

ADMINISTRATIVE MANUAL

## ADM-220 – SUBSTANCE ABUSE: PREVENTION & TESTING PROCEDURES

Amends/Supersedes: ADM-220 (08/09/2017)

Date of Issue: 05/06/2024

## I. GENERAL

- A. To ensure that employees can safely perform their duties, all department personnel will review and adhere to <u>PAM-1205 *Substance Abuse Policy & Procedures*</u>. Human Resources staff will document the policy review during new employee onboarding. Acknowledgment that updated versions were reviewed is conducted electronically.
- B. This policy supplements <u>PAM-1205</u> and is not intended to modify it expressly or implicitly. Should any changes made to <u>PAM-1205</u> contradict this policy, <u>PAM-1205</u> is the overriding authority unless the Human Resources Department or Chief of Police specify otherwise.
- C. <u>PAM-1205</u> states that all sworn officers, including police recruits, Communications Division operational staff, and forensics and evidence technicians, are prohibited from using controlled substances on and off the job and are subject to random testing. However, the use of prescribed medication is authorized following guidelines in <u>PAM-1205</u>. [TA 4.2.5]

## II. POLICY

- A. In addition to the procedures outlined in <u>PAM-1205</u>, department employees will also adhere to the following guidelines:
  - 1. No employee shall use alcohol, illegal drugs or other controlled substances while on duty, including meal breaks, or engaging in Police Department activities.
  - 2. It is permitted for an undercover police officer to consume alcoholic beverages as part of the assignment.
  - 3. Employees will not consume alcoholic beverages while in uniform, displaying their badge of office, or attired in any way that publicly recognizes them as department employees.
  - 4. Employees will not operate any city vehicle while consuming or after consuming an alcoholic beverage or impairing substances. Alcoholic beverages will not be transported in any City vehicle unless they are part of an official department function (i.e., transported as evidence).
  - 5. No department employee shall report for duty/work, or remain on duty/at work, when the employee has used any controlled substance, except when the use is according to the instructions of a physician AND the substance does not adversely affect the employee's ability to perform their job duties and responsibilities safely.
- B. Employees are subject to testing for the presence of alcohol or controlled substances whenever reasonable suspicion exists that they are under the influence of alcohol or a controlled substance.
- C. The assistant chief of Administrative Services or designee is the point of contact between the Police Department and the City's Human Resources Department regarding the administration of provisions of <u>PAM-1205</u>.
- D. Designated Manager
  - 1. For this policy, all employees of the rank of lieutenant and above are considered designated managers and responsible for handling cases related to <u>PAM-1205</u> or this policy. Designated managers must be of equal or higher rank than the employee undergoing testing.



2. In cases where a lieutenant is unavailable, the precinct commander may appoint a sergeant to act as a designated manager as long as the employee undergoing the drug and alcohol testing holds the rank of sergeant or below.

## III. PROCEDURE

- A. Random Testing
  - 1. The City Human Resources Department contacts the assistant chief of Administrative Services or designee and provides the names of the selected employees.
    - a. The assistant chief of Administrative Services or designee will immediately contact the appropriate designated manager and provide them with the testing information.
    - b. The designated manager shall have the employee meet them at a police facility and then personally transport them to the appropriate test facility.
  - 2. If there is a legitimate cause for a delay (e.g., the officer is in the middle of an investigation or attending court), the designated manager will notify the assistant chief of Administrative Services or designee.
  - 3. The assistant chief of Administrative Services or designee will notify the City's Human Resources when employees will not be tested, or testing will be delayed and provide reasons.
  - 4. The City Human Resources Department will only approve delays of random tests for compelling public safety reasons or other sufficient causes.
- B. Reasonable Suspicion & Post-Vehicle Crash Testing
  - 1. When reasonable suspicion exists that an employee is under the influence of a controlled substance and/or alcohol, the employee's on-duty supervisor shall contact a designated manager, who shall immediately contact the City Human Resources Department for appropriate testing.
  - 2. Delays of reasonable suspicion testing are not permitted.
  - 3. Testing is required after an employee operating a vehicle or equipment to facilitate city business is involved in a crash that results in a fatality or life-threatening injuries.
  - 4. If testing for reasonable suspicion or after a crash is needed outside of City Human Resources regular hours, the designated manager will contact the on-call Human Resources staff, who will inform the designated manager which facility they should transport the employee to for testing.
- C. Submission to Test
  - 1. Any employee notified during work hours to report for a random, reasonable suspicion or post-crash test shall immediately comply with the provisions of that request (see <u>PAM-1205</u>). Refusal by an employee to take a test is a Group III misconduct offense, as defined in the <u>PAM-1000 Standards of Conduct</u>.
  - 2. If an employee refuses to be tested, the designated manager will activate their body-worn camera, if available, and give the employee a direct order to submit to the test. If the employee refuses, the designated manager shall immediately call designated managers to respond to their location. When the second designated manager arrives, the original designated manager shall reissue the direct order to comply with the test.
  - 3. If the employee refuses again, the original designated manager shall immediately relieve the employee from duty, with pay (see <u>ADM-270 Administrative/Internal Investigations</u>) and notify the Chief of Police through the chain of command and the Internal Affairs Division commander.
  - 4. The designated manager shall initiate an Administrative/Internal Investigation report in Axon Standards and attach all relevant supporting documentation to the report (see <u>ADM-270</u>).



- 5. If an employee refuses to be tested, the designated manager shall collect all equipment and department property, per <u>ADM-270</u>.
- D. Testing & Results
  - 1. <u>PAM-1205</u> specifies requirements for each type of test.
  - 2. Upon notification of any testing results that indicate an employee has violated either <u>PAM-1205</u> or this policy, the individual receiving the notification will notify the employee's precinct/division commander and the Internal Affairs Division commander.
  - 3. An internal investigation will be initiated and documented according to <u>ADM-270</u>. Disciplinary action will adhere to personnel actions outlined in <u>PAM-1205</u>.

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