

**MONROE TOWNSHIP  
POLICE DEPARTMENT  
GENERAL ORDER**



<b>VOLUME:</b> 2	<b>CHAPTER:</b> 21	<b># OF PAGES:</b> 25
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**SUBJECT:** DRUG SCREENING

<b>EFFECTIVE DATE:</b> September 19, 2014	<b>REVISION DATE(S):</b> 09.22.14    05.14.18    06.08.18 02.04.21    02.28.23
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<b>BY THE ORDER OF:</b> Chief Craig Monahan	<b>ACCREDITATION STANDARDS:</b> N/A
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**SUPERSEDES ORDER #:** SOP #65

**PURPOSE:** To safeguard the department and members of the public from applicants, law enforcement trainees, and sworn law enforcement personnel who may engage in the illegal use of drugs and to provide a zero-tolerance stance against illegal drug use by applicants, law enforcement trainees, and sworn law enforcement personnel.

**POLICY:** It is the policy of the Monroe Township Police Department to ensure that applicants, trainees, and sworn personnel have integrity and competence beyond question, and to provide the citizens of Monroe Township service and protection. Therefore, drug abuse by an applicant, trainee, or sworn member of the Monroe Township Police Department shall not be tolerated. Mandatory drug testing is a method to ensure that no drug abuse, including anabolic steroids, is taking place by applicants, trainees, or within the sworn ranks of the department. The following shall not be construed to limit in any way the rights of Monroe Township to drug test any other civilian employee. This policy is written and compiled in accordance with the Attorney General's Law Enforcement Drug Testing Policy.

This policy shall be made available to the public upon request and shall be posted on the departmental website pursuant to NJ Attorney General Directive 2018-2.

**PROCEDURE:****I. Applicability**

- A. Drug testing will be performed upon:
  - 1. Applicants seeking a law enforcement position with this department 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; and
  - 3. Sworn members of this department 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. It is the policy of this department that officers are subject to urine testing for illegal drug use as follows:
  - 1. When reasonable suspicion exists to believe that the officer is illegally using drugs, anabolic steroids, or is under the influence of a controlled dangerous substance or cannabis during work hours, or
  - 2. When officers have been randomly selected to submit to a drug screen.
- C. It is the policy of this department that a negative test result is a continued condition of employment as a sworn officer. Any officer who tests positive for illegal drug use as specified below, or is under the influence of a controlled dangerous substance or cannabis during work hours, or who refuses to submit to a drug test upon a lawful order, shall be subject to discipline, which shall include termination from this department, pursuant to the procedures set forth below.

**II. Types of Drug Testing**

- A. Applicants for a position as a law enforcement 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 basic 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 or is under the influence of a controlled dangerous substance or cannabis during work hours. 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.

C. Sworn law enforcement officers

1. Urine specimens shall be ordered from an officer when there exists reasonable suspicion that the officer is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work hours. Urine specimens shall not be ordered from an officer without the approval of the county prosecutor or the Chief of Police.
  - a. Reasonable Suspicion Testing for Cannabis Use
    1. Consuming or being under the influence of cannabis while at work or during work hours is strictly prohibited. Officers shall be tested for cannabis in the following situations:
      - a. Upon reasonable suspicion of the officer's use of a cannabis item while engaged in the performance of the officer's duties, or
      - b. Upon a finding of observable signs of intoxication related to the use of a cannabis item while engaged in the performance of the officer's duties.
    - b. In the above situations, the drug test shall include a physical evaluation by a Workplace Recognition Expert (WIRE) to determine the officer's state of impairment and a urinalysis. Until such time as the WIRE program is developed and WIREs are implemented in the respective police agencies, law enforcement shall refer to the interim guidance for reasonable suspicion testing for cannabis issued by the Cannabis Regulatory Commission. Available at: <https://www.nj.gov/cannabis/about/news-events/approved/20220907.shtml>
2. Urine specimens may 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 sworn member of the Monroe 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 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.

### III. Notification of Drug Testing Procedures

A. Applicants

1. The Monroe Township Police Department will test applicants for law enforcement officer and will notify those applicants 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:
  - b. Result in the applicant being removed from consideration for employment.
  - c. Cause the applicant's name to be reported to the central drug registry maintained by the Division of State Police.
  - d. Preclude the applicant from being considered for future law enforcement employment for a period of two years.
  - e. In addition, the notification will indicate that if the applicant is currently employed as a sworn law enforcement officer and the officer tests positive for illegal drug use, the Monroe Township Police Department 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 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 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 will be 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 will 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. This policy, in accordance with N.J.S.A. 40:14-118, will provide that individual law enforcement officers will be ordered to submit to a drug test when there is reasonable suspicion to believe that an individual is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work hours.
2. Before a law enforcement officer may be ordered to submit to a drug test based on reasonable suspicion, the Monroe Township Police

Department shall prepare a written report, which documents the basis for the reasonable suspicion. The Chief of Police shall review the report 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. Law enforcement executives who wish to discuss whether the information they possess is sufficient to conduct reasonable suspicion testing should contact their county prosecutor's office for advice.

