

INTEROFFICE MEMO



DATE July 26, 2011
FROM Bill Abernathy, Undersheriff
Office of the Sheriff
TO All Personnel

PHONE 387-3671

SUBJECT Temporary Operating Procedure: Court Orders to Return Medical Marijuana

Due to an increase in the number of court orders directing the return of medical marijuana back to a defendant, immediately upon a station or property officer being presented with such an order, the following steps will be taken.

1. Verify that the Court Order for Return of Property is signed by the judge and states specifically that marijuana is to be returned to defendant.
2. Obtain a copy of defendant's medical marijuana card or recommendation. If the defendant is unable to produce a valid card/recommendation, the station should contact the D.A. who has handled the case for further direction.
3. Contact the Civil Liabilities Division (909-387-0613) concerning the order and fax a copy of the order and medical marijuana card or recommendation to the Civil Liabilities Division (909-387-3531).

The Civil Liabilities Division will then be responsible for verifying the validity of the medical marijuana card/recommendation with the Narcotics Division and obtaining authorization from Sheriff's Legal Counsel and the Office of the Sheriff concerning compliance with the order.

Upon a determination that the order is valid and will be complied with, the Civil Liabilities Division will authorize the Scientific Investigations Division to release the marijuana to the concerned station's property officer who will be responsible for releasing the marijuana to defendant at that station.