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<b>Title: Methods and Procedures for Drug Screening</b>			
Issuing Authority: Chief Alfonso A. Parente, Jr.		Eval. Date:	
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## I Purpose

The purpose of this General Order is to establish procedures for conducting and administering a drug testing program to identify illegal drug use by applicants for sworn law enforcement positions with the department, and for all full-time and part-time sworn members. Newly appointed officers, while attending a basic police training academy, will be subject to drug testing as established by that academy. This General Order is in compliance with policies established by the New Jersey State Attorney General's Office, and Burlington County Prosecutor's Office.

## II. Policy

It will be the policy of the department to conduct drug tests on every applicant for a law enforcement position during the pre-employment selection process. A randomly selected sampling of a minimum of 20% of all full-time and part-time members will be tested annually. Testing shall occur twice in a calendar year. 10 percent of the total number of sworn officers will be randomly tested each time. The department will immediately remove from consideration any applicant who tests positive for illegal drug use or refuses to submit, and suspend, with intent to remove, any trainee or sworn member who tests positive or who refuses to submit.

## III. Procedure

### A. Applicant Advisement

1. Applicants will be advised, in writing, that they will be required to submit a urine sample for drug use analysis as part of the pre-employment selection

process. The advisement will also indicate that a negative result is a condition of employment and that a positive result will;

- a. result in the applicant being dropped from consideration for employment,
  - b. cause the applicant's name to be reported to the central drug registry maintained by the NJ State Police, and
  - c. preclude the applicant from being considered for future law enforcement employment for a period of two years.
2. In addition, if the applicant is currently a law enforcement officer with another agency and tests positive, the officer's agency will be notified resulting in the officer's immediate suspension pending removal, and the officer being permanently barred from future law enforcement employment in NJ.
  3. There is no provision for collecting or analyzing a control sample for applicants who test positive. Any appeal or challenge will be the responsibility of the individual.
    - a. The intent to file, or the filing of an appeal or challenge will in no way affect the applicant's status with this or any other department.

#### B. Applicant Samples – Collection

1. The Investigations Commander will be responsible for administering the collection and submission of applicant urine samples. This will include determining when samples are to be collected and how the collection will be monitored.
  - a. The Investigations Commander or his designee must insure that the monitor is of the same sex as the applicant.
2. The monitor will be responsible for insuring that the Applicant Notice and Acknowledgement and all other documentation is fully and accurately completed.
  - a. The identity of the individual applicant shall remain confidential throughout the process.
  - b. Only the applicant's social security number shall appear on any document or container.
3. Applicants are not to complete the Drug Screening Medication Information form unless a positive test result has been received and the Chief of Police approves the completion and submission of the form to verify test results.
4. Samples will only be collected and submitted in containers approved by the NJ State Toxicology Lab. The Investigations Commander will be responsible for insuring that an adequate supply of approved containers is kept on hand.
  - a. The NJ State Toxicology Lab is the only facility permitted to be used for law enforcement drug testing.

5. The applicant will void without the direct observation of the Investigations Commander or his designee. The monitor will however be in a position to observe any attempt by the applicant to any way contaminate or otherwise compromise the integrity of the sample. If an applicant does contaminate or compromise the sample it will be brought to the attention of the Chief of Police and disqualify the applicant from employment and may subject the applicant to criminal prosecution.
    - a. Unless otherwise noted, all steps must be completed by the applicant in the presence of the monitor;
      - Select two sealed specimen container kits.
      - Unseals both kits and removes the kit contents on a clean surface.
      - Using an ordinary pencil, the applicant writes his/her SSN and the letter "A" below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as "bottle A" and "first specimen" respectively.
      - Next, using an ordinary pencil, the applicant writes his/her SSN and the letter "B" below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as "bottle B" and "second specimen" respectively.
      - The monitor checks that the donor SSN on both labels matches the SSN provided on the submission form.
      - The monitor instructs the applicant to void a specimen between 45 ml and 60 ml into each specimen container, to not flush the toilet, and return with both specimens immediately after the specimen is produced.
      - The monitor checks each specimen for adequate volume and temperature indicator strip on the specimen container with 4 minutes. A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable in the "Yes/No" column for each specimen and writes the collection date and his/her initials in the spaces provided on the submission form. If a temperature strip does not indicate the acceptable temperature, the monitor must consider the possibility that the applicant attempted to tamper with the collection.
      - If the monitor is satisfied that all test requirements are met and the required documentation is accurate, he/she shall request the submitting applicant to seal each one of the specimen containers.
      - The monitor will take possession of the specimens and documentation. The monitor will ensure that all specimens, including second specimens, are delivered to the NJ State Toxicology Lab in a timely manner.
  6. In order to ensure the accuracy and integrity of the collection process the monitor may:

