


# FOR PUBLIC RELEASE

	<b>Ewing Police Department General Order</b>	Issued Date: <b>03-04-2002</b>	
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	Title: <b>Random Drug Testing</b>	Section: <b>4</b>	
Issuing Authority:  <i>Albert F. Rhodes #167</i> Albert F. Rhodes, Chief of Police		Effective Date:  <b>03-04-2002</b>	
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## For Internal Department Use Only

### I. PURPOSE

To establish a uniformed policy regarding mandatory drug testing of applicants, trainees, and sworn officers of this department.

### II. POLICY

The Ewing Police Department is committed to maintaining a drug-free work force and providing a drug-free workplace for all employees. The use of illegal drugs and the misuse of prescription and non-prescription drugs, either on or off duty, is prohibited. Appropriate disciplinary action, including dismissal, will be taken against any employee who abuses or misuses any drug. This policy is in compliance with the Attorney General's Law Enforcement Drug Testing Policy (hereinafter "AG Testing Policy").

### III. APPLICABILITY

A. This policy applies to:

1. Applicants for a position as a law enforcement officer who, if appointed will be responsible for the enforcement of 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; and

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.
- B. This policy, at a minimum, requires random drug testing shall be conducted at least twice during every calendar year. A minimum of ten percent (10%) of the total number of sworn officers within this agency shall be randomly tested each time.

#### **IV. PROCEDURE**

- A. Employee Status
1. Applicants for a position as a law enforcement officer
    - a. Applicants may be required to submit a urine specimen at any time prior to appointment.
    - b. 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. Law enforcement trainees
    - a. 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 basic training will comply with the rules and regulations established by the Police Training Commission.
    - b. 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 chief of police or the academy director.
  3. Sworn law enforcement officers
    - a. Urine specimens shall be ordered from a sworn law enforcement officer 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 Chief of Police.
    - b. Urine specimens shall be ordered from sworn law enforcement officers who have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which each and 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.

- c. Urine specimens may be collected from law enforcement officers during a regularly scheduled and announced medical examination or a fitness for duty examination. However, the collection and analysis of these specimens are not governed by this policy.

B. Notification of drug testing procedures

1. Applicants

- a. All applicants shall be notified 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:

- 1. Result in the applicant being dropped from consideration for employment and;
- 2. cause the applicant's name to be reported to the central drug registry maintained by the Division of State Police and;
- 3. Preclude the applicant from being considered for future law enforcement employment for a period of two years from the date of the drug test.

- b. 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.

- c. 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.

2. Trainees

- a. All newly appointed law enforcement officers shall be informed that drug testing is mandatory during basic police 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:

- 1. the trainee being dismissed from basic training and;
- 2. the trainee's termination from employment and;

3.inclusion of the trainee's name in the central drug registry maintained by the Division of the State Police and;

4.the trainee being permanently barred from future law enforcement employment in the State of New Jersey.

b. All trainees 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 their name in the Central Drug Registry maintained by the Division of the New Jersey State Police.

3. Sworn law enforcement officers

a. Reasonable Suspicion Testing

1. The department's Rules and Regulations that individual Law Enforcement Officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe that the officer is illegally using drugs as well as they are subject to mandatory random drug testing pursuant to AG Directive 2018-2.
2. Upon a report from any source that an officer may be illegally using drugs, the Professional Standards Bureau Supervisor and the Chief shall be immediately notified.
3. At the direction of the Chief, or his/her designee, the Professional Standards Bureau Supervisor will initiate an investigation to establish whether a basis exists for reasonable suspicion of illegal drug use. The findings will be documented and submitted to the Chief for a determination if reasonable suspicion exists.
4. Under emergent circumstances, approval may be given by the Chief for a reasonable suspicion drug test, based on a verbal report. In such cases a written report shall be made not more than 72 hours after a verbal approval.
5. When it has been determined that reasonable suspicion exists, the Professional Standards Bureau Supervisor or his/her designee will go to the subject officer at the officer's work assignment and order that officer to accompany him/her to a designated lavatory to collect the specimen.

b. Random Drug Testing

1. All sworn members of the Ewing Police Department are eligible for random drug testing, regardless of rank or assignment.
2. The Chief of Police shall designate the Professional Standards Bureau Supervisor or his/her designee to conduct the selection process. A manual method of drawing names randomly by a lottery shall be used. A minimum of ten percent (10%) of the department's sworn officers will be selected each time a selection takes place.
3. Random testing shall be conducted at least twice per calendar year by the Professional Standards Bureau.
4. The Professional Standards Bureau Supervisor or his/her designee will document the date of the selection, the selection method used, all persons present at the time of the selection and the results of the selections.
5. A representative of each collective bargaining unit shall be notified of the scheduled selection and be given the opportunity to be present to witness the selection process.
6. Any member of the Ewing Police Department who discloses the identity of an officer selected for random drug testing prior to the test or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to administrative discipline.
7. Officers that are selected for the random drug test shall be contacted by the Professional Standards Bureau at their work assignment and ordered to the designated lavatory to submit a urine sample. If the officer is not on duty or is on a leave of any kind, the officer will be ordered to give a proper urine sample(s) immediately upon returning to work, regardless of the length or reason for leave.