The following factors should be evaluated to determine the quality and relevance of the information acquired by the Monroe Township Police Department:

- 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.
3. A negative result is a condition of employment as a law enforcement officer and a positive test will result in:
    - a. The law enforcement officer's termination from employment.
    - b. Inclusion of the law enforcement officer's name in the central drug registry maintained by the Division of State Police.
    - c. The law enforcement officer is permanently barred from future law enforcement employment in New Jersey.
  4. Law enforcement officers 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.
  5. 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.
- D. Sworn law enforcement officers: random drug testing
1. The Monroe Township Police Department will conduct random drug testing for sworn law enforcement officers. Random drug testing cannot be implemented until rules and regulations establishing such a procedure have been in effect for a minimum of 60 days.

2. The following conditions shall apply to the random drug testing of law enforcement officers:
  - a. All law enforcement officers are eligible for random drug testing, regardless of rank.
  - b. The Chief of Police will determine the frequency and amount of sworn law enforcement officers tested. At a minimum, random drug testing shall be conducted at least twice every calendar year. Random drug testing shall not be less than ten percent (10%) of all law enforcement officers within the agency. The number of officers to be selected each time a random test is conducted shall be less than the total number of sworn officers employed by the agency.
  - c. Anabolic steroid testing of law enforcement officers may be incorporated in the random drug testing of all sworn law enforcement officers of the Monroe Township Police Department. Anabolic steroid testing will apply to 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 up to 100% of the persons who were selected for random drug testing.
  - d. The random selection of law enforcement officers shall be achieved by using a method by which each and every sworn member of the Monroe Township Police Department, regardless of rank or assignment has an equal chance of being selected for drug testing each and every time a selection is conducted.
  - e. Random drug testing selections will be done via a lottery system via computer software or manual selection:

Computer Software Selection

1. On each date chosen for a random selection of sworn law enforcement officers, the Chief of Police or his designee shall generate a list from any computer software that would allow for random selection from the entered data. In order to generate a random list, all personnel are to be verified in the software to ensure that all sworn police officers are listed and available for selection.
2. If needed, the percentage of sworn officers must be manually converted to a number to be entered for testing and the software will randomly select personnel and will print a list of the randomly selected active sworn officers.

3. All master lists generated for random drug testing shall be maintained consistent with the level of confidentiality and retention period for Internal Affairs files pursuant to the Attorney General's Guidelines.

#### Manual Selection

1. Bingo/Lottery balls with each sworn law enforcement officer's name will be verified to ensure that all sworn police officers are listed and available for selection.
  2. The number of individuals being tested will be drawn and will represent the officers being tested.
  3. The Chief of Police, the Internal Affairs Supervisor and a representative from each collective bargaining unit shall sign a form verifying the names selected.
  4. All master lists generated for random drug testing shall be maintained consistent with the level of confidentiality and retention period for Internal Affairs files pursuant to the Attorney General's Guidelines.
- f. A representative of each collective bargaining unit shall be invited to be present for all selections.
  - g. Any member of the Monroe Township Police Department, 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.
  - h. The Internal Affairs Supervisor and/or his/her designee(s) will be responsible for contacting those officers selected to provide a urine specimen and compel them to respond to headquarters for specimen collection. The specimen will be collected in accordance with those procedures established by the Laboratory.
  - i. 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, the Monroe Township 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.
  - j. Officers that are unavailable to respond due to circumstances not limited to being away on vacation or medically unable will be required to provide a specimen when said status should

change. Officers shall not in any way attempt to delay or prevent their duty to provide a specimen when ordered. Reasonable accommodations will be afforded at the discretion of the Chief of Police based on the circumstances.

#### **IV. Specimen Acquisition Process**

##### **A. Preliminary acquisition procedures**

1. The Chief of Police shall designate a member of his 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 the Monroe Township Police Department 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 specimen, an applicant for a law enforcement position 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 III-A of this policy. Applicants are not required to complete a Drug Testing Medication Information form at this time unless a positive test result requires an explanation by the prospective employee. The Drug Testing Medication Information form shall be used if a conditional offer of employment has been made to the applicant. The consequences of a positive test result can be found in section VIII of this policy.
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 below. 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 (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. The consequences of a positive test result can be found in section VIII of this policy.
4. 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 below. 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. The consequences of a positive test result can be found in section VIII of this policy.

