

CHAPTER 7

SAFETY

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CHAPTER 7

SAFETY

1. INTRODUCTION. This chapter provides guidance for use of the Thermo Scientific™ TruNarc™ Handheld Narcotics Analyzer (TruNarc) devices and the limited use of self-contained drug test kits. Additionally, this chapter constitutes the Department's written Hazard Communication Program for evidence storage areas as required by Section 6360 of the California Labor Code (LC) and Title 8, Section 5194 of the California Code of Regulations (CCR).

2. USE OF SELF-CONTAINED DRUG TEST KITS. Departmental personnel shall not perform presumptive field tests using a self-contained drug test kit solely to confirm the identification of suspected narcotics. Rather, the suspected narcotic shall be packaged according to policy, tested by a TruNarc device (if available), or sent to the appropriate lab for identification in accordance with HPM 70.1, Evidence Manual, Chapter 5, Packaging of Property and Evidence for Booking, and the Area's Standard Operating Procedures (SOP).

a. Exceptions. Certain circumstances exist which may make a presumptive test of narcotics necessary. Those circumstances include, but are not limited to, the requirement of a district attorney in order to file charges in conjunction with a felony investigation or when necessary to obtain a search warrant. Any other circumstances requiring a presumptive test shall be at the discretion of the command. Commands shall update their Area's SOP to specify who can authorize presumptive tests, when it is appropriate to complete a presumptive test, and how a presumptive test is to be completed. Strict officer safety protocols shall be followed, and a presumptive test shall not be conducted on the roadside. Presumptive tests shall only be conducted in a secure environment, specifically designated for such testing. All personnel engaged in a presumptive test of any narcotic shall don the appropriate personal protective equipment (PPE) to minimize the potential for exposure. At the conclusion of a presumptive test, the designated test area shall be decontaminated using cloth premoistened wipes, available through the Supply Services Catalog, and personnel should use cool water and soap to wash any exposed skin and hands. The use of hand sanitizer should be avoided.

3. THERMO SCIENTIFIC TRUNARC HANDHELD NARCOTICS ANALYZER DEVICE.

a. Training. Prior to the use of a TruNarc device, an employee shall receive training in the proper use of the TruNarc device. The TruNarc online training link

can be accessed on CHP Intranet site ➤ Organization ➤ Deputy Commissioner ➤ Internal Affairs Section ➤ Evidence Resource Center ➤ TruNarc Device Training ➤ TruNarc: Original, Delta, & Tau Narcotics Analyzers ➤ TruNarc Basic Operator Course. Upon completion of training, the employee will be issued a training certificate which shall be entered into the Electronic Training Records System by the employee's command. The certificates shall be kept in the employee's training file and a copy shall be provided to the Division Property and Evidence Program Analyst.

b. Deployment.

(1) The Internal Affairs Section, Evidence Unit, and the Division Property and Evidence Program Coordinator (Division TruNarc Coordinator) with concurrence of the Field Division Chiefs and/or their designee shall determine the appropriate command for the device to be issued to and evaluated within their respective Division.

(2) The Internal Affairs Section, Evidence Unit, and the Division Property and Evidence Program Coordinator shall ensure the TruNarc devices are utilized in a manner that maximizes usage in accordance with operational needs. Device usage will be evaluated quarterly to ensure the TruNarc device is being operated within expectations.

(3) Area commanders shall contact their local district attorney's office and toxicology laboratories to discuss the acceptance of test results from the TruNarc devices. Currently, the results of a TruNarc test are not admissible in a California court unless the prosecution establishes its reliability. As such, it is recommended that controlled substances be submitted to a crime lab for official testing and that the TruNarc test be used only for a presumptive test as required by the local district attorney's office.

(4) Area supervisors are responsible for the safekeeping of the device at the Area. The SOPs shall be updated to address the procedures for the safekeeping of the device.

(5) To ensure timely device updates and synchronization, the TruNarc device shall be connected to a computer using the TruNarc Administrative Software every ten calendar days by trained personnel.

(6) The TruNarc device test results shall also be downloaded into a Comma-Separated Values (.CSV) file at the same time the device is connected to the TruNarc Administrative Software. The .CSV file will be uploaded into the TRACE TruNarc Centralized Repository by using the link provided on the Evidence Resource Center or located at <https://trunarc.eprise.ad.chp.ca.gov> by the designated user of the device. The .CSV file shall also be e-mailed to the

Division Property and Evidence Program Coordinator for retention. For assistance, contact the Division Property and Evidence Program Coordinator.

c. Use of TruNarc Devices for Enforcement Purposes.

(1) After proper seizure of a suspected controlled substance, the substance should be taken to a TruNarc device, if available. The employee shall follow existing officer safety policies when testing the substance as outlined in this chapter.

