

	<p style="text-align: center;">BRIDGEPORT POLICE DEPARTMENT</p> <p style="text-align: center;">POLICY AND PROCEDURE GENERAL ORDER</p>	Distribution	General Order Number
		ALL PERSONNEL	4.06
		Original Issue Date	Reissue/Effective Date
		3/27/18	12/22/21
Order Title: DRUG AND ALCOHOL TESTING		Accreditation Standard:	Section
		POSTC: 1.2.31; 1.5.6	4
		Section Title DISCIPLINARY PROCESS	
Rescinds: 2.7.4, 2.7.4.2, 2.7.4.3, 2.7.4.4, 2.7.4.5, 2.7.4.6, 2.7.4.7, 2.7.4.8, 2.7.4.9, 2.7.4.10, 2.7.4.11, 2.7.4.12, 2.7.4.13, 2.7.4.14, 2.7.4.15		Rebeca Garcia, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this General Order is to establish and provide guidelines for the Bridgeport Police Department’s drug and alcohol testing policy for all employees.

II. POLICY

The Bridgeport Police Department has a legal obligation to ensure a safe working environment for its employees, as well as a paramount interest in protecting the public that it is entrusted to serve. The City recognizes that the misuse of alcohol or the use of controlled substances by employees creates an undue risk to its employees, impairs an employee’s job performance, and of paramount importance, it creates an undue risk to the health and safety of the public we serve. Due to the safety-sensitive nature of this work, the City has a compelling interest in eliminating the use of illegal drugs from its workplace.

It is the policy of the City of Bridgeport that the illegal use of drugs or misuse of alcohol is strictly prohibited. Any discipline issued pursuant to this policy will be considered for just cause within the Collective Bargaining Agreement.

III. DEFINITIONS

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl or isopropyl alcohol.

Alcohol Concentration: The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under this policy.

Alcohol Use: The consumption of any beverage, mixture or preparation, containing alcohol including, but not limited to, any medication or mouthwash containing alcohol.

Breath Alcohol Technician: The Collection Site representative who will instruct and assist the employee in the alcohol testing process and operates the evidential breath-testing device.

Bridgeport Police Department Motor Vehicle: City-owned, leased, or rented motor vehicle or combination of motor vehicles used in commerce to transport Bridgeport Police Department employees, passengers, or property.

Chain of Custody: Procedures to account for the integrity of each specimen by tracking its handling and storage from point of collection to final disposition.

Collection Site: To be mutually agreed upon between the Chief of Police and the Bridgeport Police Union. This shall include the establishment of an “offsite” location for emergency use.

Confirmation Test: In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to insure reliability and accuracy. In alcohol testing, a test done 15 minutes after the screening test is required when the BAC is over 0.02.

Controlled Substances: Any drug included in Schedules I through V, as defined by Section 802(6) of Title 21 of the United States Code (21 USC 802(6)), the possession of which is unlawful under Chapter 13 of that title, or any drug included within the definition of "Controlled substance" in Title 21A, Chapter 420B of the Connecticut General Statutes (for example, but not limited to: cocaine, marijuana, barbiturates, amphetamines, morphine.) The term does not include the use of prescribed drugs which have been legally obtained and are being used for the purpose for which they were prescribed.

Covered Employee: All sworn officers of the Bridgeport Police Department.

Direct Breath Analysis: The analysis of a sample of a person’s breath using an instrument designed for this purpose in order to determine the concentration of ethyl alcohol in the person’s blood.

Evidential Breath Testing Device (EBT): An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath.

Medical Review Officer (MRO): A licensed physician responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has the appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his/her medical history and any other relevant biomedical information. If an employee’s test result is positive, the MRO will contact the employee to discuss the test to determine if the positive result is valid and to notify the employee that he has seventy-two (72) hours to request a test of the split specimen.

Opportunity for Rehabilitation: Any police officer who voluntarily admits to the Chief of Police his/her use of, or dependence upon illegal drugs or alcohol shall be afforded the opportunity to participate in a mutually acceptable rehabilitation program. The opportunity for rehabilitation will only be provided prior to any allegation of impropriety by the public or another member or prior to initiation of an investigation of the member's use or sale of a controlled substance by any competent state or federal authority.

