

	<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	4.07
		Original Issue Date	Reissue/Effective Date
		3/27/18	8/2/19
Order Title: ALCOHOL AND SUBSTANCE ABUSE		Accreditation Standard:	Section
		POSTC:	4
		Section Title DISCIPLINARY PROCESS	
Rescinds:		Armando J. Perez, 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 policy and procedure regarding the consumption of alcohol and the use of prescription and illegal drugs by members of the Bridgeport Police Department.

II. POLICY

The Bridgeport Police Department has a paramount interest in protecting its employees and the public they serve by providing a safe and drug free work environment. The professional responsibilities and integrity of the Department demand that employees refrain from illegal drug use, or the abuse of any drug or alcohol, and remain free of the negative consequences of that abuse. The Department shall not and will not tolerate the use of illegal drugs by any of its members.

III. DEFINITIONS

Alcohol: Colorless, volatile, and flammable liquid that is the intoxicating agent in fermented and distilled liquors. It includes, but is not limited to, beer, wine, and liquor. It does not include alcohol used in chemical processing, cleaning, or testing.

Controlled Substance: 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.

Drug Paraphernalia: Any item which is clearly intended for use for the administering, transferring, manufacturing, testing, or storing of a controlled substance and which is not authorized or intended for use in the course of legitimate law enforcement activities.

Illegally-Used Drug: Any prescribed drug which is legally obtainable but has not been legally obtained or is not being used for prescribed purposes, all designer drugs not listed in the Controlled Substances Act (for example, but not limited to: MDA, fentanyl), and any other over-the-counter or non-drug substances (for example, but not limited to: airplane glue) being used for other than their intended purpose.

In Uniform: Wearing any article of clothing or item that identifies you as a police officer, including, but not limited to Department issued uniforms, badge, gun, hat, jacket, t-shirt, or any other article of clothing identifying the individual as a police officer.

Reasonable Suspicion of Drug and/or Alcohol Use: The reasonable suspicion standard for drug testing of sworn personnel is based upon 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. Examples would include one or more of the following:

1. Observable phenomena, such as direct observation of on-duty alcohol use, possession and/or direct observation of on-duty or off-duty use, possession of illicit drugs, and/or the on-duty display of behaviors which appear to be indicative of the use of any illegally-used drug, controlled substance, or alcohol and are not attributable to other factors;
2. A pattern of abnormal conduct, erratic behavior, or deteriorating work performance, including, but not limited to, frequent absenteeism, excessive tardiness, or frequent accidents, not attributable to other factors and which appears to be related to drug and/or alcohol abuse;
3. Arrest, indictment, or conviction for a drug-related offense;
4. Newly discovered evidence that the officer has tampered with a prior drug/alcohol test;
5. Repeated or flagrant violations of the Department's rules and procedures which are determined by a supervisor to pose a substantial risk of injury or property damage and which are not attributable to other factors and appear to be related to drug and/or alcohol abuse; and
6. Causing an accident (as defined in definition E. above).

The above examples are not all inclusive but are intended to be illustrative. Though not a sign or symptom of substance abuse, accidental discharge of a firearm is such a serious

event that it can contribute, when substantiated by more direct evidence, to a finding of reasonable suspicion. The symptoms of being affected by a drug or by alcohol are not confined to those consistent with misbehavior or to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. Although reasonable suspicion does not require certainty, mere "hunches" are not sufficient to meet this standard.

Under the Influence of an Unauthorized Controlled Substance, Illegally-used Drug and/or Alcohol: The presence of a .02 alcohol content in the blood, or a verified positive drug test, at levels specified by the National Institute of Drug Abuse (NIDA), for an unauthorized controlled substance or an illegally-used drug.

IV. PROCEDURES

A. Consumption of Alcohol

1. Bridgeport Police Department members shall not consume any alcohol beverage while on duty. Furthermore, members shall not consume alcoholic beverages while:
 - a. On duty at events such as conferences, seminars, meetings, and training.
 - b. In uniform, whether on or off duty.
 - c. Operating a department vehicle, whether on or off duty.
 - d. On standby status.
2. A Department member, while off duty and carrying a weapon, shall not consume alcoholic beverages or be impaired in any manner.
3. A Department member shall not be impaired at any time while on duty, while carrying a weapon, or while operating a Department vehicle.

B. Illegal Drugs

Members of the Bridgeport Police Department (both sworn and non-sworn) shall not illegally possess or use any drug or controlled substance.

C. Officer Responsibility

Any officer observing, receiving information, or having personal knowledge concerning the illegal use of drugs by a member of the Department shall immediately report the matter to a supervisor and/or Chief of Police.

D. Supervisor's Responsibility

1. On Duty Officer:

If an officer is on duty and reasonably believed to be under the influence of alcohol or a controlled substance, the supervisor shall:

- a. Notify the chain of command up to the Chief of Police;
- b. Immediately relieve the officer from duty;
- c. Immediately relieve the officer of all firearms;
- d. Order the officer to submit to a blood, breath, and/or urine analysis;
- e. Order the officer to submit a report, in his/her handwriting, as a response to the allegations. The officer, however, shall be informed of the right to representation before writing the report;
- f. Not allow the officer to drive a vehicle and take reasonable steps to prevent him/her from leaving the police facility unless accompanied by a responsible person; and
- g. Prepare an investigative report and submit it along with any statements, test records, and other documents to the Chief of Police in a sealed envelope marked "Confidential" by the end of his/her shift.

2. Off Duty Officer

If an officer is off-duty and carrying a firearm, or is driving a Department vehicle, and is reasonably believed to be under the influence of alcohol or a controlled substance, the supervisor shall:

- a. Relieve the member of any firearm he/she is carrying;
- b. Notify the Chief of Police;
- c. Order the member to submit to blood, breath, or urine analysis; and
- d. Prepare an investigative report and submit it, along with any statements, test records, or other documents, to the Chief of Police in a sealed envelop marked "Confidential" by the end of his/her shift.

E. Duty to Report

A supervisor receiving information, observing, or having personal knowledge of the illegal use of drugs by another member of the Department shall prepare a full written report on an Inter-Office Memorandum, to be forwarded directly to the Chief of Police. The report shall include any actions, information, or statements exactly as observed, received, or stated, being sure to include the names and addresses of all witnesses. In addition, the Chief of Police shall be notified immediately. In the event the information concerns a member assigned to the command of the supervisor preparing the report, the commanding officer shall be notified. All information

concerning the alleged illegal use of drugs by a Department member shall be held in the strictest confidence.

F. Withholding Knowledge

Any Department member who withholds knowledge of illicit drug use as defined by this directive by any other Department member shall be subject to discipline, up to and including discharge from the Department.

G. Treatment

It shall be the responsibility of the individual Department member to comply with the referral for diagnosis and treatment and to comply with suggested or prescribed therapy. A member refusing to accept diagnosis and treatment, or failing to respond to treatment, as determined by the supervisor through rating the individual's officer's job performance, in conjunction with reference to progress reports from Fitness for Duty experts, will be disciplined according to Department rules and regulations when the results of such refusals and failure continue to affect job performance.