

**COUNTY OF GLOUCESTER
OFFICE OF THE SHERIFF
STANDARD OPERATING PROCEDURES**



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SUBJECT : DRUG TESTING			
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BY THE ORDER OF: SHERIFF CARMEL M. MORINA			
SUPERSEDES: GCSO SOP # 300, Sec. – Operations, Eff. 1/21/2020 – Drug Testing.			

PURPOSE: To provide clear methods and procedures for drug screening of all sworn law enforcement personnel, trainees, and applicants for employment.

This policy is in compliance with the Attorney General’s Law Enforcement Drug Testing Policy (revised December 2020).

POLICY: The Gloucester County Sheriff’s Office (hereinafter the “GCSO”) represents a significant role in administering justice in our free society, and in particular in the County of Gloucester, State of New Jersey (hereinafter the “County”). Drug abuse by a sworn member of the GCSO will severely undermine the public trust and confidence in the Office of the Sheriff and office employees. It is the policy of the GCSO to insure that the citizens of the County are provided service and protection by sworn personnel whose integrity and competence are beyond question. Therefore, drug abuse by a sworn member of the GCSO shall not be tolerated. Mandatory drug testing is a method to insure that no drug abuse, including anabolic steroids, is occurring within the sworn ranks of the GCSO. The following shall not be construed to vary, alter, or limit in any way the rights of the Sheriff to drug test any GCSO civilian employee in accordance with County policy.

SCOPE: The procedures and guidelines set forth in this SOP shall apply to all sworn law enforcement personnel in, and employed by and with, the GCSO. GCSO sworn personnel includes, but is not limited to, all sworn Correctional Police Officers, and all other such sworn personnel in the GCSO Corrections Division.

PROCEDURE:

I. Applicability

A. Personnel:

1. Applicants for a position as a law enforcement officer in the GCSO 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. In this policy, any reference to "officer" or "law enforcement officer" shall include, and be defined to mean, any sworn law enforcement officer employed by and/or with the GCSO and/or the County, including, but not limited to, Sheriff's Officers, Sheriff's Investigators, Correctional Police Officers, and Special Law Enforcement Officers of all classes. For purposes of this policy, the terms "sworn law enforcement officer", "law enforcement officer", "officer", "sheriff's officer", "sheriff's investigator", "correctional police officer", and "special law enforcement officer" shall all have the same meaning, and be interchangeable.
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.
4. Civilian applicants for paid positions with the GCSO. (Once employed by the GCSO, drug testing of civilian employees will be governed by policy published in the County Human Resources Manual.)

B. Employment Status:

Drug testing may be categorized by the employment status of the individual being tested and the method by which the individual was selected for testing. These methods include applicant testing, trainee testing, and officer testing. Testing is required of all law enforcement applicants and trainees. Pursuant to AG Directive 2018-2, law enforcement agencies are required to implement a random drug testing program for all sworn officers in their departments. Further, law enforcement agencies have an independent obligation to undertake drug testing of individual officers and trainees when there is reasonable suspicion to believe that the officer or trainee is illegally using drugs.

1. Applicant Testing

The GCSO must carefully select candidates whose character and credibility are beyond reproach. The GCSO strives to hire people who are qualified and are able to perform the duties and responsibilities to which they will be assigned. The GCSO recognizes that drug testing is an important component of a pre-employment background investigation. Thus, it is the policy of the GCSO that all candidates for employment may undergo drug screening at any point during the pre-employment process.

In addition, applicants for employment may be tested as many times as the GCSO deems necessary to ensure that the applicants are not engaged in the illegal use of drugs. For example, applicants who have been drug tested as part of the application process may be tested again if a significant amount of time has elapsed since the previous step in the employment process.

The GCSO shall ensure that it complies with the provisions of the Americans with Disabilities Act (ADA) during the pre-employment process by refraining from making any medical inquiries. Therefore, the medication information form should not be used at the applicant stage, unless a positive test result requires an explanation by the prospective employee.

2. Trainee Testing

Individuals hired as law enforcement officers with the GCSO who are required to attend and successfully complete a mandatory basic training course approved by the Police Training Commission are subject to drug testing during their attendance at a police academy. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. The police academy staff under rules and regulations adopted by the Police Training Commission will conduct the drug testing of law enforcement trainees.

Individual trainees shall 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 Sheriff, or the academy director.

