

SPECIAL DIRECTIVE 26-01

TO: ALL DISTRICT ATTORNEY'S OFFICE PERSONNEL

FROM: STEVEN I. KATZ <sup>SK</sup>  
Chief Deputy District Attorney

SUBJECT: USE OF TRUNARC TO ESTABLISH THE IDENTIFICATION OF  
CONTRABAND FOR FILING PURPOSES

DATE: JANUARY 8, 2026

Under current Office policy, the use of a positive scientifically reliable field test or a preliminary laboratory analysis to establish the identification of a controlled substance offenses is permitted only when the accused is in custody. (Legal Policies Manual, Section 4.06.01.)

Effective immediately, Section 4.06.01 is revised to reflect that a laboratory TruNarc preliminary screening report will be an acceptable means of establishing the identification of a controlled substance for purposes of filing in-custody and non-custody cases alike both for felonies and misdemeanors, subject to the approval of our Office's Forensic Science Section.<sup>1</sup>

Although sufficient for filing, neither the TruNarc preliminary screening report itself nor the results it produces are admissible as evidence that the alleged contraband is in fact a controlled substance, at a preliminary hearing or a trial. (See *People v. Rios* [2024] 99 Cal.App.5th 1128 [the admissibility of evidence produced by the TruNarc identification device is subject to the *Kelly* rule, and case law has not yet confirmed the reliability of the TruNarc testing device].) As such, if there is no independent means of establishing through admissible evidence that the alleged contraband is a controlled substance – for example, a narcotics expert competent to testify that the recovered evidence is a controlled substance – a confirmatory laboratory analysis must be completed prior to preliminary hearing on a felony filing or trial on a misdemeanor filing and should be requested at the time of filing.

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<sup>1</sup> Our Office currently accepts TruNarc preliminary screening results from the Los Angeles County Sheriff's Department and the Long Beach Police Department for the purpose of filing cases in which a controlled substance is recovered. Branch and area operations should advise their respective law enforcement agencies and laboratories to consult with our Office's Forensic Science Section (FSS) when seeking approval of TruNarc preliminary screening results for filing purposes. The FSS will review validation and/or certification materials to ensure conformity with appropriate user training and quality control.