	RUTGERS UNIVERSITY POLICE DEPARTMENT WRITTEN DIRECTIVE SYSTEM	1:11
	LAW ENFORCEMENT DRUG TESTING	
	Effective Date: 04-02-2024	Supersedes: 1:11 (08-14-2020)

1:11-1 PURPOSE

The purpose of this directive is to establish a policy and procedure consistent with the guidelines established by the Attorney General of the State of New Jersey and the respective County Prosecutors regarding drug testing of law enforcement officers. Although this directive normally applies to applicants, recruits and in-service sworn personnel, sufficient inferences can be drawn to apply the provisions of this directive to non-sworn police personnel in the area of reasonable suspicion drug testing or fitness for duty drug testing.

1:11-2 POLICY

It is the policy of this department that the critical mission of law enforcement justifies the maintenance of a drug free work environment through the establishment and use of a reasonable drug-testing program.

The police profession has several uniquely compelling interests that justify the use of drug testing. The public has a right to expect that those who protect them are at all times both physically and mentally prepared to perform these duties. There is sufficient evidence to conclude that the use of controlled substances, and other forms of drug abuse, will seriously impair an employee's physical and mental health, and thus, their job performance.

Where police officers or police employees participate in illegal drug use and drug activity, the integrity of the police profession and public confidence in it are destroyed. This confidence is further eroded by the potential for corruption created by drug use.

Therefore, in order to ensure the integrity of the department, and to preserve public trust and confidence in a fit and drug free police profession, this department has instituted a drug testing program to deter prohibited drug use by all sworn and unsworn personnel.

1:11-3 DISCUSSION

Just as law enforcement has been the vanguard in the war on drugs, so must the police community now take a leadership role on the issue of the drug testing of its own members. The goal of law enforcement drug testing must be to send a message that any drug use by its members, at any time, is unacceptable, and this department is prepared to enforce that philosophy by using drug testing technology to the fullest extent. The identification and eradication of drug use within this department is compelling and necessary for the protection of the public.

1:11-4 DEFINITIONS

Applicant is any person who applies for a position within the Rutgers Police Department who, if appointed, will be responsible for the enforcement of the criminal laws of the State of New Jersey and will be authorized to carry a firearm pursuant to N.J.S.A. 2C:39-6 (Police Officer).

Recruit/Trainee is any appointee who is undergoing mandatory basic training at a New Jersey Police Training Commission approved police academy.

Officer is a sworn police officer, regardless of rank or assignment, who is responsible for the enforcement of the criminal laws of this state and authorized to carry a firearm under N.J.S.A. 2C:39-6.

Supervisor is an officer formally assigned to a position having day-to-day responsibility for supervising subordinates, or who are responsible for commanding a work unit.

Employee includes any civilian employee assigned to or under the supervision of the police department.

Drug Test is the compulsory production and submission of urine by an employee in accordance with these established procedures, for laboratory analysis to detect prohibited drug use.

New Jersey State Toxicology Laboratory (NJSTL) is the only facility approved for the analysis of law enforcement drug tests conducted under the Law Enforcement Drug Testing Policy.

Positive Result is the result given to a specimen that is tested utilizing a two-stage process and confirmed to be positive for a controlled substance. The medical review officer assigned to the New Jersey Toxicology Laboratory will review the test results in conjunction and comparison with the medical information form submitted for the specimen. The medical review officer will then determine if any substance listed on the report does not explain the test result.

Prescription shall be narrowly construed to mean “A valid written or oral order for medication issued to the employee by a licensed physician or health care provider authorized to issue such order and used for its intended purpose as directed before any expiration date or within one year of issuance.” Any ambiguity with regard to the application of this term shall be decided by the Chief of University Police

Random Selection is defined as the method by which every police officer regardless of rank or assignment has an equal chance of being selected for drug testing each and every time a drug test is conducted.

Reasonable Suspicion is that quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, articulable, objective facts and any rationally derived inferences from those facts about the conduct of an individual that would lead a reasonable person to suspect that the individual is or has been using drugs while either on or off duty.

Specimen or Sample is the urine specimen collected for submittal to the NJSTL for testing.

Subject is the employee, supervisor or officer being tested.

Regulated cannabis means a substance legally bought, sold, and used under certain conditions, treated as “regulated cannabis” and fully legal in New Jersey. Regulated cannabis is subject to rules established by the Cannabis Regulatory Commission.

Marijuana and Hashish means all forms of the substance that are not regulated cannabis or medical cannabis are treated as “marijuana” or “hashish.” Under the new laws, marijuana and hashish are still defined as “controlled dangerous substances” under N.J.S.A. 2C:35-2

- a. The provisions of this directive shall be carried out under the authority of the Executive Director of Public Safety / Chief of University Police (EDPS / CUPD) and under the direction of the Professional Standards Division Commander (PSD Commander).
- b. Applicants
 1. Applicants for the position of police officer shall be required to submit a urine specimen at any time prior to appointment. A statement of this requirement shall be included in the application for employment.
 2. A negative result is a condition of employment.
 3. A positive result, or a refusal to submit a specimen for testing, will result in:
 - The applicant being dropped from consideration for employment,
 - Cause the applicant's name to be reported to the central drug registry maintained by the State Police, and
 - Preclude the applicant from being considered for future law enforcement employment for a period of two years.
 4. If the applicant is currently employed by another department as a sworn law enforcement officer and the officer tests positive for illegal drug use, the officer's employing department shall be notified of the test results without undue delay.
 5. Any Rutgers Police Officer who is an applicant in another jurisdiction and yields a positive drug test result after undergoing drug testing by that jurisdiction in comportment with the guidelines established by the Attorney General of the State of New Jersey shall be:
 - Immediately suspended from all duties;
 - Terminated from employment as a police officer upon final disciplinary action.
 - Reported to the central drug registry maintained by the State Police.
 - Permanently barred from future law enforcement employment in the State of New Jersey.
- c. Recruit/Trainee
 1. Recruits/trainees shall be required to submit one or more urine specimens for testing at any time while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with the rules and regulations established by the Police Training Commission.
 2. All newly appointed officers shall be informed that drug testing is mandatory during their basic training.
 3. A negative result(s) is a condition of continued employment.
 4. If the recruit/trainee produces a positive test result 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 or New Jersey State Police will result in the following:
 - The recruit/trainee shall be immediately dismissed from the police academy and immediately suspended from this department.
 - The recruit/trainee shall be terminated from employment as a police officer upon final disciplinary action.
 - The recruit's/trainee's name shall be reported to the central drug registry

maintained by the State Police.