3. Sworn Law Enforcement Officer Testing

Sworn Law Enforcement Officers in the GCSO shall be ordered to submit a urine specimen for testing when they have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which every sworn member of the law enforcement agency, regardless of rank or assignment, has an equal chance to be selected for drug testing every time a selection is conducted.

Sworn law enforcement officers in the GCSO shall also be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the officer is illegally using drugs. An officer shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor or the Sheriff.

Urine specimens may also be collected from sworn law enforcement officers in the GCSO during a regularly scheduled and announced medical examination or a fitness for duty examination.

C. Types of Testing:

1. Applicant Testing

It is the policy of the GCSO that all applicants for paid positions (sworn and civilian) at the GCSO shall be required to submit a urine sample at any time during the pre-employment stage when the individual is seriously being considered for appointment or assignment to the GCSO.

2. Random Testing

Urine specimens shall be ordered from sworn law enforcement officers in the GCSO who have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which every officer regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted. The number of officers to be selected each time a random test is conducted shall be less than the total number of sworn law enforcement officers employed by and/or with the GCSO and/or County. This policy requires a minimum of ten percent of the sworn law enforcement officers employed by and/or with the GCSO be randomly tested each time, and at least twice a year.

The mechanism for selecting sworn law enforcement officers employed by and/or with the GCSO can be as simple and inexpensive as placing names in a hat, or as complex and expensive as a custom computer program. The random selection process should be verified and documented. The GCSO shall permit representatives of the affected collective bargaining units to witness the selection process. Everyone present at the time of the selection, however, must understand that anyone who discloses the identity of an officer selected for random testing, or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, will be subject to discipline.

3. Reasonable Suspicion

Urine specimens shall be ordered from a sworn law enforcement officer in the GCSO when reasonable suspicion exists to believe that the individual is illegally using drugs, including, but not limited to, anabolic steroids. Urine specimens shall not be ordered from an individual without the approval of the Sheriff or her/his designee.

Reasonable suspicion "requires objective facts which, with inferences, would lead a reasonable person to conclude that drug-related activity is taking or has taken place and that a particular individual is involved in that drug activity."

The Sheriff or designee will determine reasonable suspicion. The following factors should be evaluated to determine the quality and relevance of the information acquired:

- a. The nature and source of the information;
- b. Whether the information constitutes direct evidence or is hearsay in nature;

- c. The reliability of the informant or source;
- d. Whether corroborating information exists and the degree to which it corroborates the accusation; and
- e. Whether and to what extent the information may be stale.

Before the Sheriff or designee may order an individual officer to undergo reasonable suspicion testing, the Sheriff or designee shall prepare a written report documenting the basis for the test. Under emergent circumstances, approval may be given for a reasonable suspicion test based on a verbal report.

II. Notification of Drug Testing Procedures

A. Sworn Law Enforcement Officers Random Drug Testing:

- 1. The GCSO will implement a random drug-testing program for sworn law enforcement officers employed by and/or with it. The random drug testing cannot be implemented until rules and regulations establishing such a procedure have been in effect for a minimum of sixty (60) days.
- 2. The following conditions shall apply to the random drug testing of sworn law enforcement officers employed by and/or with the GCSO:
 - a. All sworn law enforcement officers are eligible for random drug testing, regardless of rank.
 - b. Random drug testing shall be conducted twice each calendar year. No less than 10 percent (10%) of all sworn law enforcement officers shall be randomly tested each time.
 - c. Anabolic steroid testing of sworn law enforcement officers will be incorporated in the random drug testing of all officers in the GCSO. Anabolic steroid testing will apply to **only** those individuals selected for random drug testing. Therefore, the only persons required to submit to anabolic steroid testing will be those same persons who were randomly selected for the testing of illegal drugs. The percentage of those selected for anabolic steroid testing may be 100% of the persons who were selected for random drug testing.
 - d. The random selection of sworn law enforcement officers shall be achieved by using a method by which every sworn member of the agency, regardless of rank or assignment has an equal chance of being selected for drug testing every time a selection is conducted.
 - e. The random selection process will be through the use of the RandomWare software application for drug and alcohol testing data management. A list will be generated of all sworn law enforcement officers eligible to be drug tested. The officers will be selected for drug testing randomly using officer social security numbers. If the

RandomWare application is not available, then any other similar computer application can be utilized to undertake the random selection of those officers to be drug tested.

- f. Records shall be kept of each random selection and signed by all present.
- g. A representative of each collective bargaining unit shall be invited to be present for all selections.
- h. Any member of the GCSO, who discloses the identity of an individual selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, shall be subject to discipline.
- i. Urine samples will be collected using containers approved by the New Jersey State Toxicology Laboratory.
- j. 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 the sample, the officer shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the GCSO shall forward the officer's name to the Central Drug Registry, and note that the individual refused to submit to a drug test.