**V. SPECIMEN ACQUISITION PROCEDURES**

A. Preliminary acquisition procedures

1. The Professional Standards Bureau Supervisor or his/her designee will be responsible for the overall supervision and collection of the urine specimens. The

Professional Standards Bureau Supervisor or his/her designee shall supervise the processing, collection, and storage of the urine specimens.

2. The Professional Standards Bureau Supervisor or his/her designee shall designate a monitor(s) to oversee the specimen acquisition process.
  - a. The monitor shall always be of the same gender as the individual being tested.
  - b. In the event that there is no member of the same gender as the individual being tested available, The Professional Standards Bureau Supervisor or his/her designee may request that a member of the same gender from another law enforcement agency serve as the monitor of the process.
3. 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. 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 IX A of this policy. Applicants are not required to complete a Drug Testing Medication Information form at that time.
4. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form advising the trainee that a negative result is a condition of employment and that a positive result will result in the consequences outlined above. 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 Information form listing all prescription medication, non-prescription (over the counter) medication, dietary supplements, and nutritional supplements that were ingested by the trainee 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.
5. Prior to the submission of a urine specimen, an officer shall execute a form 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 IX C of this policy. The form shall also advise the officer that a refusal to participate in the test process carries the same penalties as testing positive. Sworn officers shall complete the Drug Testing Medication Information form, listing all prescription medication, non-prescription 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.

## B. Monitors Responsibilities

1. 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. The monitor shall accompany the officer into the designated lavatory and shall remain there until the specimen is provided and the bottle is handed to the monitor. In the absence of circumstances that indicate an attempt to adulterate or otherwise compromise the integrity of the specimen, the monitor shall not directly observe the officer filling the specimen bottle.
  - c. Ensuring that individual specimens and forms are identified throughout the process using social security numbers. At no time shall a name appear on any form or specimen container sent to the New Jersey State Toxicology Laboratory.
  - d. Specimens shall be collected utilizing equipment and supplies approved by the New Jersey State 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 Toxicology Laboratory.
  - e. Complying with chain of custody procedures established for the collection of urine specimens and their subsequent submission to the New Jersey State Toxicology Laboratory for analysis.
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 producing a specimen.
3. If the monitor has reason to believe that an individual officer will attempt to adulterate or contaminate a specimen, substitute another substance or liquid for their specimen, or compromise the integrity of the test process, the monitor may conduct a direct observation of the individual officer. If a monitor concludes that direct observation is necessary, he or she must document the

facts supporting his/her belief that direct observation is necessary 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 Custody and Submission Form (CSF).
3. The monitor allows the donor to select one NJ Medical Examiner State 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.
  - a. The specimen containers shall be kept closed/unsealed at this time.
  - b. The specimen collection container and specimen containers should be kept within view of both the donor and the monitor.
5. 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.
6. 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, “Shy Bladder” Procedure).
7. 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.
8. 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.
  9. The monitor prints his/her name, signs, and dates the monitor/agency acknowledgement section of the CSF.
  10. The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.
  11. 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.
  12. 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.
  13. Any remaining urine and the specimen collection container may be discarded.
  14. 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 (See Section V. Submission of Specimens for Analysis below).

D. “Shy Bladder” Procedure

1. When a donor initially produces an inadequate amount of urine, the monitor shall do the following:
  - 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, he/she will be allowed 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.
  - 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 Professional Standards Bureau or his/her designee may have the donor examined by the township 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.
2. 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.
3. The split specimen will be released by the Laboratory under the following circumstances:
  - a. The agency is notified by the Laboratory that the first specimen tested positive for a controlled substance;
  - b. This agency notifies the donor that the first specimen tested positive for a controlled substance; and
  - c. This agency is informed by the donor whose specimen tested positive that he/she wishes to challenge the positive test result.
4. A representative of the second test laboratory may, in person, take possession of the second sample in accordance with the accepted chain of

custody procedures or the sample may be sent to the laboratory by pre-paid tracking mail also following accepted chain of custody procedures.

5. 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.