Police Function: Any function that affects the safety of employees and the safe and effective operation of the Bridgeport Police Department including but not limited to the following:

- 1) All the time that a Bridgeport Police Department employee is on duty;
- 2) Any time off duty engaged in scheduled police activity.
- 3) Operation of any police vehicle.

Prescribed Drug: Any drug, including over the counter medication prescribed for an individual by a licensed practitioner.

Reasonable Suspicion of Drug and/or Alcohol Use: The reasonable suspicion standard for drug testing of sworn personnel is based upon a specific objective fact(s) and reasonable inferences drawn from that fact(s) in light of experience, that the individual may be involved in the use of any illegally-used drug, controlled substance, or alcohol.

Recertification Testing: Upon satisfactorily completing required review training credits, officers must submit to a urinalysis drug test that screens for control substances, including, but not limited to, anabolic steroids, the results of which indicated no presence of any controlled substance not prescribed for that officer.

Refusal to Submit: When any person covered by this policy engages in conduct that obstructs the testing process. This includes, but is not limited to, the refusal to sign consent forms; the failure to provide adequate urine for controlled substance testing; the refusal to take a required test; the failure to make oneself available to a test as required by this policy, and failure to provide an adequate breath sample for alcohol testing.

Screening Test: In drug testing an immunoassay screen to eliminate negative urine specimens from further analysis.

Supervisor: Uniformed personnel assigned to a position having day-to-day responsibility for supervising subordinates.

Testing Facility: To be mutually agreed upon between the Chief of Police and the Bridgeport Police Union.

IV. PROCEDURES

A. PROHIBITED CONDUCT

1. The illegal use of controlled substances at any time is prohibited.
2. The performance of any Police Function while using legally prescribed drugs is prohibited unless the use is pursuant to the instructions of a physician who has advised the employee that the substance will not adversely affect his/her work performance. **The use of legally prescribed drugs that may impair the employee's work performance or may affect workplace safety shall be reported to the immediate supervisor before the performance of any police function.**
3. Refusal to submit to a drug test is strictly prohibited. The employee is required to cooperate with the laboratory personnel and provide them with the following:
 - a. An adequate and complete sampling
 - b. Assistance in completing the required documentation for the chain of custody
 - c. Marking and sealing the specimen

The refusal by a member of the Department to submit to a drug screening test pursuant to the provisions of this policy will result in disciplinary action, up to and including termination.

4. The consumption of alcohol while performing a Police Function is prohibited, unless otherwise authorized under Department Regulations.
5. A blood alcohol level of .02 or greater is prohibited while performing any Police Function, unless otherwise authorized under Department Regulations.
6. Possession of alcohol in a Bridgeport Police Department vehicle is prohibited, unless otherwise authorized under Department Regulations.
7. A refusal to submit to an alcohol test is prohibited. A refusal to submit to an alcohol test will be treated as a confirmed positive result.
8. The use of a masking agent designed to conceal the use of drugs to be tested is strictly prohibited. The use of such an agent will be deemed a confirmed positive test.

B. EMPLOYEES SUBJECT TO TESTING & TYPES OF DRUGS TESTED FOR

1. All sworn officers of the Bridgeport Police Department shall be subject to the alcohol and drug testing procedures detailed in this policy.
2. The drug testing outlined in this policy will test for the following substances:

- a. Marijuana
- b. Cocaine
- c. Amphetamines
- d. Opiates (e.g. heroin, codeine)
- e. Phencyclidine (PCP)
- f. Barbiturates

Note: The Chief or his designee may order testing for Hallucinogens or Steroids, when appropriate. This list is subject to change at the City's discretion.