B. Applicants:

- 1. The GCSO will notify applicants for paid positions (sworn and civilian) that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment, assignment, or appointment and that a positive result will result in the applicant being removed from consideration. The notification 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 Division of State Police; and c) preclude the applicant from being considered for future law enforcement employment for a period of two (2) years from the date of the drug test. In addition, the notification will indicate 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. Applicants shall be further informed that their refusal to submit to a drug test shall result in their no longer being considered for law enforcement employment in New Jersey.

C. Trainees:

1. All newly appointed law enforcement 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 trainee being dismissed from basic training; b) the trainee's termination from employment; c) inclusion of the trainee's name in the Central Drug Registry maintained by the Division of State Police; and d) the trainee being 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 and inclusion of the trainee's name in the Central Drug Registry maintained by the Division of State Police. Each police academy shall include in its rules and regulations a provision implementing drug testing during basic training.

D. Candidates for Sworn Law Enforcement Officer with GCSO Testing:

1. The GCSO will test candidates for sworn law enforcement officer, and will notify those candidates that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will:
 - a. Result in the candidate being removed from consideration for employment.
 - b. Cause candidates for sworn law enforcement officer's name to be reported to the Central Drug Registry maintained by the Division of State Police.
 - c. Preclude candidates for sworn law enforcement officer from being considered for future law enforcement employment for a period of two (2) years.

In addition, the notification will indicate that if the candidate is currently employed 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.

E. Sworn Law Enforcement Officer Reasonable Suspicion Testing:

1. This policy will provide that individual sworn law enforcement officers with the GCSO will be ordered to submit to a drug test when there is a reasonable suspicion to believe that an individual is illegally using drugs.
2. Before a GCSO sworn law enforcement officer may be ordered to submit to a drug test based on reasonable suspicion, the GCSO shall prepare a written report, which documents the basis for the reasonable suspicion. The Sheriff shall review the report before a reasonable suspicion test may be ordered.

Under emergent circumstances, approval may be given for a reasonable suspicion test based on a verbal report.

3. A negative result is a condition of employment as a sworn law enforcement officer with the GCSO, and a positive test will result in:
 - a. Report to the Sheriff.
 - b. The sworn law enforcement officer's termination from employment with the GCSO.
 - c. Inclusion of the sworn law enforcement officer's name in the Central Drug Registry maintained by the Division of State Police.
 - d. The sworn law enforcement officer being permanently barred from future law enforcement employment in New Jersey.
4. Sworn law enforcement officers in the GCSO who refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so are subject to the same penalties as those individuals who test positive for the illegal use of drugs. A sworn law enforcement 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 testing

III. Specimen Acquisition Procedures

A. Preliminary Acquisition Procedures:

1. The GCSO shall designate a member of its staff to serve as monitor of the specimen acquisition process. The monitor shall always be of the same gender as the individual being tested (the donor). In the event there is no member of the same gender available from the agency collecting the specimens, the agency may request that a member of the same gender from another law enforcement agency serve as monitor of the process.
2. Prior to the submission of a urine specimen, an applicant for a law enforcement position with the GCSO shall execute a form consenting to the collection and analysis of their urine for illegal drugs (Attachment A). The form shall also advise the applicant that a negative result is a condition of employment and that a positive result will result in the consequences outlined in Section II B and D of this policy. Applicants are not required to complete a Drug Testing Medication Information form at this time.
3. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form (Attachment B) advising the trainee that a negative result is a condition of employment and that a positive result will result in the consequences outlined in Section II C of this policy. The form shall also advise the trainee that the refusal to participate in the test process carries the same penalties as testing positive. Trainees shall complete a Drug Testing Medication form (Attachment D) listing all prescription

medication, non-prescription medication (over-the-counter) medication, dietary supplements, and nutritional supplements that were ingested by the trainee during the past fourteen (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.

