholesaler as possible. In circumstances wherein a determination of specific priorities of these investigations must be made, the Executive Board will direct the Project Coordinator as to the unit's direction. The unit will be responsible for accomplishing the Board's objectives.

VII. UNIT OBJECTIVES

This section identifies specific targeted measures to be obtained by the Task Force during the program year.

1. Disrupt drug organizations within the city/county.
2. Gather and report intelligence data relating to illegal drug activities within the city/county.
3. Make arrests that will impact the highest-level dealer and wholesaler, as possible.
4. Effectively prosecute drug traffickers.
5. Promote law enforcement cooperation through multi-agency investigations.
6. Impact drug trafficking organizations previously impregnable.

VIII. FINANCIAL REPORTING REQUIREMENTS

Jurisdictions entering the agreement will be required to exercise a contract which will specify the degree to which they will contribute to the matching funds requirement of the grant. Explicit in this agreement will be the manner in which contributions, both cash and in-kind, will be documented. These records will be used at the time at which asset forfeiture proceeds will be returned to each jurisdiction, on a pro rata basis commensurate with participation in providing matching funds.

IX. BUDGET

The Executive Board Chairperson shall be responsible for the accounting of Task Force expenditures.

Assets will stay with the Task Force in accordance with RCW 69.50.505, Seizures and Forfeitures. Equipment purchased will belong to the Task Force. In the event the unit is disbanded, such Task Force equipment derived from seizures will be distributed in proportion to that agency's contribution toward match. However, if only one agency terminates, equipment derived from seizures will remain with the unit.

A purchase of information and drug buy fund is contemplated for the unit. This fund will serve as the basis for enforcement work and will not be used for normal expenses.

X. CONCLUSION

Law enforcement agencies are faced with the responsibility of narcotics investigations with decreasing resources. Nationwide, multi-agency Task Forces have proven their ability to make significant impacts on crime. Such units are an extremely efficient use of law enforcement expenditures. The cost effectiveness of this unit for city and county resources is enhanced by the participation of the county prosecutor's office, the State Patrol, and federal enforcement authorities. This integrated law enforcement approach to narcotics investigations have been proven throughout the country as a positive approach to combatting the increasing lawlessness that surrounds narcotics within our society.

On behalf of my agency, I hereby agree to participate in the Narcotics Task Force in accordance with the objectives and policies set forth in this agreement.

*	_____	_____	Date
*	_____	_____	Date
*	_____	_____	Date
*	_____	_____	Date
*	_____	_____	Date

\*Signature of head administrator of participating city, county, tribal, state, and federal agencies.