C. RANDOM DRUG AND ALCOHOL TESTING

1. Random controlled substance testing for Covered Employees will be conducted at a minimum annual rate of 50% for such employees, and random alcohol testing for Covered Employees will be conducted at a minimum annual rate of 10% for such employees. The City reserves the right to increase this rate at its own discretion.
2. A third-party administrator will conduct the random selection of names. The names will be reported to the Chief or his designee. Randomly controlled substance tests will be announced, and the dates will be spread reasonably throughout the year. The random selection of an employee will not result in his/her name being removed from any future selection process. This process can be performed at any time during the year, with no limitation on the number of occasions per year.
3. Each employee notified of his or her selection for random drug testing shall report to the test site immediately, upon notice by the commanding officer. If the employee is unable to report for testing immediately, the employee must report for testing before the end of their shift, or before being relieved of duty. Any request for leave or time off shall not be granted once the employee has been selected to submit to random testing as stated above, until such time as the requisite test has been completed. If an employee is not available for testing when on-site collections are being done, they can be tested at the off-site facility.
4. In the event that an officer whose name is chosen for random testing is unavailable due to a scheduled vacation or illness, another name shall be chosen from an alternate list. The names from the alternate list shall be selected in the order that they are listed.
5. All confirmed positive test results are confidential, unless required for disciplinary action, and shall be placed in the employee's medical file.

D. REASONABLE SUSPICION TESTING

1. When a “reasonable suspicion” is determined, indicating that an employee is using drugs and/or alcohol, that employee will be tested pursuant to the procedures set forth in this policy. Whenever possible two supervisors should make the observation that leads to reasonable suspicion.
2. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - a. Direct observation of drug and/or alcohol use;
 - b. The employee’s body shows evidence of drug use (e.g. track marks);
 - c. The employee is found to be in possession of drugs or alcohol on duty and outside their official capacity;
 - d. Spontaneous, unusual, abnormal, erratic, or unacceptable behavior
 - e. An unusual or suspicious pattern of sick leave usage;
 - f. Information which is provided by a reliable and credible source documented to the Chief of Police;
 - g. The presence of signs of drug or alcohol use (e.g. odor of alcoholic beverage, glassy or bloodshot eyes, slurred speech, poor coordination and/or reflexes, etc.)
 - h. The occurrence of repeated, multiple on-the-job-accidents or injuries

Any observation for controlled substances and/or alcohol reasonable suspicion testing must be reported immediately to a commanding officer.

3. Any employee who has a reasonable suspicion that his/her supervisor may be under the influence of a controlled substance and/or alcohol shall report such suspicion to the next supervisor in the chain of command, and if not available, to the highest-ranking supervisor on duty. Reports relative to the Chief of Police shall be made to the Office of Internal Affairs or Board of Police Commissioners.
4. An employee or supervisor who has a reasonable suspicion under this Policy shall report the basis for his/her reasonable suspicion to a Deputy Chief, Captain, or the on-duty Patrol Lieutenant. The Deputy Chief, Captain, or on-duty Patrol Lieutenant shall decide whether to direct the employee to testing. A memorandum/written report detailing in writing the specific facts, signs, or observations that formed the basis for their determination that reasonable suspicion existed to warrant the testing of the employee shall be prepared by the reporting supervisor and the Deputy Chief, Captain, or Lieutenant at the time of referral for testing.
5. The commanding officer shall prepare a written directive ordering the employee to report for testing immediately, if possible, but in any event within twenty-four (24) hours.

6. Any employee ordered for reasonable suspicion-controlled substance testing shall also undergo an alcohol screening test by the Blood Alcohol Technician.

E. POST ACCIDENT TESTING

1. Employees shall be tested for controlled substances and alcohol if probable cause or reasonable suspicion exist that the employee's use of drugs and/or alcohol contributed to an accident involving a Bridgeport Police Department Motor Vehicle.
2. Nothing in this section shall require the delay of necessary medical attention following an accident; however, alcohol must be tested within two hours but no later than eight hours post-accident. Drug testing must be done within 32 hours.

F. RETURN TO DUTY TESTING

1. Before an employee, who has violated this policy concerning alcohol, returns to duty requiring the performance of a Police Function, the employee shall undergo a return to duty alcohol test with a result indicating a blood alcohol level of less than .02.