(2) Employees shall not use Type-H and Delay Scan modes. Employees shall not remove or manipulate suspected controlled substances outside of the packing in which they were discovered.

(3) Employees shall not scan any items that are black, dark blue, dark grey, or dark brown in color. Employees shall not scan any items directly against a black background or a reflective background.

(4) Employees shall document the use of the TruNarc device in their reports and record any results received when using the TruNarc device. The use of the TruNarc device shall also be noted in the chain of possession portion of the evidence Records Management System (RMS) and a copy of the test results shall be uploaded to the evidence RMS case file.

d. Repair Procedures. When a malfunction of the TruNarc device is unable to be resolved at the Area level, the Division Property and Evidence Program Coordinator shall be contacted for assistance and coordination of repairs through the Internal Affairs Section, Evidence Unit.

e. Storage and Retention. The Internal Affairs Section is the Office of Primary Interest and is responsible for the TruNarc device evidence storage and retention policies.

4. APPROVED SELF-CONTAINED DRUG TESTS. The narcotics identification kit (NIK) system test is the only type of self-contained drug test kits authorized for use by the Department; however, an Area may be required by a court to use a different brand of self-contained drug test kits. If the court requires the use of any other testing kit, the Area's SOP shall be updated and a copy shall be sent to the OIA, Evidence Unit, for approval. The name of the type of test used and the results shall be documented in the evidence RMS case file. The NIK system tests can be obtained with a permitted justification through a certified distributor or from the manufacturer. When purchasing NIK system tests, refer to HPM 11.2, Materials Management Manual, or contact the Purchasing Services Unit at (916) 843-3620.

5. DISPOSAL PROCEDURES FOR SELF-CONTAINED DRUG TEST. After a drug test kit is used, employees shall utilize the Test F-Acid Neutralizer in a well-ventilated area. In order to dispose of the used self-contained drug test kit, remove the level clip and add the acid neutralizer to the packet. The same process shall be used to dispose of any unused self-contained drug test kits. Once the self-contained drug test kit is cool to the touch or it stops effervescing, the level clip shall be used to reseal the drug test kit. This process neutralizes the chemicals within the self-contained drug test kit, and it may be disposed of in a trash receptacle. It is mandatory to use the Test F-Acid Neutralizer or a solution of Sodium Carbonate before disposing the unused self-contained drug test kits in a trash receptacle.

6. SAFETY DATA SHEET. A Safety Data Sheet (SDS) is required for all hazardous chemicals present in the workplace. The Federal Occupational Safety and Health Administration and the California Department of Industrial Relations, Division of Occupational Safety and Health, require SDSs to be available to all employees and copies of applicable SDSs to be maintained at Area offices. An SDS includes information such as the following: properties of each chemical; the physical and environmental health hazards; protective measures; safety precautions for handling, storing; and transportation of the chemical.

NOTE: Prior to 2013, an SDS was referred to as a Material Safety Data Sheet.

a. Upon request, the Employee Health & Wellness Section, Occupational Safety Unit will provide an SDS to commands or advise if an SDS is not required. Information on an SDS is generally prepared by the manufacturer of the product; however, other sources of data on toxic and health effects should be consulted for more detailed information. Employees may also refer to the California Department of Transportation's "Emergency Response Guidebook" for limited emergency information.

b. Safety Data Sheets are divided into multiple sections and may vary in format. However, all SDSs are required to provide specific information. Refer to HPM 10.6, Occupational Safety Manual, Chapter 7, Hazardous Substances Program, for detailed descriptions of the sections found on an SDS.

7. LIST OF HAZARDOUS SUBSTANCES.

a. Hazardous Substances in Storage Areas. Numerous hazardous substances may be present in evidence storage areas including, but not limited to, biohazards and the following controlled substances: cocaine, fentanyl, lysergic acid diethylamide (LSD), methamphetamine, marijuana, heroin, phencyclidine (PCP), and tetrahydrocannabinol (THC).

b. Hazardous Substances in Self-Contained Drug Test Kits. The chemicals in self-contained drug test kits can be identified by referencing an SDS as discussed in this chapter. The kits consist of small ampoules of chemicals in self-contained plastic pouches. Each kit or pouch is marked indicating the type of drug it is used to test. Contact the Internal Affairs Section, Evidence Unit, or Division Property and Evidence Program Coordinator for a list of the hazardous ingredients found in the NIK test ampoules.

