

## **Part 10 Drug investigations**

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## Initial action

Follow these steps, when you receive information about a drug offence (not necessarily in order).

Step	Action
1	Interview the informant and obtain all relevant details. If the information you receive concerns large quantities of hard drugs, notify the CIB and, in large centres, the Drug Squad.
2	<p>Where possible, take time to prepare planning drug searches and research the suspects and addresses as thoroughly as you can. Appoint officers to search and interview. Make every effort to get information about the property if you can do so without alerting the suspect.</p> <p>See:</p> <ul style="list-style-type: none"> <li>- ‘<a href="#">Risk assessment for when planning searches</a>’ in <a href="#">Part 5 - Carrying out search powers with or without warrants</a> of the ‘<a href="#">Search</a>’ chapter for information about required risk assessments with searches.</li> <li>- ‘<a href="#">Critical incident appreciation process</a>’ in <a href="#">Part 1 Control and command overview</a> of the ‘<a href="#">Control and command</a>’ chapter for guidance with estimating the nature and magnitude of searches.</li> <li>- ‘<a href="#">TENR - Operational risk</a>’ chapter for threat assessment methodology (TENR) being a decision making process that supports the timely and accurate assessment of information directly relevant to the safety of Police and others.</li> </ul>
3	Carry out criminal history and intelligence checks on the people and addresses identified. Find out as much as you can about them. Ensure intelligence is up-to-date.
4	If applicable, and if time permits, obtain a search warrant under section <a href="#">6</a> of the Search and Surveillance Act 2012. You must state the offence that has been committed, or that you suspect of having been committed, on the application.
5	<p>If you need to search a person, property or vehicle without warrant, remember your obligations under sections <a href="#">125</a>, <a href="#">131</a> and <a href="#">133</a> of the Search and Surveillance Act. If you are not a specialist in drug law enforcement, do not, except in the most urgent circumstances, search without either a warrant or the authority of a supervisor on duty.</p> <p><b>Remember:</b> You will be required to prove that an immediate search was both necessary and justified.</p>
6	Consider using a CLAN Lab Team (see ‘ <a href="#">Clandestine drug laboratories</a> ’ chapter for safe procedures regarding the investigation and safe processing of evidence at drug laboratories).
7	<p>Ensure that you have:</p> <ul style="list-style-type: none"> <li>- adequate human and other resources, including an exhibit kit and equipment to effect entry</li> <li>- a plan of entry that includes method and timing with <a href="#">TENR</a> in mind.</li> </ul>

## Searching procedures

Refer to these parts in:

- 'Drugs':
  - Part 4 - General searches in respect of drugs
  - Part 5 - Internal searches in respect of drugs.
- 'Search' chapter:
  - Part 1 - Search introduction
  - Part 2 - Search warrants
  - Part 3 - Warrantless powers to search places, vehicles and things
  - Part 5 - Carrying out search powers with or without warrants
  - Part 6 - Roadblocks and stopping vehicles for search purposes
  - Part 7 - Methods of searching places and vehicles
  - Part 8 - Searching people
  - Part 16 - Property damage incurred during searches or exercise of statutory powers

# Executing drug searches

## Procedures

Follow these steps if you carry out a raid.

Step	Action
1	Brief staff on their tasks and the associated requirements.
2	<p>The element of surprise is important. If you have to make an unannounced, forced entry:</p> <ul style="list-style-type: none"> <li>- put staff safety first</li> <li>- avoid damage to property, if possible, and report any damage to your supervisor before going off duty (Police may be liable for repair or replacement if you find no evidence of an offence) See <a href="#">Part 16 - Property damage incurred during searches or exercise of statutory powers</a> of the 'Search' chapter for guidance on the approach that should be adopted when damage is caused by Police during the execution of search warrants or statutory powers, or warrantless entry in emergencies that may give rise to a claim against Police.</li> </ul>
3	Be careful when approaching suspects. Note their position and ensure that they do not have the opportunity to dispose of the drugs by, for example, burning or swallowing them, flushing them down the toilet, or throwing them away. Ensure that their hands are open, and check them.
4	Separate the suspects as soon as possible and take each one to a secure, cleared area. Interview them, remembering your obligations under the <a href="#">New Zealand Bill of Rights Act 1990</a> .
5	Watch the suspects closely. If you have a colleague, one can watch while the other searches. If possible, detain the suspects' associates.
6	<p>If you need to search a person, property or vehicle without warrant, remember your obligations under sections <a href="#">125</a>, <a href="#">131</a> and <a href="#">133</a> of the Search and Surveillance Act. If you are not a specialist in drug law enforcement, do not, except in the most urgent circumstances, search without either a warrant or the authority of a supervisor on duty.</p> <p><b>Remember:</b> You will be required to prove that an immediate search was both necessary and justified.</p>

# Exhibits and evidence

## Exhibits handling

Follow these steps when handling exhibits.