G. FOLLOW UP TESTING

1. Following a determination by a substance abuse professional that an employee is in need of assistance associated with alcohol misuse, that employee will be subject to unannounced follow-up alcohol testing. A minimum of six follow up tests must be performed within twelve months of the employee's return to Police Function whether or not a substance abuse professional determines that the employee is in need of further assistance. Additional follow-up tests shall be performed as directed by a substance abuse professional.

H. RECERTIFICATION TESTING

1. Using the drug testing procedures outlined in paragraph J. below, officers scheduled for POSTC triennial officer recertification must submit to a urinalysis drug test that screens for controlled substances, including, but not limited to, anabolic steroids.
2. As part of the officer recertification process, the Bridgeport Police Training Officer shall, in assistance with the Sick and Injured Manager, schedule

officers for the required drug testing. Such testing shall occur within the last year of the recertification process randomly.

3. The Director of Labor Relations and/or designee and the Bridgeport Police Supervisor assigned to the Sick and Injured Management shall receive all drug tests results, including all initial unverified "preliminary positive" test results. The Chief and the Union will receive any unexcused positive results. If an officer's unverified "preliminary positive" test reports positive for marijuana, the Director of Labor Relations and/or designee and/or the Bridgeport Police Department Sick and Injured Manager shall provide the Chief and/or designee and the Union a copy of these results.
4. The results of the drug test shall be noted on the POSTC Form 50CS. This form will be retained in the officer's training file.

I. ALCOHOL TESTING PROCEDURES

1. Alcohol testing will be performed by using evidential breath testing (hereafter EBT) devices approved by the NHTSA. The test will be conducted by a Breath Alcohol Technician (hereafter BAT). Two breath tests will be required to determine if a person has a prohibited alcohol concentration. If the first test result is less than .02, the test will be considered negative. If the test shows an alcohol concentration of .02 or greater, a second confirmation test must be conducted. The second test result will determine what action if any need be taken.
2. If the employee is unable to provide a sufficient amount of breath, the employee will be referred to a mutually agreed upon physician to assess the employee's inability to provide an adequate breath sample.
3. In order to ensure that an EBT is working properly, the BAT will follow the normal procedures used in DUI testing procedures.

J. DRUG TESTING PROCEDURES

1. Drug testing will be performed by providing a urine sample (minimum of 60-75 ml.) at the collection site.
2. If an employee is unable to provide an adequate sample, the employee must remain at the collection site for a period of three (3) hours. The employee will be required to consume a minimum of 40 fl. oz. of water during this period. If the employee is still unable to provide an adequate sample, the employee will be referred to a mutually agreed upon physician, to assess the employee's inability to provide an adequate sample.

3. Specimen collection procedures require security for the collection site, chain of custody documentation, use of authorized personnel, privacy during collection, integrity and identity of the specimen, and transportation to the laboratory. Only the site approved as the testing facility will be used.
4. All personnel subject to testing shall present their Department identification upon appearing at the Collection Site.
5. Once the urine specimen is collected, it will be forwarded to the testing facility. The accuracy of the test shall be drug specific. The initial test shall employ a methodology different from the second test. If this test is negative no further test will be required. If the result is positive, a second confirmation test will be conducted. The MRO will review and interpret positive test results.
6. The testing facility will be continuously bound to make provisions to properly preserve, store, and secure a split urine sample of the original urine specimen, to be reserved and made available for the purpose of an independent confirmation. The employee, using the laboratory of his/her discretion, will authorize this independent confirmation provided such laboratory is an approved testing facility. Any employee requesting testing of the split sample must make the request to the MRO within 72 hours of being notified of the results. The laboratory will make available to the employee, for his/her inspection, all records of the primary and secondary confirmation testing done by the lab on the urine sample provided by the employee. There are no cut off levels for testing of the split sample.
7. Only confirmed positive results are reported positive. The Police Chief shall be notified immediately following a positive test result.
8. The laboratory must continue the uninterrupted chain-of-custody procedure from receipt of the specimen and maintain internal chain of custody procedures that establish fundamental accountability and reliability of testing from a legal viewpoint. The chain of custody procedure must be stringent and confidential in all phases of the process:
 - a. Handling of the specimen
 - b. Testing the specimen
 - c. Storing of the specimen
 - d. Reporting of the test results
9. The City shall ensure that the existing laboratory will be subject to appropriate external auditing procedures to evaluate quality assurance, evaluation of testing procedures, and overall performance.