- The recruit/trainee shall be permanently barred from future law enforcement employment in the State of New Jersey.

5. Refusal to submit to a drug test shall result in the same penalties set forth in section 1:11-5c(4) above.
6. Individual recruits/trainees may also be required to submit a urine specimen for testing when there exists a 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/training hours. A recruit/trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the county prosecutor, the EDPS / CUPD, or the academy director.

d. Police Officers/Random Selection

1. Urine specimens shall be ordered from in-service police officers who have been randomly selected to submit to a drug test.
2. At least ten percent (10%) of the sworn officers at each geographic division shall be selected each time. The frequency, beyond the required minimum, and dates of the selection shall be at the sole discretion of the EDPS / CUPD or designee.
3. Random drug testing of in-service police officers shall occur no less than twice (2 times) per calendar year; however nothing in the section is intended to preclude the department from conducting random drug testing more frequently.
4. A negative test result is a condition of continued employment.
5. If an officer produces a positive test result 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 will result in the following:
 - The officer shall be immediately suspended from all duties;
 - The officer shall be administratively charged and terminated from employment as a police officer upon final disciplinary action.
 - The officer's name shall be reported to the central drug registry maintained by the State Police.
 - The officer shall be permanently barred from future law enforcement employment in the State of New Jersey.
6. Officer(s) who refuse to submit to random drug testing after being lawfully ordered to do so are subject to the same penalties set forth in section 1:11-5d(6).
7. If there is no valid reason why an officer cannot produce a specimen or resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and do not provide the specimen shall be deemed to have refused to submit to the drug test.
8. Officer(s) randomly selected who are on sick leave, vacation leave, leave of absence, special day off, or away on official business shall be immediately tested upon their return, without exception.
9. Any employee of the police department who discloses the identity of an officer selected for random drug testing, the fact that a random drug test is scheduled, or that they had supplied a sample for random drug testing shall be subject to disciplinary action.

e. Police Officers/Reasonable Suspicion

1. In addition to random testing, urine specimens shall be ordered from any police

officer when there exists a reasonable suspicion to believe that the officer is engaged in the illegal use of a controlled dangerous substance, or is under the influence of a controlled dangerous substance, including unregulated marijuana, or cannabis during work hours. Urine specimens, for this purpose, shall not be ordered from the officer without the approval of the County Prosecutor with appropriate jurisdiction or the EDPS / CUPD.

2. In determining whether to order a reasonable suspicion test, the following factors shall be evaluated to determine the quality and relevance of the information acquired to support the request:
 - The nature and source of the information;
 - Whether the information constitutes direct evidence or is hearsay in nature;
 - The reliability of the informant or source;
 - Whether corroborating information exists and the degree to which it corroborates the accusation and
 - Whether and to what extent the information may be stale.
3. Consuming or being under the influence of cannabis or marijuana while at work or during work hours is strictly prohibited. Officers shall be tested for cannabis and marijuana in the following situations:
 - Upon reasonable suspicion of the officer's use of a cannabis or marijuana item while engaged in the performance of the officer's duties, or
 - Upon a finding of observable signs of intoxication related to the use of a cannabis or marijuana item while engaged in the performance of the officer's duties.
4. A negative test result is a condition of continued employment.
5. If an officer produces a positive test result 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 will result in the following:
 - The officer shall be immediately suspended from all duties;
 - The officer shall be administratively charged and terminated from employment as a police officer upon final disciplinary action.
 - The officer's name shall be reported to the central drug registry maintained by the State Police.
 - The officer shall be permanently barred from future law enforcement employment in the State of New Jersey.
6. An Officer(s) who refuses to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so, will be subject to the same penalties as those who test positive for the illegal use of drugs, see section 1:11- 5e(6).
7. If there is no valid reason why an officer cannot produce a specimen or if they resign or retire after receiving a lawful order to submit a urine specimen for drug testing and does not provide the specimen, the officer shall be deemed to have refused to submit to the drug test.
8. Regardless of the reason for testing, any officer who tests positive for unlawful drug use or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported to the central drug registry maintained by the State Police and shall be permanently barred from future law enforcement employment in New Jersey.

9. Any officer who has reason to believe that a member of this department is utilizing illegal drugs must report that suspicion or face disciplinary action.
 10. Any officer having reasonable suspicion of illegal drug use by another officer shall report it by way of a confidential report to the EDPS / CUPD; Division Commander or the Internal Affairs Commander. The report shall detail the facts that form the basis of reasonable suspicion of illegal drug use.
 11. In the event of the administration of a reasonable suspicion drug test of an officer, the Chief of University Police shall cause written notice, via confidential memorandum to the county prosecutor with respective jurisdiction within ten (10) calendar days.
- f. Fitness of Duty Examinations:
1. Urine samples may be requested by a physician designated by the university during any regularly scheduled and announced medical examination or a fitness for duty examination. The subsequent collection and analysis of any specimen obtained through a medical examination or fitness for duty examination will be under the control of the university-designated physician.
 2. All personnel shall be required to submit to urine testing when told to by occupational health or a university designated physician.
 3. An employee's failure to submit to this physician ordered urine testing shall be considered a form of gross insubordination and they will be subject to termination upon final disciplinary action.
- g. Civilian Personnel-Reasonable Suspicion/Fitness for Duty Examinations:
1. Civilian personnel are often called upon to perform a myriad of duties that had traditionally been performed by sworn police officers. These duties require civilians to act and otherwise make decisions that are a matter of public safety and include, but are not limited to the following positions:
 - Public Safety Telecommunications staff members;
 - Evidence Technicians/Clerks;
 - Security/Parking Enforcement Officers;
 - Clerks/Stenographers/Secretaries, etc.;
 - Community Service Officers.
 2. These provisions regarding reasonable suspicion testing and fitness for duty testing are a logical extension of management's obligation to ensure a work environment free of the dangers of unlawful drug use, thereby maintaining public safety and confidence.
 3. Urine specimens shall be ordered from any civilian employee when there exists a reasonable suspicion to believe that the employee is illegally using drugs or is found to have consumed or was under the influence of cannabis or marijuana while at work or during work hours. Urine specimens, for this purpose, shall not be ordered from the employee without the approval of the EDPS / CUPD, Internal Affairs Commander, or designee.
 4. Consuming or being under the influence of cannabis or marijuana while at work or during work hours is strictly prohibited. Employees shall be tested for cannabis and marijuana in the following situations:
 - Upon reasonable suspicion of the employee's use of a cannabis or marijuana item while engaged in the performance of their duties, or

