

WILLINGBORO POLICE DEPARTMENT

Standard Operating Procedure



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OF PAGES: 21

SUBJECT: DRUG TESTING

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BY THE ORDER OF:

**Kinamo Lomon, Director of Public
Safety**

SUPERSEDES ORDER #:

PURPOSE: All residents and visitors within the Township of Willingboro have a right to expect that those who are sworn to protect them are physically and mentally prepared to perform their duties. The Willingboro Police Department recognizes that the use of controlled substances can seriously impair an individual's performance and their physical and mental health. The use of controlled substances by sworn members of this agency could pose a potential threat to the safety of the community and other agency employees and could bring the agency into disrepute, reflect discredit upon the individual as an agency employee, and could impair the effectiveness, or efficiency of police operations. The purpose of this written directive is to confirm the procedures for the testing of applicants, trainees and sworn employees for the use of controlled substances.

POLICY: It is the policy of the Willingboro Police Department that all sworn employees are free of the illegal use of controlled substances and/or controlled substance dependence, and that drug testing be conducted in accordance with the NJ Attorney General's Law Enforcement Drug Testing Policy, and as directed by the Burlington County Prosecutors Office.

I. Applicability

- A. This policy is established in conformance with the Attorney General's Guidelines which was first issued in October, 1986, and then subsequently revised in August 1990; September 1998; June 2001; May 2012; and April 2018. This policy applies to the following:
 - 1. Applicants for a position as a Police Officer who, if appointed, will be responsible for the enforcement of the criminal laws of this State and will be authorized to carry a firearm under N.J.S.A. 2C:39-6.
 - 2. Law enforcement officer trainees subject to the Police Training Act while they attend a mandatory basic training course.
 - 3. Sworn law enforcement officers who are responsible for the enforcement of the criminal laws of this State, come under the jurisdiction of the Police Training Act and are authorized to carry a firearm under N.J.S.A. 2C:39-6.

II. Types of Drug Testing

A. Applicants for a position as a Police Officer.

- 1. Applicants may be required to submit a urine specimen at any time prior to appointment.

B. Law enforcement trainees

- 1. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory training will comply with rules and regulations established by the Police Training Commission.
- 2. Individual trainees may also be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor, the Director of Public Safety or the academy director.

C. Sworn law enforcement officers

- 1. A Willingboro Township Police Officer shall be ordered to provide a urine specimen when there exists reasonable suspicion to believe that the officer is illegally using drugs. Urine specimens shall not be ordered from an officer without the approval of the County Prosecutor or the Director of Public Safety.
- 2. Urine specimens may be ordered from sworn police officers who have been randomly selected to submit to a drug test. Random selection is defined as a method of selection

in which each and every sworn member of the Willingboro Township Police Department, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.

3. Urine specimens may be collected from police officers during a regularly scheduled and unannounced medical examination or a fitness for duty examination.

III. Notification of Drug Testing Procedures

A. Applicants

1. Applicants shall be notified that the pre-employment process will include drug testing. This notification will also state 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 Division of State Police; c). preclude the applicant from being considered for future law enforcement employment for a period of two years. In addition, the notification will state that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for illegal drug use, the officer's employing agency will be notified of the test results and the officer will be terminated from employment and permanently barred from future law enforcement employment in New Jersey.

B. Trainees

1. All newly appointed police officers shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will result in:
 - a. The officer's termination from employment.
 - b. Inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police.
 - c. The officer, as per the Attorney General's Drug Policy Guidelines revised May 2012, is permanently barred from future law enforcement employment in New Jersey.
2. Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey.

C. Sworn law enforcement officers: reasonable suspicion testing

1. A Willingboro Township Police Officer shall be ordered to submit to a drug test when there is reasonable suspicion to believe that the officer is illegally using drugs.
2. Before an officer may be ordered to submit to a drug test based on reasonable suspicion, a written report shall be prepared which documents the basis for the reasonable suspicion. The report shall be reviewed by the County Prosecutor or the Director of Public Safety before a reasonable suspicion test may be ordered. Under emergent circumstances, approval may be given for a reasonable suspicion test on the basis of a verbal report.