10. The following table reflects the cut off levels that will indicate a positive on a drug screening test:

DRUGS	INITIAL TEST LEVELS (NG/ML)	CONFIRMATION TEST LEVELS (NG/ML)
Marijuana	50	15
Cocaine	2000	
Opiates	2000	
Morphine		2000
Codeine		2000
Phencyclidine (PCP)	25	25
Amphetamines	1000	5000
Methamphetamine		500
Barbiturates	300	300

11. A list of commonly used controlled substances and anabolic steroids provided by POSTC is attached hereto as Appendix A. This list is subject to change and should only be referred to as guidance. Additional tests and/substances may be tested and analyzed under this policy.

12. **Note:** the Bridgeport Police Department is not required to test for ALL controlled substances on this list and the list may change over time as determined by Health Department guidance, POSTC and the Chief of Police.

K. Steroid Testing Considerations

1. Testosterone occurs naturally in the body and will be found in all urine (men and women). Due to the presence of testosterone in all urine samples, testing agencies cannot submit a result indicating “no presences” of an anabolic steroid.
2. To determine improper/illegal use of anabolic steroids, technicians/scientists will review the ratio of testosterone to epitestosterone. Based on medical advice and research, POSTC recommends a testosterone/epitestosterone ratio of 6/1. A specimen with a T/E ratio greater than the cut-off of a 6/1 ratio shall be reported as a positive test.
3. On a rare occasion, some officers may have a natural elevation that exceeds the 6/1 ratio requiring further testing such as Carbon Isotopic Ratio or sequential testing, etc. This will be determined by the Medical Review Officer.

L. CONSEQUENCES OF A POSITIVE CONTROLLED SUBSTANCE TEST

1. The implementation of random drug testing consisting of sworn personnel shall begin with the testing of Detectives currently assigned to the Narcotics and Vice Division.
2. Six (6) months from the date of implementation and testing of the Narcotics and Vice Division Detectives, the Department shall initiate random drug testing of all sworn personnel.
3. Any sworn police officer who has a positive drug test result (**including steroids**) for their initial (first) screening shall be subject to the following administrative and disciplinary process.
 - a. The officer shall be placed on administrative status with pay pending the outcome of the Department's investigation/review of such failed test/screening.
 - b. Should the Chief of Police or his/her appointed designee determine discipline is warranted as a result of an officer having failed their first (1st) drug test/screening, the officer shall be disciplined in accordance with the bargaining unit agreement, not to include termination for such first (1st) failed drug test/screening.
 - c. The officer shall enroll in the appropriate drug rehabilitation facility or program.
4. Any sworn police officer that has a second (2nd) positive drug/screening (**including steroids**) at any time during the remainder of their police career with BPD shall have his/her employment with the Department immediately terminated.
 - Any/all discipline relating to this section of the “Drug Testing Policy” shall be undertaken by the Chief of Police. In the absence of the Chief of Police, any and/all discipline shall be undertaken by the appointed designee of the Chief of Police.
5. In the case of a new probationary employee involved in the performance of any safety sensitive or police function, a confirmed use shall result in his/her termination.
6. It is the policy of the City of Bridgeport to encourage the rehabilitation of its employees with alcohol and/or substance abuse problems. Therefore, the Employee Assistance Program (EAP) is available to provide rehabilitative counseling and treatment to employees with alcohol and/or substance abuse

problems. Any counseling or treatment received through EAP is confidential and will not be reported to the City. However, should an employee disclose to a member of the Police Department that he/she is engaging in the illegal use of a controlled substance or abuse of a prescribed medication, that disclosure must be reported to a commanding officer, and up the chain of command to the Chief of Police, and will subject the employee to discipline, up to and including termination.

M. EMPLOYEE EDUCATION

The City will provide its employees covered by this policy EAP education materials explaining the requirements of this policy and its procedures. These employees will also be provided with information on the symptoms and effects of drug use.