- Upon a finding of observable signs of intoxication related to the use of a cannabis or marijuana item while engaged in the performance of their duties.
- 5. Reasonable suspicion drug testing and fitness for duty drug testing will normally be performed by a physician or facility designated by the University's Department of Occupational Health. In the instance set forth in section 1:11-5g(4) 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.
- 6. If an employee refuses to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so, the employee is subject to termination upon final disciplinary action for gross insubordination.
- 7. Any employee who has reason to believe that a member of this department is utilizing illegal drugs must report that suspicion or face disciplinary action. These suspicions must be reported by way of a confidential report to the EDPS / CUPD; Division Commander or the Internal Affairs Commander. The report shall detail the facts that form the basis of reasonable suspicion of illegal drug use.
- h. The New Jersey Attorney General's Law Enforcement Drug Testing Policy (herein "NJ AG Drug Testing Policy") shall be permanently attached to this directive.
- i. Information contained in the central registry may be released by the Division of State Police only in response to an inquiry from a criminal justice department as part of the background investigative process for prospective or new personnel or in response to court order.

1:11-6 PRELIMINARY PROCEDURES

- a. Applicants
 1. Prior to the submission of a specimen, an applicant shall execute a form consenting to the collection and analysis of their urine for unlawful drugs. This form shall include wording advising them that a negative result is a condition of employment and a statement of the consequences of a positive test or refusal to submit a specimen (see 1:11-5 et. Seq.).
 2. As part of the hiring process, the agency can engage in drug testing of prospective employee at any point during the pre-employment process.
 3. Applicants shall complete the ***Drug Testing Applicant Notice and Acknowledgement (Attachment A)*** form prior to the submission of a specimen..
 4. Applicants shall not complete the ***Drug Testing Medication Information (Attachment D)*** form unless a positive test result requires an explanation by the prospective employee.
 5. Applicants shall be subject to the acquisition procedures set forth in section 1:11- 7.
- b. Recruit/Trainee
 1. All drug testing conducted during mandatory basic training shall comply with the rules and regulations adopted by the Police Training Commission and conducted under the auspices of the police academy director or designee.
- c. Random Testing of Sworn Police Officers

1. The Internal Affairs Commander shall maintain a database containing officer's names and the randomly selected numbers..
 2. A non-programmable random number generator program has been installed ONLY within the computer of the Internal Affairs Commander's office and will generate a random number upon command.
 3. This software application shall be secure and accessible by only the EDPS / CUPD, Internal Affairs Commander, or designee.
 4. A representative of both the FOP-Primary and the FOP-Superior Officers Association shall be notified of every random number selection process and shall be required to witness the random number selection. Each representative shall indicate that they witnessed the selection process on the Random Drug Number Selection list.
- d. Civilian Employees
1. Reasonable suspicion drug testing and drug testing performed during a fitness for duty examination are under the auspices of the University's Occupational Health at a location selected by the Director of Occupational Health.
 2. Drug test results will normally be forwarded to the University's Department of Occupational Health or a designated physician for review. The physician will interpret the results and tender a recommendation to the Professional Standards Division Commander (PSD Commander concerning the employee's employment status.
 3. If the drug test reveals the use of any unlawful substance, or if the employee is found to have consumed or was under the influence of cannabis or marijuana while at work or during work hours, the employee will be subject to termination upon final disciplinary action.
 4. The presence of a lawful substance is subject to review by the University physician to determine if the substance is or has adversely affected the employee's job performance. In consultation with Professional Standards Division Commander (PSD Commander the University physician will be provide any and all documentation necessary to conduct a comprehensive review. Any employment action will be decided on a case by case basis in comportment with A.D.A. guidelines.

1:11-7 ACQUISITION PROCEDURE

This section applies to sworn applicant testing, random selection testing and reasonable suspicion testing for sworn officers only.

- a. The Professional Standards Division Commander (PSD Commander) shall designate any sworn staff member(s) to act as the monitor(s) . The monitor(s) shall be the same gender as the subject selected. In the event of any conflict, a monitor may be requested from another law enforcement department. If the subject identifies as a different gender the monitor shall defer to Professional Standards Division Commander (PSD Commander) for guidance.
- b. It is the duty of the monitor(s) to ensure that all required documentation is fully and accurately completed and submitted in accordance with this directive.
- c. The subject(s) selected shall fully complete a ***Drug Testing Officer Notice and Acknowledgement (Attachment C)*** form and ***Drug Testing Medication Information Report (Attachment D)*** form provided by the monitor.
 - No subject shall make any false or misleading statements on the report. All

prescription drugs listed on the form are subject to verification. The subject shall also list 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 Report (Attachment D)*** shall be placed in an envelope which is sealed by the subject. The subject shall date, initial the seal, write their unique identifier (Donor ID) on the envelope and affix the barcoded control number label from the Forensic Urine Durg Testing Custody and Submission Form on the envelope

(It is important to note that this will be the only opportunity for the tested person to disclose the medication they have taken. Subjects who yield positive test results will not be given another chance to list any medication they have taken.)

