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LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

Assessing the Need for the Grand Prairie Police Department
To create a Clandestine Drug Lab Safety Procedure

A Policy Research Project
Submitted in Partial Fulfillment
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RESERVE

ABSTRACT

The City of Grand Prairie currently has no policy or guidelines on how patrol officers in the police department are to safely handle clandestine drug laboratory scenes. It is important to protect the welfare of police personnel that come in contact with clandestine drug laboratories. This project demonstrates the cost effectiveness of proper training and equipment. The purpose is to develop a procedure and policy in the Grand Prairie Police Department for the safe and effective handling of clandestine drug laboratories.

It is concluded that police personnel in Grand Prairie use an unsafe method for dealing with clandestine drug laboratories. Literature generally indicates that without a clear procedure for clandestine lab handling police departments and cities are open for sanctions, employee lost time at work, and civil liability by not providing a safe work environment. Most of the departments researched have a clear policy on clandestine lab safety. The recommendation is that a policy and procedure be established, equipment purchased, and training provided to police personnel.

RESERVE

INTRODUCTION

Police administrators need to be aware of the dangers facing patrol officers that come into contact with clandestine drug laboratories. Recent events have shown that there are now a growing number of clandestine drug labs particularly methamphetamine drug labs surfacing in the State of Texas. Methamphetamine has become much quicker and easier to manufacture thus creating a resurgence of clandestine drug laboratories. These laboratories pose a particular threat to law enforcement personnel in the form of exposure to explosive hazards and exposure to dangerous chemicals. . Police departments are faced with many problems resulting from their employees being exposed to clandestine laboratory operations. By recognizing the hazards of these laboratories, departments can provide the necessary equipment for safely dealing with and catalog evidence.

The purpose of this research is to clearly demonstrate how a procedure and policy on dealing with clandestine laboratories can greatly reduce the risk to all involved and result in successful prosecution of the drug manufacturers

This research addresses the problem of police departments relying on old ways of dealing with clandestine laboratories. Throughout the last few decades, police have not acknowledged the possibility that, their employees are being threatened with illness and even death. (Personal communication, Fleming (July, 19,1999)

The intended audience of this project is administrators and policy makers in area police departments, particularly the Grand Prairie Police Department. Also, this project should reach the training sections of the above mentioned departments.

The research contained in this work will be derived from several sources. These sources will include the Grand Prairie Police Department Written Directives, personal

interviews, class lectures on the topic, and professional journals. The research will also review the Texas Department of Public Safety Drug Law Book.

The intended outcome of this research project is the creation of policy mandating a safe work environment for all personnel that come into contact with clandestine drug laboratories. This environment will be safer and, in the long run, more cost effective to cities due to the decrease in accidents or exposure-related illness and time off work.

HISTORICAL CONTEXT

In 1994 in San Diego, California members of the Drug Enforcement Administration ran a search and arrest warrant on a suspected working clandestine drug laboratory. When they arrived they were perplexed. No where in the house did they find a laboratory but they could smell the chemicals used in a clandestine laboratory. Using drug-sniffing dogs they made an amazing find. Buried under twelve feet of dirt in the back yard was a full size school bus. In this bus were enough dangerous chemicals and fumes that entry to the lab without proper safety gear would have meant certain death to the officers upon entry to the lab. Had this been in the city of Grand Prairie the officers would have entered the lab and would have been overcome, resulting in tragedy. (Sparshot, 1999)

The statistics show that in 1995 four police officers were overcome by fumes at a clandestine drug laboratory in California. In 1995 a Customs inspector suffered permanent lung damage from exposure to hydriodic acid. In 1997 a DEA agent was exposed to anhydrous ammonia fumes and was hospitalized. In 1997 a patrol officer

while conducting a traffic stop was overcome by anhydrous ammonia fumes. (Cashman 44 and Sevic 33)

The Grand Prairie Police Department first came across clandestine drug labs in the early 1980's. When officers would respond to these laboratories then they would handle carcinogenic chemicals without any type of protection. No gloves would be worn, no respirators would be worn and there was no concern for how long officers were exposed to the chemicals during processing of laboratories and cataloguing of evidence. In some cases officers were exposed for over ten years to chemicals from clandestine drug labs and developed cancer as a result of the exposure. Chemical removal and storage was done in a primitive fashion also. Chemicals from clandestine labs were stored at a police facility awaiting trial. Often times at the trial the chemicals were brought into the courtroom exposing everyone in the courtroom to toxic and explosive chemicals. Not until the early nineties did the Grand Prairie Police Department begin to take more precautions in handling clandestine drug labs. Today the guidelines are still not up to federal standards. (Personal interview, Gary Reed, 1999)

Review of Literature or Practice

Examined in detail will be some of the real dangers individual chemicals have on law enforcement personnel. Suggested will be that policy makers can provide the necessary tools to effectively combat methamphetamine drug labs and curb the ill effects they have on society.