N. SUPERVISOR TRAINING

1. Supervisors of Covered Employees will receive training on this Policy and alcohol and drug awareness.

O. COMPENSATION OF EMPLOYEE

1. Each employee shall be compensated at his regular hourly rate for all testing pursuant to this policy, while on duty.

P. TESTING COSTS

1. The Bridgeport Police Department shall be responsible for the costs associated with the testing outlined in this policy.

Q. GENERAL PRECAUTIONS

1. Police Officers should be aware of over-the-counter performance enhancing supplements found in local stores. Most of these supplements are not FDA controlled and may contain products that will test positive for anabolic steroids. Warning labels may or may not indicate a positive test result for anabolic steroids on the packaged material. If unsure, officers should not use such products.
2. Officers should not use foreign products or products sold over the internet.
3. Officers should be aware of hemp and/or CBD oils/products sold over-the-

counter in local stores and/or over the internet; these types of products may test positive for THC.

4. It is the responsibility of the individual officer to know what products they use, ingest, or take for maintaining health and fitness. It is recommended that all officers consult with a physician or medical provider before taking over-the-counter supplements/products as they may contain substances that can test positive on a drug screening.

R. ANY QUESTIONS CONCERNING THIS POLICY SHALL BE DIRECTED TO THE DIRECTOR OF LABOR RELATIONS.

Appendix A

POSTC List

Commonly Used Controlled Substances and Anabolic Steroids for Drug Screen
Consideration:

Anabolic Androgenic Agents:

1-Testosterone &/Or Metabolite/ 1-Androstendiol/ 1-Androstendione Bolasterone
Metabolite
Boldenone/ Boldione/ Quinbolone Metabolite
Calusterone Metabolite
Clenbuterol
Clostebol Metabolite
Danazol/ Ethisterone &/Or Metabolite
Dehydrochloromethyltestosterone (DHCMT) Metabolite
Dihydrotestosterone/ Drostandiol &/Or Metabolite
Desoxymethyltestosterone Metabolite
Drostanolone &/Or Metabolite
Estra-4,9-Dien-3,17-Dione Metabolite
Fluoxymesterone Metabolite
Formebolone Metabolite
Furazabol Metabolite
4-Hydroxytestosterone/ Formestane Metabolite
6a-Methylandrostendione Metabolite
Mestanolone Metabolite
Mesterolone &/Or Metabolite
Methandrostenolone (Methandienone, Dianabol) Metabolite
Methandriol &/Or Metabolite
Methasterone Metabolite
Methenolone &/Or Metabolite
Methylnortestosterone Metabolite
Methyltestosterone Metabolite
Methyl- I-Testosterone &/Or Metabolite

Mibolerone &/Or Metabolite
Nandrolone/ 19-Norandrostendione/ 19-Norandrostendiol Metabolite
Norclostebol Metabolite
Norethandrolone/ Ethylestrenol Metabolite
Oxabolone Metabolite
Oxandrolone &/Or Metabolite
Oxymesterone
Oxymetholone Metabolite
Prostanozol Metabolite
Stanozolol Metabolite
Stenbolone &/Or Metabolite
Testolactone Metabolite
Testosterone/ Androstendione/ Androstendiol/ DHEA (T/E Ratio >6)
Trenbolone Metabolite

Masking Agents: (Optional)

Probenecid
Epitestosterone (> 200 Ng/MI)

Drug Class

Amphetamines

Amphetamine Methamphetamine

Barbiturates

Amobarbital
Butalbital Pentobarbital Phenobarbital
Secobarbital Benzodiazepines
Alprazolam Metabolite
Oxazepam

Cocaine Metabolites

Marijuana Metabolites

Methadone

Methaqualone

Mda-Analogues

Mda
Ividma Mdea

Opiates

Morphine Codeine

Opiates (Semi-Synthetic)

Hydromorphone

Hydrocodone

Oxycodones

Oxymorphone

Oxycodone

Phencyclidine

Propoxyphene

Fentanyl

Tramadol

Buprenorphine