- d. The monitor(s) shall collect the specimen in a manner that provides for individual privacy while ensuring the integrity of the sample provided. Individual specimens and forms shall be identified throughout the process by the use of donor identification numbers (Donor ID). At no time shall a name appear on any form or specimen container sent to the State Toxicology Laboratory.
 - A monitor can, among other things, direct an individual officer or employee 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.
 - The monitor may wish to add tinting agents to toilet water and secure the area where the specimens are to be collected prior to conducting individual drug tests.
- e. Subjects will provide the required specimen without direct observation by the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the process. Under these circumstances, the monitor may directly observe the production of a specimen. The monitor must fully document via the Internal Affairs records management system the facts and circumstances underlying their belief that the subject may adulterate a specimen or compromise the integrity of the process prior to the direct observation. In the event it is determined that the monitor will directly observe the production of a specimen, the monitor shall ***always*** be of the same sex as the individual being tested.
- f. Subjects must provide the specimen upon being ordered to do so. Subjects that are initially unable to do so may be permitted to drink water in an attempt to induce the production of a specimen. Subjects shall not be permitted to consult with anyone prior to submitting the specimen. Any attempt to delay the submission of a specimen, based upon their desire to consult with anyone, will be treated as a refusal. If the subject remains unable to provide a specimen after a reasonable amount of time, the monitor may direct the individual to be examined by a physician to determine whether the inability to produce a specimen is a result of a medical or physical infirmity or a refusal to cooperate with the testing process. Examination maybe conducted at University's Occupational Health or a medical facility within the geographical area.
- g. The chain of custody procedures established for the collection of urine specimens and their subsequent submission to the New Jersey State Toxicology Laboratory (NJSTL) within the Division of Criminal Justice shall be adhered to as set forth in

the Attorney General's Law Enforcement Drug Testing Policy.

- h. Urine specimens should be submitted to the NJSTL as soon as possible after their collection. In the event specimens cannot be submitted to the NJSTL within one calendar day of collection; samples will be secured in a specially designated refrigerator/freezer unit located under the exclusive control of the Internal Affairs Commander or designee. The access to this repository shall be restricted to Internal Affairs personnel.
- i. Specimens may be submitted to the Laboratory by commercial courier using "next day delivery" or in person (appointments only).
- j. Specimens shall be collected utilizing split specimen collection kits supplied by the State Toxicology Laboratory. Under no circumstances shall a specimen be collected and submitted for analysis in a specimen container that has not been approved by the NJ State Medical Examiner Toxicology Laboratory.
- k. Urine specimens shall be collected in strict accordance with the provisions of NJ AG Drug Testing Policy at Section: IV, §C – Urine Specimen Collection Procedure; including the "Shy Bladder" Procedure" at Section: IV, §D, where applicable.
- l. If the test results in a positive reading, the donor shall notify the department within ten (10) days of their intent to challenge the positive test result and have the split specimen sample tested by an independent accredited laboratory. The split specimen will be maintained at the NJSTL for 1 year following the receipt of a positive drug test result from the laboratory by the submitting agency.
 - The subject will be required to designate, from a list maintained by the NJSTL, a laboratory that is certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and accredited by the College of American Pathologists (CAP) to conduct workplace urine drug testing, and pay all costs associated with the reception and testing of the sample.
 - The State Toxicology Laboratory maintains an up-to-date list of SAMSHA and CAP certified laboratories and will furnish that list upon request.
Note: Under no circumstances may the first sample be retested.
- m. The split specimen shall be released under the following circumstances:
 - This department is notified by the State of New Jersey Toxicology Laboratory that the first specimen tested positive for controlled substance(s); and
 - The agency notifies the donor that the first specimen tested positive for a controlled substance; and
 - This department is notified by the donor whose specimen tested positive that they wish to challenge the positive tested by an accredited independent laboratory; and
 - The donor designates a laboratory, licensed as an approved clinical laboratory by the New Jersey Department of Health under The New Jersey Clinical Laboratory Improvement Act, to conduct the independent test.
- n. A representative of the designated clinical accredited laboratory takes possession of the split sample specimen in accordance with acceptable chain of custody procedures or the sample may be sent to the second test laboratory by commercial courier also following accepted chain of custody procedures.
 - 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.

- All secondary testing of specimens shall be at the expense of the donor tested.

ANY OFFICER OR EMPLOYEE OF THE POLICE DEPARTMENT WHO KNOWINGLY TAMPERS WITH ANY SPECIMEN, OR OTHERWISE COMPROMISES THE TESTING PROCESS SHALL BE SUBJECT TO CRIMINAL AND/OR DISCIPLINARY ACTION.

- o. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:
 - Amphetamine;
 - Barbiturates;
 - Benzodiazepine;
 - Cocaine;
 - Methadone;
 - Opiates;
 - Oxycodone/Oxymorphone and
 - Phencyclidine.
 - 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 procedures).
- p. In addition to the testing outlined above, specimens which are submitted to the State Toxicology Laboratory at request of the law enforcement agency may be tested for additional substances.
- q. The analysis of each specimen shall be done in accordance with procedures adopted by the State Toxicology Laboratory. These procedures shall include, but not be limited to, security of the test specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.

1:11-8 DRUG TEST RESULTS

- a. The State Toxicology Laboratory utilizes a two-stage procedure to analyze specimens.
 1. In the first stage, all specimens will undergo an initial screening. The initial screening determines whether one or more of the eight 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.
- b. 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.

- c. The State Toxicology Laboratory shall notify the submitting law enforcement department of test results from the specimens submitted for analysis. All efforts will be made to deliver these reports within 15 working days of the submission.
- d. The State Toxicology Laboratory shall not report a specimen as having tested positive for a controlled substance until the specimen has undergone a confirmatory test and the medical review officer has reviewed the results of that test with the medical questionnaire pertinent to that specimen. 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. The submitting department shall notify the applicant, trainee or sworn officer of the results of a positive test result as soon as practical after receipt of the report from the State Toxicology Laboratory. Upon request, the individual may receive a copy of the laboratory report.
- f. Under no circumstances may a department or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be retested.