4. Prior to the submission of a urine specimen, a sworn law enforcement officer employed by and with the GCSO 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 II A and E 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 law enforcement officers shall also 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 fourteen (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. Monitor's Responsibilities:

1. The monitor of the specimen acquisition process shall be responsible for:
 - a. Ensuring that the individual submitting the specimen (the donor) fully and accurately completes all documentation.
 - b. Collecting urine 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 New Jersey State Medical Examiner Toxicology Laboratory.
 - c. Complying with chain of custody procedures established by the New Jersey State Medical Examiner Toxicology Laboratory for the collection and submission for analysis of urine specimens.
 - d. Specimens shall be collected utilizing split collection kits supplied by the New Jersey State Medical Examiner Toxicology Laboratory. Under no circumstances shall a specimen be collected and submitted for analysis in a specimen container that has not been approved by the New Jersey State Medical Examiner Toxicology Laboratory. It is the responsibility of each agency to contact the said laboratory to obtain the Split Specimen Kits and Forensic Urine and Drug Testing Custody and Submission Form (CSF).
 - e. Collecting and submitting urine specimens in accordance with procedures established by the New Jersey State Medical Examiner Toxicology Laboratory.

2. 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.
3. If the monitor has reason to believe that an individual sworn law enforcement officer will attempt to adulterate or contaminate a specimen, substitute another substance or liquid for his or her specimen, or compromise the integrity of the test process, the monitor may conduct a direct observation of the individual officer. If a monitor concludes that 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.

C. Urine Specimen Collection Procedure:

1. Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor.
2. The monitor completes the agency information, donor identification, and test information sections of the Drug Testing Custody and Submission Form (CSF).
3. The monitor allows the donor to select one (1) New Jersey State Medical Examiner Toxicology Laboratory issued sealed split specimen collection kit.
4. 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.
5. The specimen containers shall be kept closed/unsealed at this time.
6. The specimen collection container and specimen containers should be kept within view of both the donor and the monitor.
7. 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.
8. The monitor checks the specimen for adequate volume and the temperature indicator strip on the specimen container within 4 minutes.
 - a. 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.
- b. The monitor must follow the “shy bladder” procedure for donors that initially are unable to produce an adequate amount of urine (See Section D below, “Shy Bladder” Procedure).
9. The monitor instructs the donor to split the collected specimen into the specimen containers.
 - a. 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.
 - b. The donor secures both specimen containers by placing and securing the lids/caps on the specimen containers.
 10. The monitor instructs the donor to seal the specimen containers with tamper-evidence seals from the CSF.
 - a. 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).
 - b. 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).
 - c. 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.
 11. The monitor prints his/her name, signs and dates the monitor/agency acknowledgement section of the CSF.
 12. The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.
 13. 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.
 14. 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.

15. Any remaining urine and the specimen collection container may be discarded.
 16. The monitor will take possession of the sealed specimen bag and ensure that it is delivered to the New Jersey State Medical Examiner Toxicology Laboratory in a timely manner (See Section IV. Submission of Specimens for Analysis below).
- D. "Shy Bladder" Procedure:
1. When a donor initially produces an inadequate amount of urine, the monitor must take the following steps:
 - a. Advise the donor to remain on the premises and under the supervision of the test monitor until the monitor is satisfied that the donor cannot produce a specimen.
 - b. While the donor is under supervision, allow the donor to drink up to 40 ounces of fluids distributed reasonably over a period of up to three (3) hours in an attempt to induce the production of a specimen.
 - c. Under no circumstances should multiple voids be combined to produce an adequate sample volume.
 2. If the donor remains unable to provide a specimen after a reasonable period of time, the monitor may have the donor 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.
- E. Split Specimen:
1. 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. The split specimen will be maintained at the New Jersey State Medical Examiner Toxicology Laboratory for a minimum of one (1) year following the receipt of a positive drug test result from the Laboratory by the submitting agency.
 2. The split specimen will be released by the New Jersey State Medical Examiner Toxicology Laboratory under the following circumstances:
 - a. The agency is notified by the Laboratory that the first specimen tested positive for a controlled substance;
 - b. The agency notifies the donor that the first specimen tested positive for a controlled substance; and
 - c. The agency is informed by the donor whose specimen tested positive that he/she wishes to challenge the positive test result.

3. 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.
4. 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 New Jersey State Medical Examiner Toxicology Laboratory medical review officer.

IV. SUBMISSION OF SPECIMENS FOR ANALYSIS

- A. The New Jersey 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 New Jersey State Medical Examiner Toxicology Laboratory as soon as possible after their collection. In the event specimens cannot be submitted to the Laboratory within one (1) 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 New Jersey State Medical Examiner Toxicology Laboratory by commercial courier using “next day delivery”, or in person (appointments only).
- D. The New Jersey State Medical Examiner Toxicology 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 New Jersey State Medical Examiner Toxicology 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.

