



Sheridan Police Department
Policies and Procedures
10.6 Replaces S.O. #20-07
Chapter 10 – Search & Seizure
Section 6 – Illicit Drugs from Hospital

Date: December 13, 2021

Signature:

During the course of patient treatment, hospital staff may find contraband on the person of or in the property of a patient and then notify the police department about the item(s). Contraband may include controlled substances, weapons, or suspected evidence of a crime. Often the police will seize the contraband and destroy it without an investigation. However, there are some situations where officers should initiate an investigation.

10.6.1 General Guidelines

- A. In deciding whether to simply destroy contraband discovered on a patient, or to investigate the incident, officers should always lean their decision toward quality of care and recovery of the patient. Officers may decide to investigate the matter at a later time. Circumstances that may merit investigation can be investigated once patient needs are satisfied.
- B. Officers will always make every effort to ensure an investigation does not discourage people from seeking medical attention.
- C. When responding to reports of contraband found at the hospital, Officers will generally have a Spillman incident created with the title of “Assist Agency” and Sheridan Memorial Hospital as the complainant.

10.6.2 Incidents That May Not Merit an Investigation

- A. The following situations do not merit further investigation
 - 1. The contraband is only a violation of Hospital policy and not a violation of law.
 - 2. A person has checked themselves into the hospital for treatment related to addiction issues or with a serious injury or condition and misdemeanor amounts of controlled substances have been found.
 - 3. A citizen has been admitted to the hospital for serious life threatening illness or conditions and user, or misdemeanor, amounts of controlled substances are found on them.
 - 4. The contraband found is of low significance considering the totality of the circumstances.
- B. In the circumstances described above, officers will take custody of the contraband and enter such property into evidence with a note added requesting immediate destruction of controlled substances or appropriate storage of other materials for the return to an owner. Hospital staff will not be questioned further by officers regarding the origins of contraband.

10.6.3 Incident That May Merit an Investigation

- A. The following situations may merit a further investigation into the discovery of contraband by Hospital Staff.
 - 1. The patient was already in law-enforcement custody when taken to the hospital.

2. Law enforcement was already involved in the situation or had previously begun an investigation prior to the person being admitted to the hospital. Some examples may be:
 - a. A drug overdose in a private residence.
 - b. A traffic accident.
 - c. A sexual assault investigation.
 3. The contraband discovered is indicative of a felony level crime, or criminal activity that would cause a danger to others.
- B. Officers may request pertinent information from Hospital staff, but will not compel information from staff. Officers shall obtain patient consent, a warrant, and/or use authorized hospital medical release forms in order to obtain information from the hospital.
- C. If enforcement action is necessary the officer should consider issuing a citation or delaying enforcement until the patient is released.