- a. Direct an individual applicant to remove outer clothing (jackets, sweaters, etc.), empty their pockets, and wash their hands under running water, before they produce a specimen.
  - b. Add tinting agents to toilet water and secure the area where the specimens are to be collected prior to specimen collection.
7. When an applicant initially produces an inadequate amount of urine, the monitor must take the following steps:
  - a. Advise the applicant to remain on the premises and under supervision of the monitor until the monitor is satisfied that the donor cannot produce a specimen.
  - b. While the applicant is under supervision, allow the applicant to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to produce a specimen.
  - c. Under no circumstances, should multiple voids be combined to produce an adequate sample volume.
  - d. If the applicant remains unable to provide a specimen after a reasonable period of time, the Chief of Police, or in his absence the Investigations Commander, will advise the applicant that they will no longer be considered for employment.

### C. Second Specimen

1. An applicant whose specimen tested positive may only challenge the positive test result by having the second specimen independently tested. The first specimen will not be retested.
2. The second specimen will be maintained at the State Toxicology Laboratory for 60 days following the receipt of a positive drug test result from the laboratory.
3. The second specimen will be released by the laboratory under the following circumstances:
  - a. The department is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance;
  - b. The Chief of Police, or his designee, notifies the applicant that the first specimen tested positive for a controlled substance; and
  - c. The Chief of Police, or his designee, is informed by the applicant whose specimen tested positive that he/she wishes to challenge the positive test result.
4. The applicant must designate, from a list maintained by the NJ State Toxicology Laboratory, a laboratory that is certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and accredited by the College of American Pathologists (CAP) to conduct workplace urine drug testing, and pay all costs associated with the reception and testing of the sample.
5. The State Toxicology Laboratory maintains an up-to-date list of SAMSHA and CAP certified laboratories and will furnish that list upon request.

6. A representative of the second test Laboratory may, in person, take possession of the second sample in accordance with accepted chain of custody procedures or the sample may be sent to the laboratory by pre-paid tracking mail also following the chain of custody procedures.
7. Following testing of the second specimen, the independent laboratory will report the result of the second specimen drug test to the applicant, to the submitting agency, and to the medical review officer.

#### D. Sworn Officers – Reasonable Suspicion Testing

1. Sworn officers will be ordered to submit to drug testing when there is reasonable suspicion to believe that the officer is illegally using drugs. Prior to ordering such a test a written report documenting the basis for the suspicion must be submitted to the Chief of Police for review. Only the Chief of Police or County Prosecutor may order a reasonable suspicion test.
  - a. In emergent circumstances the Chief of Police may issue such an order based on a verbal report.
    - A written report must still be prepared and submitted within five working days of the verbal report.
    - The Chief of Police may extend the five days if necessary, however a preliminary written report must be submitted within the five days and a supplemental report every five days thereafter until the submission of the final report.
2. When ordering the test, the Chief of Police will advise the officer that a negative result is a condition of continued employment and that a positive test will result in;
  - a. immediate suspension from all duties,
  - b. termination from employment as a law enforcement officer upon final disciplinary action,
    - This process will be in accordance with law and no officer shall be denied the right of due process.
  - c. inclusion in the central drug registry maintained by the NJ State Police, and,
  - d. being permanently barred from future law enforcement employment in NJ.