## B. Monitor's 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 (the donor).
  - 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 the donor ID. At no time shall a name appear on any form or specimen container sent to the Laboratory.
  - c. Complying with the 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.
  - e. Collecting and submitting urine specimens in accordance with procedures established by the 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 the 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 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 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 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 acknowledgment 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 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 hours in an attempt to induce the production of a specimen. The monitor shall not direct the donor to ingest more than 40 ounces of fluid.
  - 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 tested.
- 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; and
  - 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.
- 4. A representative of the second test laboratory may, in person, take possession of the split sample in accordance with the accepted chain of custody procedures or the sample may be sent to the second test laboratory by commercial courier also following the 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.

#### V. Submissions 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, Monroe Township Police Department shall store the specimens in a controlled access refrigerated storage area until submission to the Laboratory (Attachment E).
- C. Submission of specimens to the Laboratory may be accomplished by personnel from the Monroe Township Police Department or commercial courier using "next day delivery." Specimens submitted by commercial couriers must be packaged to ensure their integrity.
- 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 analysis of the first specimen shall be done in accordance with currently accepted procedures adopted by the Laboratory. These procedures shall include but not be limited to the security of the test specimens, the chain of custody, initial screening and confirmation testing, parent drug and metabolite cut-off levels, and the issuance of final reports. In addition to the controlled substances listed below, the Monroe Township Police Department 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:
  - 1. Amphetamines
  - 2. Barbiturates
  - 3. Benzodiazepines
  - 4. Cocaine
  - 5. Marijuana/Cannabis (only to be included in the testing process when: the officer is assigned to a federal task force; the officer holds a

federally regulated license, which requires testing (e.g. pilot or commercial driver's license); the law enforcement agency is specifically required to test by the terms of a federal contract or federal grant; or as outlined in the reasonable suspicion sections of this policy.

6. Methadone
  7. Opiates
  8. Oxycodone/Oxymorphone
  9. Phencyclidine
- C. 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.
- D. When a specimen tests positive at both the initial stage and the second stage, a medical review officer assigned to the State 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 Monroe Township Police Department, following notification from the Laboratory, must have the candidate complete the Drug Testing Medication Information form (Attachment D). 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 Laboratory may be tested for additional substances at the request of the Monroe Township Police Department. 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 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 Drug Testing 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, the Monroe Township Police Department will conduct an Internal Affairs investigation to determine whether the officer, trainee, or applicant had a valid prescription for that drug. Officers who do not have a valid prescription are subject to disciplinary action including, termination by this 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.

## **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,
  - 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police; 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 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 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, or is found to have been consuming or being under the influence of cannabis or marijuana while at work/training or during work/training hours, 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 future law enforcement employment in New Jersey.
- C. When a sworn law enforcement officer tests positive for illegal drug use, or is found to have been consuming or being under the influence of cannabis or marijuana while at work or during work hours:
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 to the Central Drug Registry maintained by the Division of State Police by this agency.
  4. 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 and barred from consideration for future law enforcement employment for a period of two years. In addition, the Monroe Township 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 law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the Monroe Township 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 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.

- D. 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 the Monroe Township Police Department to the Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.

## **X. Record Keeping**

- A. Internal Affairs shall maintain all records relating to drug screening. All written reports created or submitted that identify specific officers are confidential and not subject to public disclosure.
- B. The 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 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; and,
    - 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 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 level of confidentiality and retention period required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.
- D. The Chief of Police or a designee shall provide a confidential written notice to the Gloucester County Prosecutor or his/her designee upon completion of any disciplinary action or in the event of any of the following within 10 days:
  - 1. A positive drug test by a sworn officer;
  - 2. A refusal by a sworn officer to take a drug test; or,
  - 3. Administration of a reasonable suspicion drug test to a sworn officer.
- E. By December 31st of each year, the Monroe Township Police Department shall provide written notice to the Gloucester 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.