3. When a drug test is ordered based on reasonable suspicion, a negative result is required as a condition of continued employment. A positive result will result in:
 - a. The officer's termination from employment.
 - b. Inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police.
 - c. The officer, as per the Attorney General's Drug Policy Guidelines revised May, 2012, is permanently barred from future law enforcement employment in New Jersey.
4. If an officer should refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so, the officer shall be subject to the same penalty as those officers who test positive for illegal use of drugs.

D. Sworn law enforcement officers: Random drug testing

1. The Willingboro Township Police Department has implemented a Random Drug Testing Program in October 2000. This program became effective in January 2001.
2. The process for Random Drug testing is as follows:
 - a. All officers, regardless of rank or position, shall be subject to Random Drug Testing each time a selection is collected.
 - b. The selection shall consist of at least 10% of sworn officers per selection, with selection taking place no more than six times a year but at least twice annually.
 - c. The random name generator feature in New World Computer Software will be used to randomly select the names of the officers. When prompted this program will easily generate random lists from which true random selections are generated.
 - d. Once the numbers are randomly selected, the names shall be revealed and listed on the printout from New World. This printout shall be signed by the Monitor, Director of Public Safety/designee and Union representatives, if present.
 - e. On the date of selection, the Director of Public Safety or designee shall be and witness the selection. The union Presidents/representatives shall be notified and may send a representative to also witness the selection process. If the president(s) is not available, one of the other union officers shall be notified. It is the option of the Unions to be present for the selection.
 - f. Any officer or other employee who discloses the identity of a selected officer or who shall disclose that a random selection is scheduled to take place prior to the collection of the urine specimen, shall be subject to discipline.
 - g. Once the selection is made, the monitor shall personally notify the selected officer as soon as possible immediately prior to acquisition of specimen. The monitor shall attempt to obtain a specimen at the next tour of duty of the officer selected. If this is not possible, the monitor will notify the selected officer at the most recent, reasonable and available time, immediately prior to the specimen acquisition. If one of the witnesses to the selection is picked, they shall be required to immediately produce a specimen. If the Monitor is selected, the C.I.D. Commander shall act as monitor for collection purposes.

- h. Any officer, who shall refuse to submit to the random selection, shall be subject to the same penalties as those officers who test positive for the illegal use of drugs.

IV. Specimen Acquisition Procedures

A. Preliminary acquisition procedures

1. The Director of Public Safety shall designate a member of his/her staff to serve as monitor of the specimen acquisition process. The monitor shall always be of the same sex as the individual being tested. In the event there is no monitor of the same sex available within the agency, a member of the same sex from another law enforcement agency shall serve as monitor of the process.
2. The monitor of the specimen acquisition process shall be responsible for:
 - a. Ensuring that all documentation is fully and accurately completed by the individual submitting the specimen.
 - b. Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen. Individual specimens and forms shall be identified throughout the process by the use of donor identification numbers (Donor ID). At no time shall a name appear on any form or specimen container sent to the Laboratory.
 - c. Complying with chain of custody procedures established by the Laboratory for the collection and submission for analysis of urine specimens.
 - d. Specimens shall be collected utilizing split collection kits supplied by the Laboratory. Under no circumstances shall a specimen be collected and submitted for analysis in a specimen container that has not been approved by the NJ State Medical Examiner Toxicology Laboratory. It is the responsibility of each agency to contact the Laboratory to obtain the Split Specimen Kits and Forensic Urine Drug Testing Custody and Submission Forms (CSF).
 - e. Collecting and submitting urine specimens in accordance with procedures established by the Laboratory.
 - f. Prior to the submission of a specimen, an applicant for a law enforcement position shall execute a form consenting to the collection and analysis of their urine for illegal drugs. "Drug Testing Applicant Notice and Acknowledgment Form" (ATTACHMENT A).

