

By Mr. Petruccelli of Boston, petition of Thomas M. Menino, Anthony Petruccelli, Dianne Wilkerson, Martin J. Walsh and Marian Walsh relative to the destruction of controlled substances under the jurisdiction of police departments. Criminal Justice.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO THE DESTRUCTION OF DRUGS HELD BY POLICE DEPARTMENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 47A of chapter 94C of the General Laws, as appearing,
2 is hereby amended by inserting after paragraph 4 the following
3 new paragraph:— In any criminal case involving the seizures of a
4 controlled substance or narcotic drug, where the known defen-
5 dant(s) has defaulted on his scheduled court appearance in either
6 district or superior court, the controlled substance or narcotic drug
7 shall be held in the custody of the evidence officer for a minimum
8 of one (1) year. After the expiration of the one year, the police
9 commissioner, chief superintendent, or other office or board at the
10 head of each police department may order the evidence officer to
11 submit to the department the controlled substance or narcotic drug
12 for destruction or disposition in any way not prohibited by law.
13 Prior to said destruction or disposition, the police department shall
14 receive a certificate of analysis, sworn to before a justice of the
15 peace or a notary public, from either the department of public
16 safety, the University of Massachusetts medical school, or the
17 department of public health. The evidence officer shall keep the
18 original or a certified copy of such certificate, which shall be
19 prima facie evidence of the composition and quality of the con-
20 trolled substance or narcotic drug in any subsequent prosecutions
21 of the defendant(s).