The chemicals used in most clandestine lab recipes are readily available and can be obtained with little problem, and obtaining the chemicals cause any type of attention

draw to the buyer. The quantities of chemicals are often so small with the new modern way of manufacturing methamphetamine that no one takes notice. Anhydrous ammonia is not legal to obtain but is readily available on the black market. The chemical anhydrous ammonia is inexpensive and it often goes unreported as stolen. (Sparshot, 99)

Some of the "old" cook styles of methamphetamine can still be found today but are not as prevalent. In one type of cook the manufacturer will mix ephedrine with red phosphorous and hydriodic acid. (Courtney, 99) The by-product of this particular type of cook is phosphene gas, which is a close cousin to phosgene gas. This type of gas was widely used in World War II to kill thousands of soldiers. The gas is referred to as mustard gas. This gas is invisible and has very little odor. If one was to smell it they will have taken their last breath since the gas is extremely fatal. A self-contained breathing apparatus will prevent this from happening to a police officer. The red phosphorous used in the above mentioned process is an extreme hazard. If red phosphorous stays out in the open and exposed to air long enough it will convert to white phosphorous. (Courtney, 99) White phosphorous will ignite violently on its own if the humidity is just right. A trained officer will recognize this hazard and turn the situation over to fire personnel. (Courtney, 99)

Sparshot says clandestine labs are increasingly being found to urban areas where in the past they were usually in lightly patrolled rural areas. The rural areas were preferred because of the ability to hide odors and an occasional accidental explosion could go unnoticed. One advantage to moving to urban areas for laboratory operation is the close proximity to the chemicals that are usually manufactured in urban areas. Transporting the precursor chemicals posed a hazard to both the drug maker and the police officer.

Not having to transport the chemicals very far made it somewhat safer for all involved.

(Sparshot 1)

In San Diego County alone in 1997 there were sixty-two methamphetamine clandestine laboratories found by law enforcement. This number is on the rise. Just in the Grand Prairie area alone in 1999 six working clandestine laboratories were found. Three of these laboratories were mobile meaning that they were found in a vehicle.

(Manning 12)

The long accepted practice in Grand Prairie Law Enforcement of going into a laboratory and attempting to catalogue evidence without the use of safe clothing and proper breathing apparatus must be changed. Exposure to some chemicals even for a small period of time can have an adverse affect on an officer's short term and possibly even long-term health. (Personal interview, Fleming, July 19,1999)

Now the trendiest method for manufacturing methamphetamine clandestinely is called an ephedrine cook or the "Nazi" method. This type of lab is the one law enforcement is most likely to come across and is also the type that they are the least familiar with.

(Cashman, pg.44)

The National Sheriffs Association studied seventy raids in 1993 on clandestine drug laboratories. (Cashman 44 and Sevic 33) Of those seventy raids, fourteen firefighters and four police officers were hospitalized for exposure to chemicals and numerous minor injuries were reported where no hospitalization was required. The trend of statistics goes on and on. All of the incidents described above directly relate to the trend of officers that are placed in contact with chemicals. These chemicals directly relate to the chemicals

Grand Prairie Police officers are coming in contact with in greater frequency. (Cashman 44 and Sevick 33)

The process of chemical drug manufacture is very fast, inexpensive, and simple. The materials are mostly common household items. These items are no less dangerous. Recently in Grand Prairie a clandestine lab operator improperly stored ether in a refrigerator. The reason for the refrigerator was to lower the flash point of the ether. The fumes leaked out of the container they were in and ignited violently when the refrigerator compressor activated. The force blew off the doors to the refrigerator and burned the warehouse it was in. Had anyone been present there would have been grim results. This is the type of example that needs to be taught to all involved with processing a clandestine lab so dangerous mistakes can be avoided. (Personal interview, Fleming, July 19, 1999) Another common danger in this type of lab is the presence of lithium aluminum hydride. This metal is extracted from camera batteries. An uneducated patrol officer might remove this metal from the petroleum it is being stored in. If this metal comes in contact with water it will create heat and hydrogen gas. One camera battery contains about one gram of lithium metal. That amount will cause an explosion big enough to burn a common hotel room and everyone in it. Another chemical is anhydrous ammonia. This is often stolen and stored in unapproved containers like propane tanks. The fittings are not able to withstand the highly corrosive ammonia and if improperly handled could result in the ammonia being violently dispersed. This ammonia reacts with the mucous in human lungs, turns to acid and literally suffocates the victim with one breath. (Sparshot 1)