#### E. Reasonable Suspicion Samples – Collection

1. The Investigations Commander will be responsible for administering and monitoring the collection and submission of reasonable suspicion urine samples.
  - a. The Investigations Commander will designate an officer of like sex to monitor collection if the officer being tested is of the opposite sex of the Investigations Commander.

- b. In the event the Investigations Commander is to be tested, the Chief of Police will designate another officer of command rank to administer and monitor the collection and submission of samples.
2. The Investigations Commander will be responsible for insuring that the Drug Screening Medication Information form is completed and submitted by the officer. The officer's name is not to be used, only the social security number is to appear on any document or container.
  - a. Upon completion of the form the officer is to make two additional copies of the form. The officer is to separately seal the original and one copy of the form in the provided envelopes. The officer's social security number is to be written on the outside of the envelopes and the officer and the monitor are to initial the seal.
    - The third copy is the officer's copy.
  - b. The envelope containing the original copy is to be forwarded to the NJ State Toxicology Lab with the sample.
  - c. The envelope containing the copy is to be retained by the Investigations Commander. The information on the form is to be considered confidential. No one, to include the Chief of Police and the Investigations Commander, is to read the information on the form unless the officer tests positive.
    - Upon notification that the officer tested negative the unopened envelope is to be returned to the officer.
3. Samples will only be collected and submitted in containers approved by the NJ State Toxicology Lab. The Investigations Commander will be responsible for insuring that an adequate supply of approved containers is kept on hand.
  - a. The NJ State Toxicology Lab is the only facility permitted to be used for law enforcement drug testing.
4. The officer will void without the direct observation of the Investigations Commander or his designee. The monitor will however be in a position to observe any attempt by the officer to any way contaminate or otherwise compromise the integrity of the sample. If an officer does contaminate or compromise the sample it will be brought to the attention of the Chief of Police and may subject the officer to criminal prosecution.
  - b. In addition, contaminating or compromising a sample will be considered a refusal to submit and will result in the officer's immediate suspension pending removal.
  - c. Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor;
    - Select two sealed specimen container kits.
    - Unseals both kits and removes the kit contents on a clean surface.
    - Using an ordinary pencil, the submitting officer writes his/her SSN and the letter "A" below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as "bottle A" and "first specimen" respectively.

- Next, using an ordinary pencil, the submitting officer writes his/her SSN and the letter “B” below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as “bottle B” and “second specimen” respectively.
  - The monitor checks that the donor SSN on both labels matches the SSN provided on the submission form.
  - The monitor instructs the submitting officer to void a specimen between 45 ml and 60 ml into each specimen container, to not flush the toilet, and return with both specimens immediately after the specimen is produced.
  - The monitor checks each specimen for adequate volume and temperature indicator strip on the specimen container within 4 minutes. A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable in the “Yes/No” column for each specimen and writes the collection date and his/her initials in the spaces provided on the submission form. If a temperature strip does not indicate the acceptable temperature, the monitor must consider the possibility that the officer attempted to tamper with the collection.
  - If the monitor is satisfied that all test requirements are met and the required documentation is accurate, he/she shall request the submitting officer to seal each one of the specimen containers.
  - The monitor will take possession of the specimens and documentation. The monitor will ensure that all specimens, including second specimens, are delivered to the NJ State Toxicology Lab in a timely manner.
5. In order to ensure the accuracy and integrity of the collection process the monitor may:
    - c. Direct an individual officer who has been selected for drug testing to remove outer clothing (jackets, sweaters, etc.), empty their pockets, and wash their hands under running water, before they produce a specimen.
    - d. Add tinting agents to toilet water and secure the area where the specimens are to be collected prior to specimen collection.
  6. If the monitor has reason to believe that an officer will attempt to adulterate or contaminate a specimen, substitute another substance or liquid for their specimen, or compromise the integrity of the test process, the monitor may conduct a direct observation of the individual officer. If the monitor concludes direct observation is necessary, he or she must document the facts supporting the belief that the officer will attempt to compromise the integrity of the test process before there can be direct observation.
  7. When an officer initially produces an inadequate amount of urine, the monitor must take the following steps:
    - e. Advise the officer to remain on the premises and under supervision of the monitor until the monitor is satisfied that the donor cannot produce a specimen.