8. CONTROL MEASURES.

a. Procedures and Methods. The accepted procedures and methods involved in controlling occupational health hazards require that an employee's exposure to harmful chemicals and physical agents does not exceed permissible levels. Determining what control measures should be used is based upon the nature of the harmful substance or agent and its routes of absorption into the body. An employee's exposure to an airborne substance is related to the amount of contaminants in the breathing zone and the time period during which the employee is exposed to this concentration. Reducing the amount of contaminant in the employee's breathing zone or the amount of time the employee spends in the area will reduce overall exposure.

b. Personal Protective Equipment. The Department makes available to its employee's certain items of PPE for use when handling hazardous substances. These items, and their corresponding Supply Services Catalog item number, include:

- (1) Safety glasses (08-091-02, 08-091-03).
- (2) Respirator (08-092-06A).
- (3) Gloves, nitrile (05-017-00, 05-017-01, 05-017-02, 05-017-005).
- (4) Gown, disposable (08-09-10, 08-09-11, 08-09-12, 08-09-13).
- (5) Cloth, premoistened wipes (04-005-50).

c. Wearing of Personal Protective Equipment. Safety glasses, a particulate respirator, and nitrile gloves shall be worn by all personnel when handling controlled substances, biological hazards, and hazardous substances/materials which are not packaged in a sealed container. Prior to the use of reusable PPE (e.g., safety glasses), the protective equipment shall be cleaned with a premoistened wipe. To prevent unnecessary contamination of Departmental facilities, special care should be taken when employees remove PPE which has been exposed to hazardous substances. Used disposable PPE shall be disposed of as hazardous waste. This should only take place in an area designated for such

use by the Area commander. All PPE and the work area shall be treated as if contaminated after a presumptive test. The work area and reusable PPE shall be decontaminated immediately after use. Prior to decontaminating the work area and reusable PPE, personnel shall don a new pair of nitrile gloves, and clean the work area and reusable PPE with a premoistened wipe. Immediately after cleaning, personnel shall remove and dispose of the nitrile gloves to reduce the potential of contaminating additional items or areas. Surfaces of the reusable PPE which may come in direct contact with personnel's skin shall then be cleaned with soap and cool water. After the reusable PPE has been cleaned, it shall be air dried and stored in a safe location for future use.

d. Ventilation. The testing of any controlled substance, or opening of any package containing a controlled substance, shall be done in a well-ventilated area to minimize the risk of exposure. If an Area is equipped with a fume hood it shall be used. Care should be taken to provide adequate ventilation for the officer handling the substance and to prevent any vapors from contaminating the facility.

NOTE: Eating, drinking, or smoking shall not be allowed in the areas where controlled substances are stored or handled.

9. EXPOSURE TO OTHER EMPLOYEES. To ensure other employees are not exposed, an officer handling hazardous substances shall work in an area isolated from other employees and foot traffic. The area shall have adequate ventilation to protect employees from exposure to narcotics, Aspergillosis, or other health hazards. The officer should place a sign or an orange traffic cone to warn other employees that hazardous substances are being handled. Employees should not enter the area, if at all possible, and then only if wearing the appropriate PPE.

10. EMPLOYEE RIGHTS. For their protection, employees have the rights described below:

a. Access to Information. The right to personally receive information regarding hazardous chemicals to which they may be exposed, according to the provisions of Title 8, Section 5194(h)(2)(G)1 CCR.

b. Physician or Collective Bargaining Agent. The right for their physician or collective bargaining agent to receive information regarding hazardous chemicals to which the employee may be exposed, according to the provisions of Title 8, Section 5194(h)(2)(G)2 CCR.

c. Against Discharge or Other Discrimination. The right against discharge or other discrimination due to the employee's exercise of the rights afforded pursuant to the provisions contained in Sections 6360-6399.7 LC, known as the Hazardous

Substances Information and Training Act.

11. EMPLOYEE INFORMATION AND TRAINING. Employees utilizing a TruNarc device shall be trained as outlined in this chapter. If the use of a self-contained drug test kit is required, the employee shall review the instructional video prior to testing any substances. Area commanders are responsible for ensuring all Area employees are aware of the following:

- a. Requirements. An overview of the requirements contained in this chapter.
- b. Hazard Communication Plan. Location and availability of the written hazard communication plan.
- c. Effects. Potential physical and health effects of the hazardous substances.
- d. Detection. Methods and observation techniques used to determine the presence or release of hazardous substances in the work area.
- e. Precaution. How to lessen or prevent exposure to these hazardous substances through safe work practices and/or the use of PPE.
- f. Departmental Actions. Steps the Department has taken to lessen or prevent exposure to these substances (e.g., requirement to heat seal all controlled substances, suspected controlled substances and their precursors in vapor barrier polyester bags; proper disposal of hazardous substances; and usage of a TruNarc device or self-contained drug test kits).
- g. First Aid. Emergency and first aid procedures to follow if exposed to hazardous substances.
- h. Interpretation. How to read evidence/property reports and lab reports to identify hazardous substances.
- i. Safety Data Sheet. How to obtain appropriate hazard information from an SDS.

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