1:11-9 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 by the department;
 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by the law enforcement department to which the individual applied; and
 3. The applicant shall be precluded from consideration for future law enforcement employment by any law enforcement department in New Jersey for a period of two years.
 4. Where the applicant is currently employed by another department 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 and suspended from employment by his or her appointing authority;
 2. The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the appointing authority;
 3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police; and
 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 terminated from employment as a law enforcement officer, upon final disciplinary action;
3. The officer shall be reported by his or her employer to Central Drug Registry maintained by the Division of State Police; and
4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

1:11-10 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 employment and barred from consideration for future law enforcement employment for period of two years from the date of the refusal. In addition, the appointing authority shall forward the applicant's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- b. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit a sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the appointing authority 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.
- 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 his or her employer to Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey. 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.

1:11-11 ACCIDENTAL/INADVERTENT EXPOSURE

Any officer or employee who believes that they may have been exposed on duty or off duty to any substance that could render a positive test result must notify this department immediately after the exposure. If the exposure occurs on duty the officer or employee must immediately notify their supervisor. A report via BlueTeam detailing the exposure shall be forwarded to the EDPS / CUPD and the Internal Affairs Commander through the chain of command. If the exposure occurs off duty, notification must be made without undue delay.

1:11-12 POSITIVE TEST RESULT PRECIPITATED BY LAWFUL AND REPORTED PRESCRIPTION MEDICATION

- a. Any test that reveals the presence of a drug listed on the subject's Medication Information Report will be reported to this department. This result will be reported with the explanation that the substance was listed on the Medication Information Report.
- b. The officer or employee shall be required to provide the department with documentation from the treating physician that the medication was lawfully prescribed and did not render the officer or employee unfit for duty.
- c. If it is determined that a lawful prescribed medication was administered, the officer or employee shall be subject to the review provisions in accordance with Directive 3:21 – Fitness For Duty.
- d. The Chief of Police will have the option of causing a further investigation into the listed substance and its use.

1:11-13 NOTIFICATIONS

- a. The Professional Standards Division Commander shall notify Executive Director of Public Safety / Chief of University Police (EDPS / CUPD) in addition to the appropriate County Prosecutor's Office if any police officer tests positive for the illegal use of drugs; are found to have been consuming or being under the influence of cannabis or marijuana while at work/training or during work/training hours, or refuses to be tested pursuant to this directive.
- b. Upon completion of any disciplinary action associated with this directive; the Chief of University Police or designee shall report the discipline to the County Prosecutor with respective jurisdiction.
- c. Applicants, recruits/trainees and sworn officers who test positive for illegal drug use, are 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 to the Central Drug Registry maintained by the New Jersey State Police on a form approved for use by the Attorney General. Notifications to the Central Drug Registry shall include the following information as to each individual:
 - Name and address of the submitting department, and the contact person;
 - Name of the individual who tested positive;
 - Their last known address;
 - Their date of birth;
 - Their social security number;
 - Their SBI number (if known);
 - Their gender;
 - Their race;
 - Their eye color;
 - The substance they 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;
 - Date of the drug test or refusal;

- Date of final dismissal or separation from this department; and
 - Whether the subject was an applicant, trainee or sworn officer.
- c. The certification section of the notification form must be completed by the Executive Director of Public Safety / Chief of University Police (EDPS / CUPD) and be notarized with a raised seal.

1:11-14 RECORDKEEPING

- a. The Office of Internal Affairs shall maintain all records relating to the drug testing of applicants, trainees and law enforcement officers.
- b. These records shall include, but are not limited to:
1. The identity of those ordered to submit urine samples;
 2. The reason for the order;
 3. The date the sample was collected;
 4. The name of the monitor;
 5. The chain of custody of the sample from the time it was collected until the time it was received by the State Toxicology Laboratory;
 6. The results of the drug testing;
 7. Copies of notifications to the subject of the drug testing;
 8. 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
 9. For any positive result or refusal, appropriate documentation of the disciplinary action.
- c. For random selection drug testing, the records will also include:
1. A description of the process used to randomly select officers for drug testing;
 2. The date the selection was made;
 3. A copy of the document listing the identities of those selected for drug testing;
 4. A list of those who were actually tested; and
 5. The date(s) those officers were tested.

It shall further be the policy of this department to maintain sworn applicant drug testing, random selection drug testing, and reasonable suspicion for sworn officer drug testing records with the level of confidentiality required for internal affairs files pursuant to the *New Jersey Internal Affairs Policy and Procedures* manual.



LAW ENFORCEMENT DRUG TESTING DRUG TESTING APPLICANT NOTICE AND ACKNOWLEDGEMENT

I, _____, understand that as part of the pre-employment process, the **Rutgers Police Department** 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

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LAW ENFORCEMENT DRUG TESTING DRUG TESTING OFFICER NOTICE AND ACKNOWLEDGEMENT

I, _____, understand that as part of my employment with the **Rutgers Police Department**, 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

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LAW ENFORCEMENT DRUG TESTING DRUG TESTING MEDICATION INFORMATION REPORT

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.

✓ 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.)

	Non-Prescription Medication	Date Last Taken
1		
2		
3		

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

Donor ID Number & Initials

Date

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Attorney General's Law Enforcement Drug Testing Policy



Revised February 2023

DRUG TESTING

Attorney General's Law Enforcement Drug Testing Policy

Revised February 2023

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DRUG TESTING

Attorney General's Law Enforcement Drug Testing Policy

Revised February 2023

I. INTRODUCTION

As the chief law enforcement officer of the State, the Attorney General is duty bound to ensure that the citizens of New Jersey receive police services from law enforcement officers whose competency and integrity are beyond question. The Attorney General is responsible for ensuring that the illegal use of drugs by individual law enforcement officers does not undermine the integrity of law enforcement agencies or threaten the safety and morale of other law enforcement officers.