The Montgomery County, Maryland Police Department has a very specific procedure for dismantling clandestine laboratories. In Montgomery County, Maryland they use a color film camera and videotape to document the scene of a clandestine lab before anything else is done. Next they inventory everything, process all glassware and seize all finished product. They then seize all documents and prepare a sketch of the scene. Hazardous chemicals are never transported or stored but are photographed, inventoried and properly destroyed by a commercial hazardous materials team. All this is done with OSHA approved safety gear and chemist is on hand to test and identify all hazards. (Sparshot 2)

The Arlington Police Department, which is a similar size department next to the Grand Prairie Police Department, uses the same process as the Montgomery County Police. They have officers that safely dismantle and catalogue a laboratory. (Personal interview, Sgt. Yowell, November, 1999)

OSHA also requires under law 1910.120 that employees that may be exposed to dangerous chemicals must be safety trained. OSHA nationally puts on a forty-hour school on chemical safety particularly related to clandestine drug laboratories. The class teaches how to approach and recognize visual hazards as well as how to use the safety equipment. The school also teaches how to safely dispose of the various hazards. (Conners and Cashman, pg.42)

Discussion of Relevant Issues

The consequences of manufacturing methamphetamine are far reaching to law enforcement personnel. The volatile chemicals can explode, and invisible vapors that emanate from cooking methamphetamine create health problems for law enforcement as

well as people living in the area where the drug is made. People do not know that the by-products of these labs are often disposed in an illegal and unhealthful manner. Officers can be in the back yard of a residence where a lab is and not know that he is standing in a toxic byproduct until they suffer some ill effect. This is often the case especially when a patrol officer comes across a lab that is mobile. If the vehicle is found at a site where the actual cook took place it is common to find numerous toxic by-products in the area.

(National Institute of Justice, page 2)

The City of Grand Prairie is situated in between two major cities. According to the DEA, in 1997 they were involved in seizing seventy-seven clandestine laboratories. That figure is just for the City of Dallas. The figures for the entire metroplex are sure to be comparably as high. Yet Grand Prairie does not have any type of procedure for dealing with this epidemic. (Personal interview, Reed, December, 1999)

In order to summarize the issues, the purpose of this research must be examined, namely, the safety of law enforcement personnel dealing with clandestine drug laboratories. In order to ensure officer safety, a good policy on chemical laboratories must address the areas of training, equipment and procedure.

Max Courtney (Courtney May, 17-19, 1999) suggests that law enforcement always have a plan when dealing with laboratories. Before entering a clandestine lab the fire department should be on scene and particularly a fire team with hazardous materials experience. Also present should be emergency medical personnel and an ambulance. Officers entering a scene should have no less than natural fiber clothing, polyethylene gloves that resist most chemicals and a self contained breathing apparatus.

As has been stated in this report before, finding and dealing with a working lab poses a dangerous risk to law enforcement. Fire, explosion, inhalation of fumes and skin contacts with chemicals are the most immediate dangers. After the proper safety gear is put on the first order of business in a working lab is to ventilate. Laboratory shut down must be done in stages. Often a working lab requires an outside source of heat like that from a hot plate or heating mantle. Power should never be cut off. Only the heat source should be turned off. If all the power is turned off the power to water cooling supply or vacuum pump maintaining a certain pressure could cause an explosion or a reaction creating fatal gases. Nothing on the lab should be touched until everything is at atmospheric pressure and room temperature. (Sparshot 2)

There are several fiscal constraints to deal with implementing training and purchasing the safety equipment. Examples of some of the basic protective equipment are chemical resistant overalls, gloves, respirators, boots, goggles and self-contained breathing apparatus. Most of the above listed items are a one-time use only. This means that there are items that are not only expensive to initially buy but also to maintain. Unfortunately there is no way to get around the purchase of the safety equipment. The cost for the above mentioned safety items varies from the various vendors. The training is provided free of charge by the federal government. A baseline physical is also given as a part of the training. Also included are annual eight-hour recertification courses. Training funds are also available