Step	Action
1	<p>Do not taste the drug or allow powder or liquid drugs to come into contact with the skin. Wear surgical gloves.</p> <p>See 'Health and Safety duties' in the '<a href="#">Clandestine drug laboratories</a>' chapter for safe procedures regarding the safe processing of evidence at drug laboratories.</p>
2	<p>Ensure that the drugs are handled and stored properly. If they are not, their chemical make-up may be altered. You should:</p> <ul style="list-style-type: none"> <li>- wrap cannabis plant material in paper or put it in an envelope, especially if it is damp or fresh - do not use plastic bags</li> <li>- place liquids in sterile glass containers - do not use plastic as it may corrode.</li> </ul>
3	<p>Seal any instruments in appropriate containers to prevent cross-contamination.</p>
4	<p>Take care when handling needles and syringes:</p> <ul style="list-style-type: none"> <li>- needles are not often required for forensic analysis but when they are, consult the ESR before forwarding them (use plastic containers)</li> <li>- See: <ul style="list-style-type: none"> <li>- '<a href="#">Drugs at crime scenes</a>' in the 'Crime scenes and forensics' chapter for guidance about the recovery and packaging of drugs at crime scenes for analysis.</li> <li>- '<a href="#">Submission of exhibits to ESR</a>' in the part '<a href="#">Packaging, handling, and storage of exhibits</a>' in the '<a href="#">Exhibit and property management</a>' chapter.</li> </ul> </li> </ul>
5	<p>Preserve fingerprints. Do not use plastic to package items carrying fingerprints.</p>

## Handling unidentified prescription drugs

Follow these steps.

Step	Action
1	Take any unidentified prescription drug to a pharmacy, urgent dispensary or local hospital. Alternatively, look it up in <a href="#">New Ethicals Compendium</a> , which carries pictures of common pills for comparison, or <a href="#">New Ethicals Tablet and Capsule Guide</a> , both published by Adis International Limited.
2	Once the substance is identified: <ul style="list-style-type: none"> <li>- look up the A - Z of prescription medicines, listed in the <a href="#">Schedule 1</a> of the Medicines Regulations 1984, to see if it is a <a href="#">restricted medicine</a></li> <li>- check the schedules to the Misuse of Drugs Act 1975 to see if it is a controlled drug.</li> </ul>
3	If you are still in doubt about the identity of the substance, take it to the <a href="#">ESR</a> for analysis.

## Evidence

Follow these steps in dealing with evidence.

Step	Action
1	Consider having the exhibits: <ul style="list-style-type: none"> <li>- analysed - however, check with the defence before any hearing; the substance may not be in dispute</li> <li>- fingerprinted</li> <li>- photographed</li> <li>- examined by a document examiner.</li> </ul>
2	If a single exhibit has to undergo all of these processes, you must obtain advice from the specialists on the order to be followed. Ensure that exhibits intended for analysis are correctly labelled and placed in the 'standard drugs envelope'.
3	Follow the ' <a href="#">Exhibit and property management</a> ' chapter and local orders on the storage and custody of controlled drugs and other exhibits. They must not be held in places other than those authorised. The officer who seizes the exhibits must be the only person to handle and secure them until they can be forwarded to the ESR.
4	On return to station: <ul style="list-style-type: none"> <li>- Enter all property seized under the search power in the Police Register of Property (PROP) system and supply a receipt to the occupier or person in charge of vehicle or thing.</li> <li>- Complete the Drugs Search and Seizure (DSS) notification form available on the Police Intranet homepage under 'Notifications'. Intelligence about drug types and quantities is collected in this DSS form for the National Drug Intelligence Bureau (NDIB).</li> </ul>



## Expert evidence regarding drugs

See the [Expert evidence - drugs and gangs](#) chapter for information about drugs subject matter experts (SMEs) giving evidence in respect of drug manufacture, cultivation, prices, methods of sale, packaging etc.

## Related information

See these related Police Manual chapters:

- [Exhibit and property management](#)
- [Expert evidence - drugs and gangs](#)
- [Crime scenes and forensics](#).

## International inquiries

All international drug inquiries should be directed to NIC Drug Targeting Team and not dealt with by the constable either via the internet or by telephoning the foreign law enforcement agency directly. Any other matters requiring overseas inquiries should be directed to the New Zealand Interpol Office at PNHQ.

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