V. ANALYSIS OF SPECIMENS

- A. The analysis of the first specimen shall be done in accordance with currently accepted procedures adopted by the New Jersey State Medical Examiner Toxicology Laboratory. These procedures shall include, but not be limited to,

security of the test specimens, chain of custody, initial screening and confirmation testing, parent drug and metabolite cut-off levels, and the issuance of test reports. In addition to the controlled substances listed below, every Law Enforcement Executive may request that specimens be analyzed for the presence of steroids.

- B. The Laboratory's drug testing procedures will screen specimens for the following controlled substances:
- Amphetamines
 - Barbiturates
 - Benzodiazepines
 - Cocaine
 - Marijuana/Cannabis
 - Methadone
 - Opiates
 - Oxycodone/Oxymorphone
 - Phencyclidine.
- C. The New Jersey State Medical Examiner Toxicology 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.
- D. When a specimen tests positive at both the initial stage and the second stage, a medical review officer assigned to the New Jersey State Medical Examiner Toxicology 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.
- E. 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 New Jersey State Medical Examiner Toxicology Laboratory, must have the candidate complete the Drug Testing Medication Information form (Attachment D), listing all prescriptions medications, non-prescriptions (over-the-counter) medication, dietary supplements, and nutritional supplements that were ingested by the donor during the fourteen (14) days prior to the specimen collection. Once the form has been completed, the agency is responsible for transmitting the form to the Laboratory. A

review of the form will be conducted by the medical review officer as outlined above.

- F. In addition to the testing outlined above, specimens submitted to the New Jersey State Medical Examiner Toxicology Laboratory may be tested for additional substances at the request of the law enforcement agency submitting the specimen. The New Jersey State Medical Examiner Toxicology 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 chemicals and substances.

VI. Drug Test Results

- A. The New Jersey State Medical Examiner Toxicology Laboratory will provide written test results for every specimen submitted for analysis. All efforts will be made to deliver these reports within fifteen (15) working days of the submission. Reports will be addressed to the contact person listed on the specimen submission record. Positive test results will be sent to the contact person by certified mail.
- B. In some cases, the New Jersey State Medical Examiner Toxicology Laboratory will report that a specimen tested positive for a particular substance and that the information on the medication information form explains the test result. For example, the Laboratory may report that a specimen tested positive for barbiturates and a prescription for that barbiturate was listed on the form by the sworn law enforcement officer. At this point, it is the responsibility of the submitting agency to determine whether the officer had a valid prescription for that drug. Officers who do not have a valid prescription are subject to disciplinary action including, termination by the agency.
- C. Under no circumstances will the New Jersey State Medical Examiner Toxicology Laboratory provide law enforcement agencies with verbal reports of drug test results. In addition, no individual or agency may ask the Laboratory to conduct a second analysis of a specimen that has already been analyzed.

VII. 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;
 - 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by this agency; and
 - 3. The applicant shall be precluded from consideration for future law enforcement employment by any law enforcement agency in New Jersey for a period of two (2) years.
 - 4. 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. Under these circumstances, the officer's current

employer is required to dismiss the officer from employment and report his or her name to the Central Drug Registry maintained by the Division of State Police.

- B. When a trainee tests positive for illegal drug use, subject to rules adopted by the Police Training Commission:
 - 1. The trainee shall be immediately dismissed from basic training and suspended from employment by the GCSO;
 - 2. The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the GCSO;
 - 3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police;
 - 4. The trainee shall be permanently barred from future law enforcement employment in New Jersey;

- C. When a sworn law enforcement officer tests positive for illegal drug use:
 - 1. The individual shall be immediately suspended from all duties;
 - 2. The individual shall be terminated from employment, upon final disciplinary action;
 - 3. The individual shall be reported to the Central Drug Registry maintained by the Division of State Police by this agency; and
 - 4. The individual shall be permanently barred from future law enforcement employment in New Jersey.

VIII. 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 and barred from consideration for future law enforcement employment for a period of two (2) years from the date of refusal. In addition, the GCSO shall forward the candidate's name to the Central Drug Registry maintained by the Division of the State Police, 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 law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the GCSO shall forward the trainee's name to the Central Drug Registry maintained by the Division of the State Police, 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 individual did in fact refuse to submit the sample, the individual shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, this agency shall forward the officer's name to the Central Drug Registry maintained by the Division of the State Police, and note that the individual refused to submit to a drug test. If there is no valid reason why an officer cannot produce a specimen, his/her actions will be treated as a refusal. In addition, an 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.