## **XI. Central Drug Registry**

- A. The Chief of Police or his/her designee 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 the illegal use of drugs; are found to have been consuming or being under the influence of cannabis while at work/training or during work/training hours; 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; is found to have been consuming or being under the influence of cannabis or marijuana while at work or during work hours; 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 this agency 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 known);
  7. Gender;
  8. Race;
  9. Eye Color;
  10. Substance the individual tested positive for, the circumstances of the officer being found to have been consuming or being under the influence of cannabis or marijuana while at work or during work hours, or circumstances of the refusal to submit a urine sample;
  11. Date of the drug test or refusal;
  12. Date of dismissal or separation from the 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 or his/her designee and notarized with a raised seal.
- E. Notifications to the central registry shall be sent to:
1. 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 prospective or new personnel;  
and
  2. In response to a court order.

**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 either through a random drug testing procedure or where there is reasonable suspicion to believe I am illegally using drugs or am under the influence of a controlled dangerous substance or cannabis during work/training hours.

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 or am under the influence of a controlled dangerous substance or cannabis during work hours.

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		

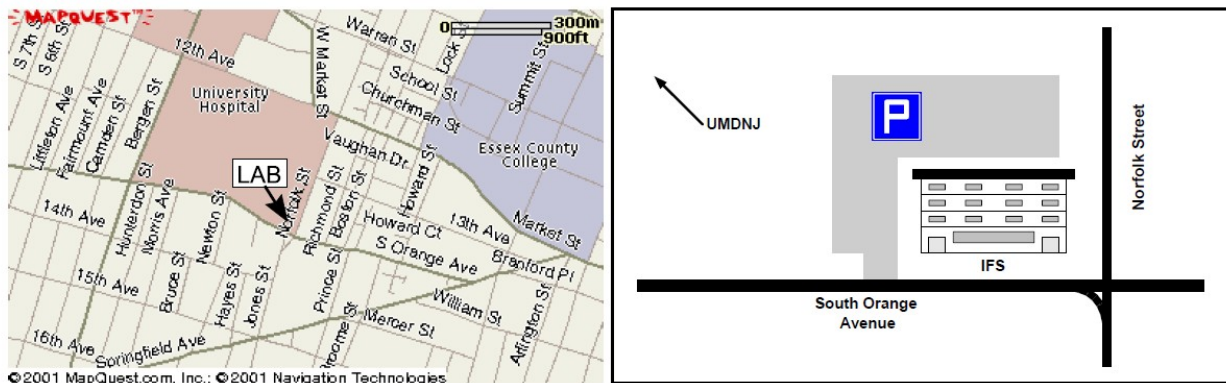
- C. During the past 14 days, I have taken NO prescription or non-prescription medications.

\_\_\_\_\_  
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).



**ATTACHMENT F**

**NOTIFICATION TO THE CENTRAL DRUG  
REGISTRY**

<b>AGENCY SUBMITTING</b>								
AGENCY				PHONE				
ADDRESS		CITY	STATE	ZIP				
CONTACT PERSON		TITLE	PHONE					
<b>PERSON TO BE ENTERED</b>								
LAST NAME		FIRST NAME	INITIAL	GENDER	RACE	EYE COLOR		
THIS PERSON WAS:		<input type="checkbox"/> APPLICANT <input type="checkbox"/> SWORN OFFICER-RANDOM		<input type="checkbox"/> TRAINEE <input type="checkbox"/> SWORN OFFICER- REASONABLE SUSPICION				
ADDRESS								
CITY		STATE	ZIP					
DOB	SSN		SBI NUMBER (IF KNOWN)					
<b>REASON FOR NOTIFICATION</b>								
THE PERSON LISTED ABOVE		<input type="checkbox"/> TESTED POSITIVE FOR _____ (IDENTIFY SUBSTANCE) <input type="checkbox"/> REFUSED TO SUBMIT A URINE SAMPLE; OR <input type="checkbox"/> UNDER THE INFLUENCE WHILE ON DUTY/DURING WORK/TRAINING HOURS						
DATE OF THE DRUG TEST OR REFUSAL			DATE OF FINAL DISMISSAL OR SEPARATION FROM AGENCY					
<b><u>CERTIFICATION (Must be completed by Chief or Director. Must be notarized with raised seal)</u></b>								
I hereby affirm that the above information is true and correct to the best of my knowledge.  <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: bottom;"><i>Print Name</i></td> <td style="width: 33%; vertical-align: bottom;"><i>Title</i></td> <td style="width: 33%; vertical-align: bottom;"><i>Signature</i></td> </tr> </table> <p style="text-align: center; margin-top: 10px;">Sworn and subscribed before me this _____ day of _____, _____.</p> <p style="text-align: center;">(Seal)</p>						<i>Print Name</i>	<i>Title</i>	<i>Signature</i>
<i>Print Name</i>	<i>Title</i>	<i>Signature</i>						

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