- f. While the officer is under supervision, allow the officer to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to produce a specimen.
- g. Under no circumstances, should multiple voids be combined to produce an adequate sample volume.
- h. If the officer remains unable to provide a specimen after a reasonable period of time, the Chief of Police, or in his absence the Investigations Commander, may have the officer examined by a doctor to determine whether the inability to produce a specimen was the result of a medical or physical infirmity or constituted a refusal to cooperate with the drug testing process.

#### F. Second Specimen

8. A donor whose specimen tested positive may only challenge the positive test result by having the second specimen independently tested. The first specimen will not be retested.
9. The second specimen will be maintained at the State Toxicology Laboratory for 60 days following the receipt of a positive drug test result from the laboratory.
10. The second specimen will be released by the laboratory under the following circumstances:
  - d. The department is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance;
  - e. The Chief of Police, or his designee, notifies the donor officer that the first specimen tested positive for a controlled substance; and
  - f. The Chief of Police, or his designee, is informed by the donor officer whose specimen tested positive that he/she wishes to challenge the positive test result.
11. The positive urine donor must designate, from a list maintained by the NJ State Toxicology Laboratory, a laboratory that is certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and accredited by the College of American Pathologists (CAP) to conduct workplace urine drug testing, and pay all costs associated with the reception and testing of the sample.
12. The State Toxicology Laboratory maintains an up-to-date list of SAMSHA and CAP certified laboratories and will furnish that list upon request.
13. A representative of the second test Laboratory may, in person, take possession of the second sample in accordance with accepted chain of custody procedures or the sample may be sent to the laboratory by pre-paid tracking mail also following the chain of custody procedures.
14. Following testing of the second specimen, the independent laboratory will report the result of the second specimen drug test to the donor, to the submitting agency, and to the medical review officer.

## G. Sworn Officers – Random Drug Testing

1. All sworn members of the department, regardless of rank or assignment, will be subject to random drug testing.
2. Officers selected at the previous selection will be subject to selection at the next session. The Chief of Police will determine the exact dates of the session.
3. Once a date has been selected the Chief of Police, or his designee, will notify an elected officer from FOP Lodge #230 so that a representative may be present during the selection if desired. The Chief of Police will designate one (1) officer of command rank to be present.
  - a. Officers who will be in attendance will be advised upon notification and again prior to the actual commencement of the selection process that if they reveal the identity of any officer selected for testing they will be subject to disciplinary action.
  - b. The minimum penalty for a first offense will be a one-day suspension without pay; however, a violation of this provision could result in the officer's termination.

## H. Sworn Officers – Random Drug Testing Selection

1. Selection of officers for drug testing will be determined electronically.
  - a. The Chief of Police will direct the Support Services Commander to generate a list of eight randomly selected officers using the New World system random selection program.
  - b. Prior to generating the list the Support Services Commander will generate the list from which the selections will be made to illustrate that the names of all officers subject to testing appear on the list.
2. A Selection Process Verification Form will be completed for each selection session. The form will indicate the date and time of the session, and the names of all officers present. Badge numbers selected will be recorded on the form the Chief of Police, or his designee, and FOP representative, if present, will initial each selection and sign the form verifying the numbers were drawn in compliance with this procedure.
  - a. Upon completion of the selection session both New World generated lists and the form will be submitted to the Internal Affairs Officer for filing.
  - b. Access to this file will be restricted to the Chief of Police and Internal Affairs Officer.
3. Other officers present are there only to verify the process and should not have access to the identity of the officers who have been selected.
4. Once the selection process is complete the Chief of Police, or his designee, will direct the Investigations Commander to immediately arrange for the collection of samples. Officers who are required to report while off-duty will be compensated in accordance with current contractual agreements. Selected

officers who are not immediately available due to pre-approved leave entitlement, training, or other authorized absence will be tested immediately upon becoming available.