IX. Resignation/Retirement in Lieu of Disciplinary Action

A sworn law enforcement 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 by this agency to Central Drug Registry maintained by the Division of the State Police, and shall be permanently barred from future law enforcement employment in New Jersey.

X. Record Keeping

- A. The GCSO's Internal Affairs Unit shall maintain all records relating to drug testing.
- B. The drug testing records shall include, but not be limited to:
 - 1. 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 New Jersey State Medical Examiner Toxicology Laboratory;
 - f. The results of the drug testing;
 - g. Copies of notifications to the subject;
 - h. For any positive result, documentation from the officers, applicant's, or trainee's physician that the medication was lawfully prescribed and does not render the individual unfit for duty; and

- i. For any positive result or refusal, appropriate documentation of disciplinary action.
 2. For random drug testing, the records shall also include the following information:
 - a. A description of the process used to randomly select individuals 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 individuals were tested.
- C. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

XI. Central Drug Registry

- A. The GCSO shall notify the Central Drug Registry maintained by the Division of State Police of the identity of candidates, trainees, and sworn law enforcement officers who test positive for the illegal use of drugs or refuse an order to submit to a drug test (Attachment F).
- B. A sworn law enforcement 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 by his or her employer to 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 as to each individual:
 1. Name and address of the GCSO, and contact person;
 2. Name of the individual who tested positive;
 3. Last known address of the individual;
 4. Date of birth;
 5. Social security number;
 6. SBI number (if applicable);
 7. Gender;

8. Race;
 9. Eye color;
 10. Substance the individual tested positive for, or circumstances of the refusal to submit a urine sample;
 11. Date of the drug test or refusal;
 12. Date of final dismissal of separation from this agency; and
 13. Whether the individual was an applicant, trainee, or sworn law enforcement officer.
- D. The certification section of the notification form must be completed by the Sheriff, and notarized with a raised seal.
- E. Notifications to the Central Drug 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
- F. Information contained in the central registry may be released by the Division of State Police only under the following circumstances;
1. In response to an inquiry from a law enforcement agency as part of the background investigation process for prospective or newly appointed personnel.
 2. In response to a court order.

XII. Public Accessibility and Confidentiality

- A. This policy shall be made available to the public upon request and shall be posted on the office's website.
- B. All written reports created or submitted pursuant to Attorney General Directive 2018-2 (Statewide Mandatory Random Drug Testing) that identify specific officers are confidential and not subject to public disclosure.

ATTACHMENT A

DRUG TESTING

APPLICANT NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the pre-employment process, the Gloucester County Sheriff's Office 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 as a sworn officer with the Gloucester County Sheriff's Office, 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.			
4.			
5.			

___ 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.		
4.		
5.		

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

Donor ID and Initials

Date

ATTACHMENT E

NOTIFICATION TO THE CENTRAL DRUG REGISTRY

AGENCY SUBMITTING						
AGENCY			PHONE			
ADDRESS		CITY	STATE		ZIP	
CONTACT PERSON		TITLE		PHONE		
PERSON TO BE ENTERED						
LAST NAME	FIRST NAME	INITIAL	GENDER	RACE		EYE COLOR
THIS PERSON WAS: <input type="checkbox"/> APPLICANT <input type="checkbox"/> TRAINEE						
<input type="checkbox"/> SWORN OFFICER - RANDOM <input type="checkbox"/> SWORN OFFICER - REASONABLE SUSPICION						
ADDRESS						
CITY			STATE		ZIP	
DOB	SSN		SBI NUMBER (IF KNOWN)			
REASON FOR NOTIFICATION						
THE PERSON LISTED ABOVE <input type="checkbox"/> TESTED POSITIVE FOR _____ (IDENTIFY SUBSTANCE)						
OR						
<input type="checkbox"/> REFUSED TO SUBMIT A URINE SAMPLE						
DATE OF THE DRUG TEST OR REFUSAL			DATE OF FINAL DISMISSAL OR SEPARATION FROM AGENCY			
CERTIFICATION <i>(Must be completed by Chief or Director. Must be notarized with raised seal)</i>						
I hereby affirm that the above information is true and correct to the best of my knowledge.						
_____		_____		_____		
<i>Print Name</i>		<i>Title</i>		<i>Signature</i>		
Sworn and subscribed before me this _____ day of _____						
(Seal)						

Mail to: Division of State Police
Records and Identification Section
P.O. Box 7068
West Trenton, New Jersey 08628-0068