## **VI. SUBMISSION OF SPECIMENS TO THE LABORATORY**

- 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.
- 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.

## **VII. 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 Toxicology Laboratory. Those procedures shall include but not be limited to security of the test

specimens, chain of custody, initial screening and confirmation testing, parent drug and metabolic cut-off levels and the issuance of test reports. In addition to the controlled substances listed in Section B below, the Chief of Police may request that specimens be analyzed for the presence of steroids.

- B. The specimen will be tested by the State Toxicology Laboratory for the following controlled substances:
- Amphetamines
  - Barbiturates;
  - Benzodiazepines;
  - Marijuana;
  - Cocaine;
  - Methadone;
  - Opiates
  - Oxycodone/Oxymorphone
  - Phencyclidine
- C. The State 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 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 Laboratory, must have the candidate complete the Drug Testing Medication Information form 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.
- F. 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 references laboratories, to arrange drug testing for steroid abuse, as well as other currently abused substances.

## **VIII. DRUG TEST RESULTS**

- A. The Laboratory will provide written test results for every specimen submitted for analysis. All efforts will be made to deliver these reports within 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 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 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 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.

## **IX. CONSEQUENCES OF A POSITIVE TEST**

- A. When an applicant tests positive for illegal drug use:
  - 1. The applicant shall be immediately removed from consideration for employment by this agency.
  - 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by the law enforcement agency to which the individual applied.
  - 3. The applicant shall be precluded from consideration for the future law enforcement employment by this agency or any law enforcement agency in New Jersey for a period of two years.
  - 4. Where the applicant is currently employed by another agency as a sworn law enforcement officer, this agency shall notify the officer's current employer of the positive test result. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and also 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 subject to rules adopted by the Police Training Commission and suspended from employment by his or her appointing authority.
  - 2. Upon final disciplinary action by the appointing authority, the trainee shall be terminated from employment as a law enforcement officer.
  - 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 the future law enforcement employment in New Jersey.
  
- C. When a sworn law enforcement officer tests positive for illegal drug use;
  - 1. The officer shall be immediately suspended from all duties.
  - 2. The officer shall be administratively charged and, upon final disciplinary action, terminated from employment as a law enforcement officer.

3. The officer shall be reported by his or her employer to the Central Drug Registry maintained by the Division of State Police.
4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

**X. 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 of employment with this agency and barred from consideration for future law enforcement employment for a period of two years from the date of the refusal. In addition, the appointing authority 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 law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, this agency 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 law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the appointing authority shall forward the officer's name to the Central Drug Registry and note that the individual refused to submit to a drug test. Please note that if there is no valid reason why an officer cannot produce a specimen, the officer's actions will be treated as a refusal. In addition, 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 test.

**XI. RESIGNATION/RETIREMENT IN LIEU OF DISCIPLINARY ACTION**

A Sworn law enforcement officer who tests positive for illegal drug use, or refuses to submit 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.

## **XII. RECORD KEEPING**

- A. The Professional Standards Bureau shall maintain all records relating to the drug testing of applicants, trainees, and officers.
- B. The 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. 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, any 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 the 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.
- C. Drug testing records shall be maintained with the same level of confidentiality of all internal affairs records maintained by the Professional Standards Bureau.



### **XIII. CENTRAL DRUG REGISTRY**

- A. Every law enforcement agency shall notify the Central Drug Registry maintained by the Division of State Police of the identity of applicants, trainees and sworn law enforcement officers who test positive for illegal use of drugs or refuse an order to submit to a drug test.
- 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 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 be done on the Notification To the Central Drug Registry Form and shall include the following information as to each individual:
  - 1. Name and address of this agency and contact information;
  - 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 known);
  - 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 or 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 Chief of Police and notarized with a raised seal.
- E. Notification to the central registry shall be sent to:

Division of State Police  
State Bureau of Identification

Central Drug Registry  
P.O. Box 7068  
West Trenton, New Jersey 08628-0068

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 criminal justice agency as part of the background investigation process for new personnel; and
2. In response to a court order.

**XIV. Mercer County Prosecutor's Office**

1. 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 Chief of Police or his/her designee shall provide a confidential written notice to the County Prosecutor or his/her designee within 10 days.
2. Upon completion of any disciplinary action, this agency shall report the discipline to the County Prosecutor or designee.

**XV. Annual Reporting**

1. By December 31st of each year, the Chief of Police or his/her designee shall provide written notice to the 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.

**XVI. Public Accessibility and Confidentiality**

1. The agency's random drug testing policy shall be made available to the public upon request and shall be posted on the department website.
2. All written reports created or submitted pursuant to this policy that identify specific officers are confidential and not subject to public disclosure.