

# Successful Prosecution based on Presumptive Tests



# Filing Cases Without Lab Results

## *Is it a controlled substance?*

- Prosecutors are held to a higher standard than imposed on other attorneys because of the unique function they perform in representing the interests, and in exercising the sovereign power, of the state.
  - *People v. Sanchez* (2014) 228 Cal.App.4<sup>th</sup> 1517.
- We can't file criminal charges or permit such charges to remain pending in the absence of sufficient admissible evidence to support a conviction.
  - CA Bus. & Prof. Code Sec. 6068(c); American Bar Assoc. Criminal Justice Standards, Standard 3-3.9(a).