## I. Random Drug Testing Sample Collection

1. The Investigations Commander will be responsible for administering and monitoring the collection and submission of random testing urine samples, to include the Chief of Police if selected. Samples are to be collected as soon after selection as is reasonably possible.
  - c. The Investigations Commander will designate an officer of like sex to monitor collection if the officer being tested is of the opposite sex of the Investigations Commander.
  - d. In the event the Investigations Commander is to be tested, the Chief of Police will designate another officer of command rank to administer and monitor the collection and submission of samples.
2. The Investigations Commander will be responsible for insuring that the Drug Screening Medication Information form is completed and submitted by the officer. The officer's name is not to be used, only the social security number is to appear on any document or container.
  - d. Upon completion of the form the officer is to make two additional copies of the form. The officer is to separately seal the original and one copy of the form in the provided envelopes. The officer's social security number is to be written on the outside of the envelopes and the officer and the monitor are to initial the seal.
    - The third copy is the officer's copy.
  - e. The envelope containing the original copy is to be forwarded to the NJ State Toxicology Lab with the sample.
  - f. The envelope containing the copy is to be retained by the Investigations Commander. The information on the form is to be considered confidential. No one, to include the Chief of Police and the Investigations Commander, is to read the information on the form unless the officer tests positive.
    - Upon notification that the officer tested negative the unopened envelope is to be returned to the officer.
3. Samples will only be collected and submitted in containers approved by the NJ State Toxicology Lab. The Investigations Commander will be responsible for insuring that an adequate supply of approved containers is kept on hand.
  - b. The NJ State Toxicology Lab is the only facility permitted to be used for law enforcement drug testing.
4. The officer will void without the direct observation of the Investigations Commander or his designee. The monitor will however be in a position to observe any attempt by the officer to any way contaminate or otherwise compromise the integrity of the sample. If an officer does contaminate or

- compromise the sample it will be brought to the attention of the Chief of Police and may subject the officer to criminal prosecution.
- d. In addition, contaminating or compromising a sample will be considered a refusal to submit and will result in the officer's immediate suspension pending removal.
  - e. Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor;
    - Select two sealed specimen container kits.
    - Unseals both kits and removes the kit contents on a clean surface.
    - Using an ordinary pencil, the submitting officer writes his/her SSN and the letter "A" below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as "bottle A" and "first specimen" respectively.
    - Next, using an ordinary pencil, the submitting officer writes his/her SSN and the letter "B" below the SSN on one of the I.D. labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequent produced specimen, as "bottle B" and "second specimen" respectively.
    - The monitor checks that the donor SSN on both labels matches the SSN provided on the submission form.
    - The monitor instructs the submitting officer to void a specimen between 45 ml and 60 ml into each specimen container, to not flush the toilet, and return with both specimens immediately after the specimen is produced.
    - The monitor checks each specimen for adequate volume and temperature indicator strip on the specimen container within 4 minutes. A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable in the "Yes/No" column for each specimen and writes the collection date and his/her initials in the spaces provided on the submission form. If a temperature strip does not indicate the acceptable temperature, the monitor must consider the possibility that the officer attempted to tamper with the collection.
    - If the monitor is satisfied that all test requirements are met and the required documentation is accurate, he/she shall request the submitting officer to seal each one of the specimen containers.
    - The monitor will take possession of the specimens and documentation. The monitor will ensure that all specimens, including second specimens, are delivered to the NJ State Toxicology Lab in a timely manner.
5. In order to ensure the accuracy and integrity of the collection process the monitor may:
- e. Direct an individual officer who has been selected for drug testing to remove outer clothing (jackets, sweaters, etc.), empty their pockets, and wash their hands under running water, before they produce a specimen.