This form advises the applicant 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 Division of State Police; c) preclude the applicant from being considered for future law enforcement employment for a period of two years.

Applicants shall not complete the medical questionnaire prior to the submission of a specimen unless they have already received a conditional offer of

employment. However, applicants who have not received a conditional offer of employment can be required to complete the Drug Testing Medication Information Form (ATTACHMENT D) if, following the submission of their specimen to the State Toxicology Laboratory for analysis, the Police Department receives a report indicating that the specimen tested positive for a controlled substance.

- g. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a "Drug Testing Trainee Notice and Acknowledgment Form" (ATTACHMENT B), which advises the trainee that a negative result is a condition of employment and that a positive result will: a) result in the trainee being dismissed from basic training; b) cause the trainee to be dismissed from employment as a law enforcement officer; c) cause the trainee's name to be reported to the central drug registry maintained by the Division of the State Police; d) cause the trainee to be permanently barred from future law enforcement employment in New Jersey as per the Attorney General's Drug Policy Guidelines revised May 2012. This form also advises the trainee that the refusal to participate in the test process carries the same penalties as testing positive. Trainees shall also complete the "Drug Testing Medication Information Form" (ATTACHMENT D), which clearly describes all medications, both prescription and over-the-counter (non-prescription), that were ingested in the past 14 days. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their unique identifier (Donor ID) on the envelope.
- h. Prior to the submission of a urine specimen, an officer shall execute a form (ATTACHMENT C) advising the officer that a negative result is a condition of employment and that a positive result will result in the consequences outlined in Section VIII of this policy. The form shall also advise the officer that the refusal to participate in the test process carries the same penalties as testing positive. Sworn officers shall complete the Drug Testing Medication Information form (ATTACHMENT D) listing all prescription medication, non-prescription (over-the-counter) medication, dietary supplements and nutritional supplements that were ingested by the officer during the past 14 days. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their unique identifier (Donor ID) on the envelope.

B. Specimen collection

- 1. Throughout the test process, the identity of the individual applicants, trainees and sworn law enforcement officers shall remain confidential. Individual specimens shall be identified throughout the process by the use of Social Security Numbers. At no time shall an individual's name appear on any form or specimen sent to the State Toxicology Laboratory.
- 2. Specimens will be collected utilizing equipment and supplies approved by the State Toxicology Laboratory. Under no circumstances may a specimen be collected and submitted for analysis in a specimen container that has not been approved by the State Toxicology Laboratory.
- 3. Trainees and sworn law enforcement officers shall have the option to provide the monitor with a second urine specimen at the same time the first specimen is collected.
- 4. Urine specimens will be acquired and processed in accordance with the following procedures:

- a. Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor.
- b. The monitor completes the agency information, donor identification, and test information sections of the Custody and Submission Form (CSF).
- c. The monitor allows the donor to select one NJ Medical Examiner State Toxicology Laboratory issued sealed split specimen collection kit.
- d. The donor unseals the split specimen collection kit, removes the specimen bag and specimen containers from the specimen collection container, and places all items on a clean surface.
 - 1. The specimen containers shall be kept closed/unsealed at this time.
 - 2. The specimen collection container and specimen containers should be kept within view of both the donor and the monitor.
- e. The monitor instructs the donor to void a specimen of at least 45 mL into the specimen collection container, to not flush the toilet, and return with the specimen container immediately after the specimen is produced.
- f. The monitor checks the specimen for adequate volume and the temperature indicator strip on the specimen container within 4 minutes.
 - 1. A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable by marking either the “Yes” or “No” box in the specimen collection section of the CSF. 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.
 - 2. The monitor must follow the procedure in bullet 8 below for donors that initially are unable to produce an adequate amount of urine.
- g. The monitor instructs the donor to split the collected specimen into the specimen containers.
 - 1. The donor opens both specimen containers and pours at least 30 mL of urine from the collection container in the primary specimen container and at least 15 mL of urine from the collection container in the secondary specimen container.
 - 2. The donor secures both specimen containers by placing and securing the lids/caps on the specimen containers.
- h. The monitor instructs the donor to seal the specimen containers with tamper-evidence seals from the CSF.
 - 1. The donor carefully removes the Bottle A Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the primary specimen container with the greater volume of urine (30 mL).