This policy supersedes the *New Jersey Law Enforcement Drug Testing Manual (7/15/01)* as well as prior versions of the *Attorney General's Law Enforcement Drug Testing Policy* (rev. April 2018 and Dec. 2020). The December 2020 revisions were intended to implement the New Jersey State Medical Examiner Toxicology Laboratory's transition to updated urine specimen collection kits and the necessary related procedures. In the April 2018 revision, the Policy was revised in accordance with Attorney General Directive 2018-2 requiring the implementation of a random drug testing policy by all state, county, and municipal law enforcement agencies under the legal authority of the Attorney General. It also required the drug testing of law enforcement applicants as a condition of employment.

In February 2021, the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (CREAMMA), N.J.S.A. 24:6I-31 et seq., was enacted, and in April 2022, the Cannabis Regulatory Commission approved applications from Alternative Treatment Centers to expand into recreational cannabis sales, marking the opening of the regulated cannabis market in New Jersey. Due to the complex nature of the law, and in order to provide uniformity in State employee drug testing as it pertains to the use of cannabis, it is necessary to revise this policy.

The Division of Criminal Justice together with the New Jersey State Medical Examiner Toxicology Laboratory (the Laboratory) shall continue to be responsible for coordinating the New Jersey law enforcement drug testing program. Information concerning the program may be found at the Division's website www.njdci.org.

The goal of the policy is deterring illegal drug use, including unregulated marijuana, by law enforcement officers. The policy provides law enforcement agencies with a mechanism to identify and remove those law enforcement officers engaged in the illegal use of drugs. Because illegal drug use is inconsistent with the duties, obligations and responsibilities of sworn law enforcement officers, the policy mandates that officers who test positive shall be terminated from employment.

The policy sets forth uniform methods and procedures for implementing and administering law enforcement drug testing. The policy further outlines the duties and responsibilities of the State's law enforcement agencies and chief executive officers with respect to the drug testing process. Every law enforcement agency under the authority of the Attorney General must implement a drug testing program consistent with this policy.

The policy seeks to ensure that the employment rights of individual law enforcement officers are safeguarded consistent with legal principles. As a result, the policy sets forth procedures for the

uniform collection, submission and analysis of drug test specimens. The procedure further seeks to ensure the accuracy and reliability of the drug testing process. Every law enforcement agency must administer its drug testing program in a way that is fundamentally fair to individual law enforcement officers and is consistent with due process requirements and the laws of this State.

II. APPLICABILITY

A. Personnel

1. Applicants for a position as a law enforcement officer 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 or in the pre-service training program of the New Jersey State Police, while they attend a mandatory basic training course.
3. Sworn law enforcement officers who are responsible for the enforcement of the criminal laws of this State, come under the jurisdiction of the Police Training Act or are members of the New Jersey State Police and are authorized to carry a firearm under N.J.S.A. 2C:39-6.
4. The Law Enforcement Drug Testing Policy does not apply to civilian employees of a law enforcement agency. Agencies that wish to drug test civilian employees should consult with legal counsel to establish drug testing policies and procedures consistent with human resource policy and/or collective bargaining rights.

B. Employment Status

Drug testing may be categorized by the employment status of the individual being tested and the method by which the individual was selected for testing. These methods include applicant testing, trainee testing, and officer testing. Testing is required of all police applicants and trainees. Pursuant to AG Directive 2018-2, law enforcement agencies are required to implement a random drug testing program for all sworn officers in their departments. Further, law enforcement agencies have an independent obligation to undertake drug testing of individual officers and trainees when there is reasonable suspicion to believe that the officer or trainee is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work hours.

1. Applicant Testing

The Law Enforcement Drug Testing Policy recognizes that drug testing is an important component of a pre-employment background investigation. Thus, prospective employees should be drug tested as a condition of employment. The policy requires law enforcement agencies engaged in the hiring process to drug test prospective employees at any point during the pre-employment process.

In addition, applicants for employment may be tested as many times as the law enforcement agency deems necessary to ensure that the applicants are not engaged in the illegal use of drugs. For example, applicants who have been drug tested as part of the application process may be tested again if a significant amount of time has elapsed since the previous step in the employment process.

During the pre-employment process, the agency must ensure that it complies with the provisions of the Americans with Disabilities Act (ADA) by refraining from making any medical inquiries. Therefore, the Drug Testing Medication Information form should not be used at the applicant stage, 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.

2. Trainee Testing

Individuals hired as law enforcement officers who are required to attend and successfully complete a mandatory basic training course approved by the Police Training Commission or the New Jersey State Police are subject to drug testing during their attendance at a police academy. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. The drug testing of law enforcement trainees will be conducted by the police academy staff under rules and regulations adopted by the Police Training Commission or the New Jersey State Police.

Individual trainees shall 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/training 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 executive officer of the trainee's agency, or the academy director.

3. Officer Testing

Sworn law enforcement officers shall be ordered to submit a urine specimen for testing when they 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 law enforcement agency, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.

Sworn law enforcement officers shall also be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the officer is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work hours. An officer shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the county prosecutor or the chief executive officer of the officer's agency.

Urine specimens may also 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.

C. Types of Testing

1. Random Testing

Random drug testing of all state, county, and local sworn law enforcement officers is required by AG Directive 2018-2. Random selection is defined as a method of selecting employees for drug testing in which every member of the agency, regardless of rank or

assignment, has an equal chance of being selected each and every time a selection is made.¹ 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. AG Directive 2018-2 requires a minimum of ten percent of the sworn officers within an agency be randomly tested each time. Each agency must perform the random test at least twice in every calendar year.

Agencies must establish a random drug testing program by rule, regulation or procedure. A municipal police department should have the appropriate authority adopt a rule or regulation as defined by N.J.S.A. 40A:14-118 mandating random drug testing. County, State, or campus police agencies should have the appropriate administrative, executive, or law enforcement official adopt a policy or procedure mandating random drug testing. Random drug testing cannot be implemented until the rule, regulation or procedure has been in effect for a minimum of 60 days.

The agency must choose a method of random selection which ensures that every sworn officer in the agency has an equal chance of being selected each and every time a selection takes place. In other words, an officer who has been selected on one or more previous occasions for a random drug test is not excused from future tests. The mechanism for selecting officers can be as simple and inexpensive as placing names in a hat, or as complex and expensive as a custom computer program.