- f. Add tinting agents to toilet water and secure the area where the specimens are to be collected prior to specimen collection.
6. If the monitor has reason to believe that an officer will attempt to adulterate or contaminate a specimen, substitute another substance or liquid for their specimen, or compromise the integrity of the test process, the monitor may conduct a direct observation of the individual officer. If the monitor concludes direct observation is necessary, he or she must document the facts supporting the belief that the officer will attempt to compromise the integrity of the test process before there can be direct observation.
7. When an officer initially produces an inadequate amount of urine, the monitor must take the following steps:
  - i. Advise the officer to remain on the premises and under supervision of the monitor until the monitor is satisfied that the donor cannot produce a specimen.
  - j. While the officer is under supervision, allow the officer to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to produce a specimen.
  - k. Under no circumstances, should multiple voids be combined to produce an adequate sample volume.
  - l. If the officer remains unable to provide a specimen after a reasonable period of time, the Chief of Police, or in his absence the Investigations Commander, may have the officer examined by a doctor to determine whether the inability to produce a specimen was the result of a medical or physical infirmity or constituted a refusal to cooperate with the drug testing process.

#### J. Second Specimen

1. A donor whose specimen tested positive may only challenge the positive test result by having the second specimen independently tested. The first specimen will not be retested.
2. The second specimen will be maintained at the State Toxicology Laboratory for 60 days following the receipt of a positive drug test result from the laboratory.
3. The second specimen will be released by the laboratory under the following circumstances:
  - g. The department is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance;
  - h. The Chief of Police, or his designee, notifies the donor officer that the first specimen tested positive for a controlled substance; and
  - i. The Chief of Police, or his designee, is informed by the donor officer whose specimen tested positive that he/she wishes to challenge the positive test result.
4. The positive urine donor must designate, from a list maintained by the NJ State Toxicology Laboratory, a laboratory that is certified by the Substance

Abuse and Mental Health Services Administration (SAMHSA) and accredited by the College of American Pathologists (CAP) to conduct workplace urine drug testing, and pay all costs associated with the reception and testing of the sample.

5. The State Toxicology Laboratory maintains an up-to-date list of SAMSHA and CAP certified laboratories and will furnish that list upon request.
6. A representative of the second test Laboratory may, in person, take possession of the second sample in accordance with accepted chain of custody procedures or the sample may be sent to the laboratory by pre-paid tracking mail also following the chain of custody procedures.
7. Following testing of the second specimen, the independent laboratory will report the result of the second specimen drug test to the donor, to the submitting agency, and to the medical review officer.

#### K. Random Drug Testing Advisements

1. Prior to collecting samples the Investigations Commander will advise the selected officers that a negative result is a condition of their continued employment with the department. A positive test will result in;
  - a. immediate suspension from all duties,
  - b. termination from employment as a law enforcement officer upon final disciplinary action,
    - This process will be in accordance with law and no officer shall be denied the right of due process.
  - c. inclusion in the central drug registry maintained by the NJ State Police, and,
  - d. being permanently barred from future law enforcement employment in NJ.
2. Officers will also be advised that a failure to provide a sample when so ordered carries the same consequences as does a positive test result.
3. An officer who resigns or retires after receiving a lawful order to submit a urine specimen shall be deemed to have refused to submit to the drug test.

#### L. Submission of Samples

1. The department will make every effort to deliver collected samples to the lab within 24 hours of collection. If samples cannot be delivered within 24 hours they will be delivered as soon as possible. While samples are awaiting transfer they will be kept in a locked refrigerator in the department's evidence room.
  - a. The Investigations Commander will be responsible for the security of the samples while in the department's custody and for assigning a member of the Investigations Division to transport the samples to the lab.
    - Under no circumstances will a tested officer transport the samples.