2. The donor carefully removes the Bottle B (SPLIT) Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the secondary specimen container with the lesser volume of urine (15 mL).
3. After the seals are placed on the specimen containers, the donor writes the collection date and his or her initials in the space provided on the security seals to certify that the specimen containers contain the specimen that he or she provided.
 - i. The monitor prints his/her name, signs and dates the monitor/agency acknowledgement section of the CSF.
 - j. The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.
 - k. The monitor separates the white laboratory copy of the CSF, folds it, and places it in the rear pouch of the specimen bag along with the sealed medication information sheet, if provided.
 - l. The monitor seals the specimen bag by removing the release liner from the flap and folding the blue adhesive flap to cover the cross hatch slit opening.
 - m. Any remaining urine and the specimen collection container may be discarded.
 - n. The monitor will take possession of the sealed specimen bag and ensure that it is delivered to the NJ State Medical Examiner Toxicology Laboratory in a timely manner.
5. Once the monitor is satisfied that the required documentation is accurate and he or she has inspected the specimen container to determine that a specimen has been produced, the monitor shall take possession of the specimen and ensure that it is delivered to the State Toxicology Laboratory for analysis.
6. In order to ensure the accuracy and integrity of the collection process a monitor may:
 - a. 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.
 - b. Add tinting agents to toilet water and secure the area where the specimens are to be collected prior to specimen collection.
7. Individuals will void without the direct observation of the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the test process. Under these circumstances, the production of a specimen may be directly observed by the monitor. If it is believed that the individual may adulterate a specimen or compromise the integrity of the test process, facts underlying this belief must be documented.
8. Individuals who initially are unable to produce a specimen are to remain under the supervision of the test monitor until the monitor is satisfied that the individual cannot produce a specimen. While the individual is under supervision, the monitor may allow the individual to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to induce the production of a specimen. If the individual remains unable to produce a specimen after a reasonable period of time, the monitor

may have the individual 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. The doctor used for such examination shall be selected by the Township. Under no circumstances, should multiple voids be combined to produce an adequate sample volume.

9. The second specimen shall be collected in the same fashion as the first specimen. The monitor shall take possession of the second specimen and deliver it to the State Toxicology Laboratory along with the first specimen.
10. The State Toxicology Laboratory shall maintain possession of the second specimen for a period of sixty (60) days following the receipt of a positive drug test result.
11. Split Specimen
 - a. A donor whose specimen tested positive may only challenge the positive test result by having the split specimen independently tested by an accredited laboratory. The first specimen will not be retested.
 - b. The split specimen will be maintained at the Laboratory for a minimum of one year following the receipt of a positive drug test result from the Laboratory by the submitting agency.
 - c. The split specimen will be released by the Laboratory under the following circumstances:
 1. The agency is notified by the Laboratory that the first specimen tested positive for a controlled substance;
 2. The agency notifies the donor that the first specimen tested positive for a controlled substance; and
 3. The agency is informed by the donor whose specimen tested positive that he/she wishes to challenge the positive test result.
 - d. 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 second test laboratory by commercial courier also following accepted chain of custody procedures.
 - e. Following testing of the split specimen, the independent laboratory will report the result of the split specimen drug test to the donor, to the submitting agency, and to the NJ State Medical Examiner Toxicology Laboratory medical review officer.

V. Submission of Specimens for Analysis

- A. The NJ State Medical Examiner Toxicology Laboratory is the only facility approved for the analysis of law enforcement drug tests conducted under the Law Enforcement Drug Testing Policy. Law enforcement agencies are not permitted to use any other facility or laboratory for the purpose of analyzing urine specimens for illegal drug use by law enforcement officers.