The random selection process should be verified and documented. The agency should permit representatives of the affected collective bargaining units to witness the selection process. Everyone present at the time of the selection, however, must understand that anyone who discloses the identity of an officer selected for random testing, or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, will be subject to discipline.

2. Reasonable Suspicion

Agencies must undertake drug testing when there is reasonable suspicion to believe a law enforcement officer is engaged in the illegal use of a controlled dangerous substance, or is under the influence of a controlled dangerous substance, including unregulated marijuana, or cannabis during work hours. Reasonable suspicion "requires objective facts which, with inferences, would lead a reasonable person to conclude that drug-related activity is taking or has taken place and that a particular individual is involved in that drug activity."²

The reasonable suspicion standard is "less demanding" than the probable cause standard in two ways.³ First, the amount of evidence needed to satisfy the reasonable suspicion standard is less than that needed to satisfy the probable cause standard.⁴ Second, the type of information used to satisfy the reasonable suspicion standard may be "less reliable than that required to show probable cause."⁵ The following factors

¹ New Jersey Transit PBA Local 304 v. New Jersey Transit Comp., 290 N.J. Super 406, 432 (App. Div. 1996)

² Caldwell v. New Jersey Department of Corrections, 250 N. J. Super. 592, (App. Div. 1991) certif. denied, 127 N.J. 555(1991)

³ Drake v. County of Essex, 275 N.J. Super. 592, 609 (App. Div. 1994)

⁴ Id.

⁵ Id.

should be evaluated to determine the quality and relevance of the information acquired by the law enforcement agency:

- 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.

Every law enforcement agency subject to the jurisdiction of the Attorney General must include in its rules and regulations a provision governing reasonable suspicion drug testing. Before a law enforcement executive may order an individual officer to undergo reasonable suspicion testing, the agency shall prepare a written report documenting the basis for the test. 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.

3. Reasonable Suspicion Testing for Cannabis Use

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.

In the above situations, the drug test shall include a physical evaluation by a Workplace Recognition Expert (WIRE)⁶ to determine the officer's state of impairment and a urinalysis.

III. NOTIFICATION OF DRUG TESTING PROCEDURES

A. Applicants

Agencies must notify applicants for law enforcement positions 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: a) result in the applicant being dropped from consideration for employment; b) cause the applicant's name to be reported to the central drug registry maintained by the Division of State Police; and c) preclude the applicant from being considered for future law enforcement employment for a period of two years from the date of the drug test. In addition, the notification will indicate that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive

⁶ 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>.

for illegal drug use, the officer's employing agency will be notified of the test results and the officer will be terminated from employment and permanently barred from future law enforcement employment in New Jersey. Applicants shall be further informed that their refusal to submit to a drug test shall result in their no longer being considered for law enforcement employment in New Jersey.

B. Trainees

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 trainee being dismissed from basic training; b) the trainee's termination from employment; c) inclusion of the trainee's name in the central drug registry maintained by the Division of State Police; and d) the trainee being permanently barred from future law enforcement employment in New Jersey.

Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey and inclusion of the trainee's name in the central drug registry maintained by the Division of State Police. Each police academy shall include in its rules and regulations a provision implementing drug testing during basic training.

C. Sworn Law Enforcement Officers

Each municipal law enforcement agency shall include in its rules and regulations as defined in N.J.S.A. 40A:14-118, and every county and state law enforcement agency shall include in appropriate standard operating procedures, a provision that individual law enforcement officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe that the officer is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work hours, as well as a provision that officers are subject to mandatory random drug testing pursuant to AG Directive 2018-2.

The agency's rules and regulations or appropriate standard operating procedures shall also provide that a negative result is a condition of employment as a sworn officer and that a positive result for an illegal substance will result in the following: 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; and c) the officer being permanently barred from future law enforcement employment in New Jersey.

The agency's rules and regulations or appropriate standard operating procedures shall further provide that officers who refuse to submit to a drug test based on reasonable suspicion or random drug testing after being lawfully ordered to do so are subject to the same penalties as those officers who test positive for the illegal use of drugs. 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.

IV. SPECIMEN ACQUISITION PROCEDURES

A. Preliminary acquisition procedures

1. The law enforcement agency shall designate a member of its 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 from the agency collecting the specimens, the agency 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.
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 in Section III B of this policy. 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.
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 in Section III C of this policy. 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.

B. Monitor's Responsibilities

1. The monitor of the specimen acquisition process shall be responsible for the following:

- 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 donor identification numbers (Donor ID). At no time shall a name appear on any form or specimen container sent to the Laboratory.
 - c. Complying with 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. It is the responsibility of each agency to contact the Laboratory to obtain the Split Specimen Kits and Forensic Urine Drug Testing Custody and Submission Forms (CSF).
 - 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 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 acknowledgement section of the CSF.
10. The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.
11. The monitor separates the white laboratory copy of the CSF, folds it, and places it in the rear pouch of the specimen bag along with the sealed medication information sheet, if provided.
12. The monitor seals the specimen bag by removing the release liner from the flap and folding the blue adhesive flap to cover the cross hatch slit opening.
13. Any remaining urine and the specimen collection container may be discarded.
14. The monitor will take possession of the sealed specimen bag and ensure that it is delivered to the NJ State Medical Examiner Toxicology Laboratory in a timely manner (See Section V. Submission of Specimens for Analysis below).

D. "Shy Bladder" Procedure

1. When a donor initially produces an inadequate amount of urine, the monitor 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 retested.

2. The split specimen will be maintained at the Laboratory for a minimum of one year following the receipt of a positive drug test result from the Laboratory by the submitting agency.
3. The split specimen will be released by the Laboratory under the following circumstances:
 - a. The agency is notified by the Laboratory that the first specimen tested positive for a controlled substance;
 - b. 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 second sample in accordance with accepted chain of custody procedures or the sample may be sent to the second test laboratory by commercial courier also following accepted chain of custody procedures.
5. Following testing of the split specimen, the independent laboratory will report the result of the split specimen drug test to the donor, to the submitting agency, and to the NJ State Medical Examiner Toxicology Laboratory medical review officer.