#### M. Analysis of Specimens

1. The analysis of the first specimen shall be done in accordance with currently accepted procedures adopted by the State Toxicology Laboratory. These procedures shall include but not limited to security of the specimens, chain of custody, initial screening and confirmation of testing, parent drug and metabolite cut-off levels and the issuance of test reports. In addition to the controlled substances listed below, the Chief of Police may request that specimens be analyzed for the presence of steroids.
2. The State Toxicology Laboratory utilizes a two stage procedure to analyze specimens.
  - a. In the first stage, all specimens will undergo an initial screening. The initial screening determines whether one or more of the nine substances listed and/or their metabolites are present at or above a designated cutoff. All presumptive positive specimens will undergo a second and more specific type testing.
  - b. The second type of testing will employ mass spectrometry detection for the definitive identification and quantitation of drugs and/or metabolites presumptively identified by the initial screen.
  - c. When a specimen tests positive at both the initial stage and the second stage, a medical review officer will compare the test results with the medical questionnaire submitted with the sample to determine whether any substance listed would explain the positive result. The medical review officer may direct the department to obtain further information from the officer concerning information on the questionnaire. If the positive test results cannot be explained by submission of this information the medical review officer will issue a report indicating the sample-tested positive.
    - Upon receipt of that report the department will take action as mandated by the NJ State Attorney General's Office.
3. The lab will analyze each sample for the following substances and their metabolites:
  - a. Amphetamines
  - b. Barbiturates
  - c. Benzodiazepine
  - d. Cocaine
  - e. Marijuana
  - f. Methadone
  - g. Opiates
  - h. Oxycodone/Oxymorphone
  - i. Pencyclidine

## N. Test Results

1. The NJ State Toxicology Lab will advise the department in writing of a positive test result within 15 days of submission of the sample. A report indicating a positive test result will not be issued until the sample has

undergone a confirmatory test and the medical review officer has reviewed the test results and submitted information as outlined in section M above.

2. Upon receipt of a positive test report the department will notify the affected applicant or officer as soon as is practical. The individual will be provided a copy of the lab report upon request.
3. Under no circumstances will the department be permitted to resubmit a sample for testing or request that a particular sample in the possession of the lab be retested.

## O. Records

1. The Internal Affairs Officer will maintain all records relating to drug testing. Records for all drug testing will include but not be limited to the following:
  - a. the identity of those ordered to submit urine samples;
  - b. the reason for the order;
  - c. the date the sample was collected;
  - d. the officer who monitored the collection;
  - e. the chain of custody from the time of collection until received by the NJ State Toxicology Lab;
  - f. the results of the tests;
  - g. copies of notifications to tested officers;
  - h. for any positive results, documentation from the officer's physician that the medication was lawfully prescribed and does not render the officer unfit for duty;
  - i. for any positive result or refusal appropriate documentation of disciplinary action;
  - j. documentation of disciplinary action taken for any positive result or refusal to submit.
2. For random drug testing, the records will also include the following:
  - a. a description of the process used to randomly select officers for drug testing as outlined in this SOP;
  - b. the date of the selection;
  - c. a copy of the document listing the identities of those selected for testing;
  - d. a list of those who were tested; and
  - e. the dates of the test.
3. Drug testing records will be maintained with the level of confidentiality required for internal affairs files pursuant to the NJ Internal Affairs Policy and Procedures.

## P. Central Drug Registry

1. The department will notify the Central Drug Registry, maintained by the Division of State Police, of the identity of applicants, trainees and officers

- who test positive for illegal use of drugs or refuse an order to submit to a drug test.
2. Any officer who tests positive for illegal drug use, or refuses to submit to a drug test, or who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported to the Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.
  3. Notifications to the Central Drug Registry shall include the following information as to each individual:
    - a. Department name and address, and contact person;
    - b. Name of individual who tested positive;
    - c. Address of individual who tested positive;
    - d. Date of birth;
    - e. Social security number;
    - f. SBI number (if known);
    - g. Gender;
    - h. Race;
    - i. Eye color;
    - j. Substance tested positive for, or circumstances of the refusal to submit a urine sample;
    - k. Date of drug test or refusal;
    - l. Date of final dismissal or separation from the agency;
    - m. Whether the individual was an applicant, trainee, or sworn officer; and
    - n. Whether the individual was an applicant, trainee or sworn law enforcement officer.
  4. Certification section of the notification form must be completed by the Chief of Police and notarized with a raised seal.
  5. Notifications to the central registry shall be sent to:

Division of State Police  
State Bureau of Identification  
Central Drug Registry  
P.O. Box 7068  
West Trenton, New Jersey 08628-0068
  6. Information maintained in the central registry will be released by the NJSP only in response to an inquiry by a law enforcement agency as part of a background investigation for prospective or newly appointed officers, and in response to a court order.

- End -