- B. Urine specimens should be submitted to the Laboratory as soon as possible after their collection. In the event specimens cannot be submitted to the Laboratory within one working day of collection, the law enforcement agency shall store the specimens in a controlled access refrigerated storage area until submission to the Laboratory (Attachment E).
- C. Specimens may be submitted to the Laboratory by commercial courier using “next day delivery” or in person (appointments only).
- D. The Laboratory will inspect all documentation to ensure that it has been properly completed. Failure to include the appropriate documentation with each submission will cause the Laboratory to delay conducting an analysis of the specimen or specimens until the missing documentation is submitted.
- E. In addition to ensuring that the appropriate documentation has been completed and submitted for each specimen, the Laboratory shall inspect each specimen for damage and evidence of tampering.
 - 1. The Laboratory may reject any specimen it has reason to believe has been tampered with or is damaged; and
 - 2. Notify the submitting agency in writing with the reason for rejection clearly stated.

VI. Analysis of Specimens

- A. The State Toxicology Laboratory will analyze each specimen for the following substances and their metabolites:
 - 3. Amphetamine/Methamphetamine;
 - 4. Barbiturates;
 - 5. Benzodiazepine;
 - 6. Cannabinoids;
 - 7. Cocaine;
 - 8. Methadone;
 - 9. Oxycodone/Oxymorphone
 - 10. Phencyclidine; and
 - 11. Opiates
- B. The Director of Public Safety may request that one or more specimens be analyzed for the presence of steroids.
- C. The analysis of each specimen shall be done in accordance procedures adopted by the State Toxicology Laboratory. These procedures shall include but not be limited to security of the test specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.
- D. The Laboratory utilizes a two-stage procedure to analyze specimens.
 - 1. 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 of testing.

2. 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.
- E. When a specimen tests positive at both the initial stage and the second stage, a medical review officer assigned to the Laboratory will review the test results together with the medication information form submitted for the specimen. The medical review officer will seek to determine whether any of the substances listed on the form would explain the positive test result. The medical review officer may direct the agency that collected the sample to obtain further information from the individual being tested concerning the medications listed on the medical information form. The medical review officer will then issue a report indicating whether or not the sample tested positive due to a listed medication on the medication information form.
 - F. Applicants for law enforcement employment are not required to submit a Drug Testing Medication Information form with their specimen. Therefore, if an applicant tests positive, the law enforcement agency, following notification from the Laboratory, must have the candidate complete the Drug Testing Medication Information form (Attachment D) listing all prescription medication, non-prescription (over-the-counter) medication, dietary supplements, and nutritional supplements that were ingested by the donor during the 14 days prior to the specimen collection. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their Donor ID on the envelope. The agency is responsible for submitting the envelope to the Laboratory. A review of the form will be conducted by the medical review officer as outlined above.
 - G. In addition to the testing outlined above, specimens submitted to the Laboratory may be tested for additional substances at the request of the law enforcement agency submitting the specimen. The Laboratory has the ability through its own facilities, as well as facilities employed as reference laboratories, to arrange drug testing for steroid abuse, as well as other currently abused substances.

VII. Drug Test Results

- A. The State Toxicology Laboratory will notify the Police Department of any positive test results from the specimens submitted for analysis. The State Toxicology Laboratory will also, upon request, provide the Police Department with written documentation that one or more specimens submitted for analysis tested negative.
- B. The State Toxicology Laboratory will notify the police department if the specimen tested positive for a substance listed on the Drug Testing Medication Information Form (ATTACHMENT D). The Internal Affairs Unit will then be responsible for ensuring the officer had a valid prescription.
- C. The Police Department shall notify the applicant, trainee or sworn officer of the results of a positive test result as soon as practical after receipt of the report from the State Toxicology Laboratory. Upon request, the individual may receive a copy of the laboratory report.
- D. Under no circumstances will the Police Department or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be retested.