Through The Office of National Drug Control Policy. For instance, in 1997 the DEA conducted seventy-three lab safety schools. The frequency of schools will increase as awareness increases. (Connors and Cashman, 44)

The benefits related to training and equipment far out weigh the potential costs. When the training and equipment are made available, then policy can be written and guidelines set for clandestine lab takedown. When policy and procedure are in place then the city and the police departments are in a position to defend themselves regarding civil liability and this saves the city money. In the cases cited in this research related to injury to police, countless thousands of dollars were paid out to cover medical expenses.

In the cases where a death occurred the litigation can lead to millions of dollars. Litigating one death could put a police department in a very poor financial position for many years.

Further benefit is being in compliance with Federal law. Being in compliance saves money in fines imposed on the city. OSHA can sanction municipalities for not being in compliance with training requirements. If OSHA is made aware that an employee is exposed to dangerous chemicals without proper training or equipment a municipality can be ordered to pay fines. In addition to Federal laws, individual states can also impose sanctions for employee safety violations.

For instance a small town in Oregon was fined three thousand dollars for violations of the Oregon Safe Employment Act. The violations were failure to provide adequate warnings, training and protective equipment for employees exposed to dangerous chemicals while seizing a clandestine methamphetamine laboratory. Other violations could be U.S. Department of Transportation (DOT) code violations. These violations

regarding transportation could also be made on the state level. If police try to transport dangerous chemicals themselves and word got out to the appropriate regulatory agency stiff penalties could also be imposed. The Environmental Protection Agency could also get involved when it comes to disposal and storage of chemicals. If the rules are violated then they too could impose sanctions on the city involved in the violation. Lack of training or awareness on the part of a patrol officer coming in contact with a clandestine lab could cause an agency a tremendous amount of financial grief. The classes available through the federal government educate students on all aspects of proper chemical handling and disposal. (Conners 44)

The City of Grand Prairie has access to DEA lab recovery agents who will do the cataloguing of evidence. A plan and procedure must be made for the activity that occurs prior to the DEA arriving at a scene. Just the proper training of patrol personnel and equipping of narcotics personnel with proper safety gear will greatly reduce the risk of danger to police personnel. This in conjunction with a written policy and procedure for handling clandestine laboratories will financially benefit the department through less loss of work due to illness and less chance of any litigation coming about as a result of an injury.

Conclusions/ Recommendations

The purpose of this research is to show the Chief of Police in the Grand Prairie Police Department the necessity to develop a procedure and policy on the handling of clandestine drug laboratories by employees of the department. Also, the purpose was to

show the true dangers that the employees of the department face when dealing with clandestine drug laboratories and to weigh the cost and benefits of proper training and proper equipment verses not having those items. To this end, the research demonstrates the resources available regarding clandestine drug laboratories from the federal government.

This topic of research is directly relevant to police employees of the Grand Prairie Police Department and law enforcement personnel in general. The research will benefit the department personnel, from patrol to detectives to overall financial well being.

The main problem to be examined is the routine disregard for safety when personnel handle clandestine drug laboratories. The research showed that this should not be the case. The research has shown that when personnel are not trained or properly equipped grim results such as permanent injury or death can occur. Also the cost of not properly training or equipping personnel is devastating to departments and cities. The research also demonstrates that federal guidelines are in place for handling every aspect of clandestine laboratories. There are resources available to assist police departments with being in compliance with federal guidelines.

In conclusion safety, the of police personnel that are in contact with clandestine drug laboratories is paramount. The results of non-compliance are not acceptable.

The recommendation of the research is to adopt a policy that creates a safe environment for police personnel who handle clandestine drug laboratories. The purchase of the proper safety equipment is recommended. The minimum would be goggles, chemical safe clothing, shoe cover-ups, gloves and self-contained breathing apparatus. Furthermore, the researcher recommends that personnel be prioritized by assignment

related to drug lab exposure and is sent to the appropriate training that has been detailed in the research. Also the researcher has shown the various cost benefits with staying in compliance with federal guidelines. If these recommendations were implemented by the Grand Prairie Police Department a safer and much more effective drug enforcement environment would be created.

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