V. SUBMISSION OF SPECIMENS TO THE LABORATORY

- A. The NJ State Medical Examiner Toxicology Laboratory is the only facility approved for the analysis of law enforcement drug tests conducted under the Law Enforcement Drug Testing Policy. Law enforcement agencies are not permitted to use any other facility or laboratory for the purpose of analyzing urine specimens for illegal drug use by law enforcement officers.
- B. Urine specimens should be submitted to the Laboratory as soon as possible after their collection. In the event specimens cannot be submitted to the Laboratory within one working day of collection, the law enforcement agency shall store the specimens in a controlled access refrigerated storage area until submission to the Laboratory (Attachment E).
- C. Specimens may be submitted to the Laboratory by commercial courier using “next day delivery” or in person (appointments only).
- D. The Laboratory will inspect all documentation to ensure that it has been properly completed. Failure to include the appropriate documentation with each submission will cause the Laboratory to delay conducting an analysis of the specimen or specimens until the missing documentation is submitted.
- E. In addition to ensuring that the appropriate documentation has been completed and submitted for each specimen, the Laboratory shall inspect each specimen for damage and evidence of tampering.
 1. The Laboratory may reject any specimen it has reason to believe has been tampered with or is damaged; and
 2. Notify the submitting agency in writing with the reason for rejection clearly stated.

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 security of the test specimens, 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, every Law Enforcement Executive 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:
- Amphetamines
 - Barbiturates
 - Benzodiazepines
 - Cocaine
 - Methadone
 - Opiates
 - Oxycodone/Oxymorphone
 - Phencyclidine
 - 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 II.C.2 and II.C.3 herein)⁷
- 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 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,

⁷ The agency shall treat a positive test result in these instances consistent with Sections VII and VIII.

the law enforcement agency, following notification from the Laboratory, must have the candidate 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 donor during the 14 days prior to the specimen collection. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the donor. The donor shall date and initial the seal, and write their Donor ID on the envelope. The agency is responsible for submitting the envelope to the Laboratory. A review of the form will be conducted by the medical review officer as outlined above.

- F. In addition to the testing outlined above, specimens submitted to the Laboratory may be tested for additional substances at the request of the law enforcement agency submitting the specimen. The Laboratory has the ability through its own facilities, as well as facilities employed as references laboratories, to arrange drug testing for steroid abuse, as well as other currently abused substances.

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, it is the responsibility of the submitting agency 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 the agency.
- C. Under no circumstances will the Laboratory provide law enforcement agencies with verbal reports of drug test results. In addition, no individual or agency may ask the Laboratory to conduct a second analysis of a specimen that has already been analyzed.

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 by the agency.
 - 2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by the law enforcement agency to which the individual applied.
 - 3. The applicant shall be precluded from consideration for 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 or New Jersey State Police:
 - 1. The trainee shall be immediately dismissed from basic training subject to rules adopted by the Police Training Commission or New Jersey State Police 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 by his or her employer to Central Drug Registry maintained by the Division of State Police.
 - 4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

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 employment and barred from consideration for future law enforcement employment for period of two years from the date of the refusal. In addition, the appointing authority shall forward the applicant's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- B. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit a sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the appointing authority 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.

X. RESIGNATION/RETIREMENT IN LIEU OF DISCIPLINARY ACTION

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 his or her employer to Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.

XI. RECORD KEEPING

A. Each law enforcement agency's Internal Affairs Unit shall maintain all records relating to the drug testing of applicants, trainees and law enforcement officers.

B. Each agency's drug testing records shall include but not be limited to:

1. 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;
- i. for any positive result or refusal, appropriate documentation of disciplinary action.

2. Random drug testing, the records shall also include the following information:

- a. a description of the process used to randomly select officers for drug testing;
- b. the date 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 required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

XII. CENTRAL DRUG REGISTRY

- A. Every law enforcement agency shall notify the Central Drug Registry maintained by the Division of State Police of the identity of applicants, trainees and sworn law enforcement officers who test positive for 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 the submitting 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 final 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 or director, and notarized with a raised seal.
- E. Notifications to the central registry shall be sent to:

Division of State Police
State Bureau of Identification

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

- F. Information contained in the central registry may be released by the Division of State Police only under the following circumstances:
1. In response to an inquiry from a criminal justice agency as part of the background investigation process for 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		

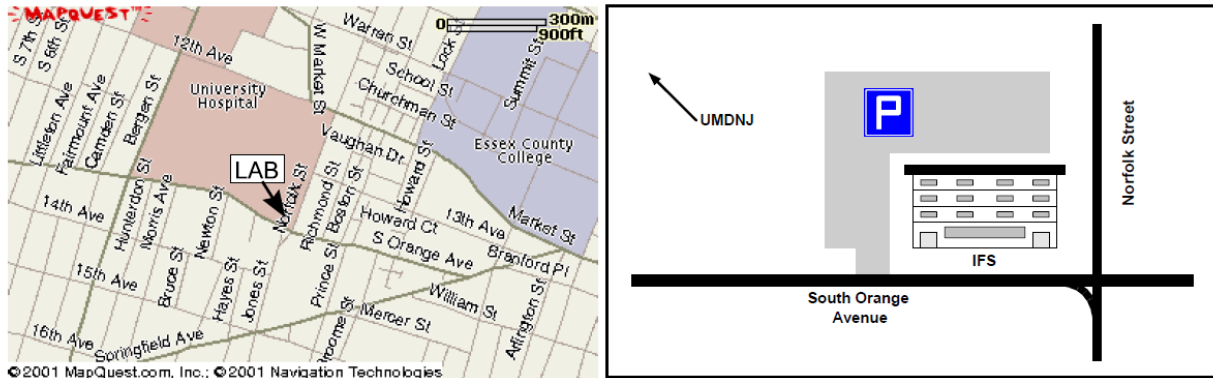
____ C. During the past 14 days, I have taken NO prescription or non-prescription medications.

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).