VIII. Consequences of a Positive Test Result

- A. When an applicant tests positive for illegal drug use:
 - 1. The applicant shall be immediately removed from consideration for employment by the Police Department;
 - 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by the Police Department; and
 - 3. Where the applicant is currently employed by another agency as a sworn law enforcement officer, the officer's current employer shall be notified of the positive test result.
 - 4. When a trainee tests positive for illegal drug use, subject to rules adopted by the Police Training Commission:
 - a. The trainee shall be immediately dismissed from basic training and suspended from employment by the Police Department;
 - b. The trainee shall be terminated from employment as a police officer, upon final disciplinary action by the appointing authority;
 - c. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police.
 - d. The trainee shall be permanently barred from future law enforcement employment in New Jersey.
 - 5. When a sworn law enforcement officer tests positive for illegal drug use:
 - a. The officer shall be immediately suspended from all duties;
 - b. The officer shall be terminated from employment as a police officer, upon final disciplinary action;
 - c. The officer shall be reported to Central Drug Registry maintained by the Division of State Police by the Police Department.
 - d. The officer shall be permanently barred from future law enforcement employment in New Jersey.

IX. Consequences of a Refusal to Submit to a Drug Test

- A. Applicants who refuse to submit to a drug test during the pre-employment process shall be immediately removed from consideration for law enforcement employment and barred from consideration for future law enforcement employment for a period of two years. In addition, the Police Department shall forward the applicant's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- B. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the trainee did, in fact, refuse to submit a sample, the trainee shall be terminated from employment by the Police Department. In addition, the Police Department shall forward the trainee's name to the Central Drug Registry and note that the individual refused to submit to a drug test.

- C. Sworn law enforcement officers who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the officer did, in fact, refuse to submit a sample, the officer shall be terminated from employment. Any sworn officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test. In addition, the Police Department shall forward the officer's name to the Central Drug Registry and note that the individual refused to submit to a drug test.

X. Record Keeping

- A. The Internal Affairs Unit shall maintain all records relating to the drug testing of applicants, trainees and police officers.
- B. Drug testing records shall include but not be limited to:
 - 1. For all drug testing:
 - a. the identity of those ordered to submit urine samples;
 - b. the reason for that order;
 - c. the date the urine was collected;
 - d. the monitor of the collection process;
 - e. the chain of custody of the urine sample from the time it was collected until the time it was received by the State Toxicology Laboratory;
 - f. the results of the drug testing;
 - g. copies of notifications to the subject
 - h. for any positive result, 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.
 - 2. For random drug testing, the records will also include the following information:
 - a. a description of the process used to randomly select officers for drug testing;
 - b. the date selection was made;
 - c. a copy of the document listing the identities of those selected for drug testing;
 - d. a list of those who were actually tested; and
 - e. the date(s) those officers were tested.
 - i. Drug testing records shall be maintained with the level of confidentiality required for Internal Affairs files.

XI. Notifications to the Burlington County Prosecutor

In the event of (1) a positive drug test by an officer, (2) a refusal by an officer to take the drug test, or (3) administration of a reasonable suspicion drug test to an officer, the Director of Public Safety or designee shall provide a confidential written notice to the Supervisor of the Special Investigations Unit of the Burlington County Prosecutor Office within 10 days. Upon completion of any disciplinary action, the Director of Public Safety or designee shall report the discipline to the Supervisor of the Special Investigations Unit of the Burlington County Prosecutor Office.

By December 31st of each year, the CID Commander or designee shall provide written notice to the Burlington County Prosecutor or his/her designee of the dates of testing conducted during the prior year, the total number of sworn officers employed by the agency, the total number of sworn officers tested, and the total number of sworn officers who tested positive.

XII. Public Accessibility and Confidentiality

This policy shall be made available to the public upon request and shall be posted on the agency's website.

All written reports created or submitted pursuant to this policy, the Attorney General's directive 2018-2, or the Burlington County Prosecutor's Office directive 2018-4 that identify specific officers are confidential and not subject to public disclosure.

XIII. Central Drug Registry

- A. The Police Department shall notify the Central Drug Registry (ATTACHMENT F) maintained by the Division of State Police of the identity of applicants, trainees and sworn police officers who test positive for the illegal use of drugs or refuses an order to submit a urine sample.
- B. Any sworn officer who tests positive for illegal drug use or refuses to submit to a drug test, and 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.
- C. Notifications to the Central Drug Registry shall include the following information about each individual:
 - 1. Name of the individual who tested positive;
 - 2. Last known address of the individual;
 - 3. Date of birth;
 - 4. Social Security Number;
 - 5. Race
 - 6. Gender
 - 7. Eye color
 - 8. SBI number (if applicable);
 - 9. Date of drug test or refusal
 - 10. Substance the individual tested positive for, or circumstances of the refusal to submit a urine sample;

11. Date of dismissal from the agency; and
 12. Whether the individual was an applicant, trainee or sworn police officer.
- D. The certification section of the notification form (ATTACHMENT D) must be completed by the Director of Public Safety.
- E. 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, NJ 08628-0068

ATTACHMENT A

DRUG TESTING

APPLICANT NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the pre-employment process, the _____ will conduct a comprehensive background investigation to determine my suitability for the position for which I have applied.

I understand that as part of this process, I will undergo drug testing through urinalysis. I understand that a negative drug test result is a condition of employment. I understand that if I refuse to undergo the testing, I will be rejected from employment.

I understand that if I produce a positive test result for illegal drug use, I will be rejected for employment.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, that information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use and am not currently employed as a sworn law enforcement officer, I will be barred from future law enforcement employment in New Jersey for two years from the date of the test. After this two-year period, the positive test result may be considered in evaluating my fitness for future criminal justice employment.

I understand that if I am currently employed as a sworn law enforcement officer and I produce a positive test result for illegal drug use, my current law enforcement employer will be notified of the positive test result. In addition, I will be dismissed from my law enforcement position and I will be permanently barred from law enforcement employment.

I have read and understand the information contained on this "Applicant Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the pre-employment process.

Signature of Applicant Date

Signature of Witness Date

ATTACHMENT B

DRUG TESTING

TRAINEE NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the program of training at the _____, I will undergo unannounced drug testing by urinalysis during the training period.

I understand that a negative drug test result is a condition of my continued attendance at the above listed training program. I understand that if I refuse to undergo the testing, I will be dismissed from the training program and from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use, I will be dismissed from the academy.

I understand that if I produce a positive test result for illegal drug use, the academy will notify my employer of the positive test result. In addition, I will be permanently dismissed from my law enforcement position.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, that information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use, I will be permanently barred from serving as a law enforcement officer in New Jersey.

I have read and understand the information contained on this "Trainee Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as part of the academy training program.

Signature of Trainee Date

Signature of Witness Date

ATTACHMENT C

DRUG TESTING

OFFICER NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of my employment with _____, I am required to undergo unannounced drug testing by urinalysis either through a random drug testing procedure or where there is reasonable suspicion to believe I am illegally using drugs.

I understand that a negative drug test result is a condition of my continued employment as a sworn officer at the above listed department.

I understand that if I produce a positive test result for illegal drug use, it will result in my termination from employment.

I understand that if I refuse to undergo testing, it will result in the same penalties as a positive test for the illegal use of drugs.

I understand that if I produce a positive test result for illegal drug use or refuse to take the test, the information will be forwarded to the Central Drug Registry maintained by the Division of State Police. Information from that registry can be made available by court order or as part of a confidential investigation relating to my employment with a criminal justice agency.

I understand that if I produce a positive test result for illegal drug use, I will be permanently barred from future employment as a law enforcement officer in New Jersey.

I understand that if I resign or retire after receiving a lawful order to submit a urine specimen for drug testing and do not provide the specimen, I shall be deemed to have refused to submit to the drug test.

I have read and understand the information contained on this "Officer Notice and Acknowledgment" form. I agree to undergo drug testing through urinalysis as a condition of my continued employment as required by law.

Signature of Officer Date

Signature of Witness Date

ATTACHMENT D

DRUG TESTING MEDICATION INFORMATION

As part of the drug testing process, it is essential that you inform us of all medications you have taken in the last fourteen (14) days. Please *carefully* complete the information below.

Check all that apply:

___ A. During the past 14 days I have taken the following medication prescribed by a physician:

	Name of Medication	Prescribing Physician	Date Last Taken
1			
2			
3			

___ B. During the past 14 days, I have taken the following non-prescription medications (cough medicine, cold tablets, aspirin, diet medication, nutritional supplements, etc.)

	Name of Medication	Date Last Taken
1		
2		
3		

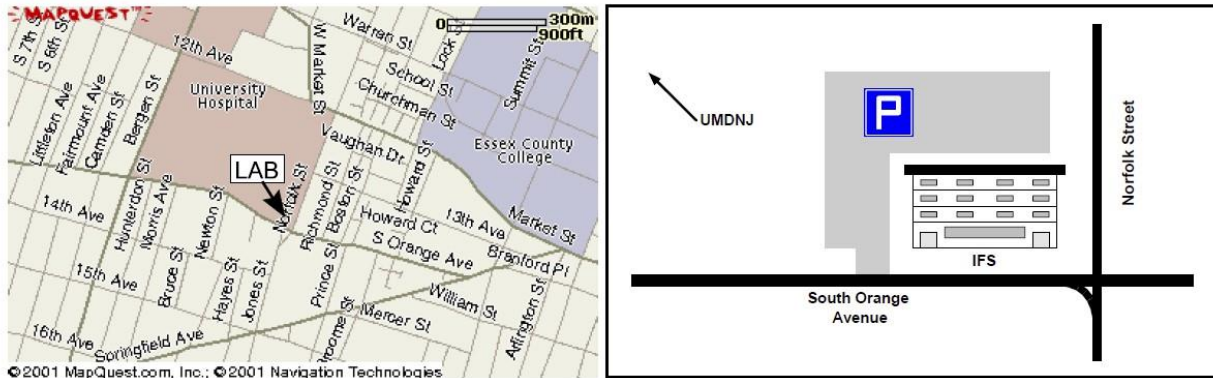
___ C. During the past 14 days, I have taken NO prescription or non-prescription medications.

Donor ID and Initials

Date

ATTACHMENT E

Directions to



**State Toxicology Laboratory
Edwin H. Albano Institute of Forensic Science (IFS)**
325 Norfolk Street
Newark, New Jersey
973-648-3915

From Garden State Parkway North:

1. Take Exit 144, South Orange Avenue.
2. Make a right on South Orange Avenue.
3. Continue about 25 blocks to intersection at Bergen Street (UMDNJ campus is on left.)
4. Continue down South Orange Avenue past traffic light to driveway on left before two story brick building (IFS).

From Garden State Parkway South:

1. Take Exit 145, East Orange.
2. Take 1-280 East to first exit (Newark).
3. Make a right on First Street. This becomes Bergen Street.
4. Continue to fifth traffic light at South Orange Avenue.
5. Make a left.
6. Continue down South Orange Avenue past traffic light to driveway on left before two story brick building (IFS).

From New Jersey Turnpike North:

1. Take Exit 14, Newark.
2. After toll plaza, take 1-78 West (express or local).
3. Take Exit 56, Hillside Avenue.
4. Continue on Hillside Avenue to end at Avon Avenue.
5. Make left on Avon Avenue.
6. Continue one block to traffic light on Irvine Turner Blvd.
7. Make right on Irvine Turner Blvd. (which becomes Jones St.) and continue to traffic light at South Orange Avenue.
8. Turn left and enter first driveway on right behind two story brick building (IFS).

From New Jersey Turnpike South:

1. Take Exit 15W to 1-280 West to Exit 14B, Clifton Avenue.
2. At the traffic light, make a left.
3. Continue on Clifton Avenue to eighth traffic light at South Orange Avenue and Norfolk Street.
4. Turn right and enter first driveway on right behind two story brick building (IFS).

