

# Wanaque Police Department

## DEPARTMENT RULES AND REGULATIONS

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ISSUING AUTHORITY/CHIEF OF POLICE: Robert C. Kronyak, Jr.	REFERENCE: NJ Attorney General's Law Enforcement Drug Testing Policy, Passaic County Prosecutors Memorandum, NJ Attorney General's Law Enforcement Directive No. 2018-2, Wanaque Borough Resolution 61-0-00		

**I. PURPOSE**

The purpose of this policy is to comply with the NJ Attorney General's Law Enforcement Drug Testing Policy (Rev. April 2018), the NJ Attorney General's Law Enforcement Directive No. 2018-2, and to comply with the Passaic County Prosecutor's Directive to establish Random Drug Testing for all sworn personnel.

**II. STATEMENT**

1. The Wanaque Police Department has a legal responsibility and management obligation to ensure a safe, drug free work environment.

2. Rules prohibiting the use of drugs by officers of the Wanaque Police Department are necessary to preserve and protect the integrity of our Department and personnel; to guard against the harmful consequences to the public good occasioned by the unauthorized unlawful use of or the illegal trafficking in illicit drugs by law enforcement personnel; and to preserve and maintain a high degree of public confidence in all those charged with upholding public order and public safety in the Borough of Wanaque.

### **III. ORDER**

Effective June 12, 2000, all sworn law enforcement personnel within the Wanaque Borough Police Department shall be subject to the NJ Attorney General's Guideline for Law Enforcement Drug Testing and its subsequent revisions and Directive No. 2018-2 governing mandatory Random Drug Testing as outlined herein.

### **IV. APPLICABILITY**

- A. This policy applies to:
  1. Applicants for a position as a law enforcement officer who, if appointed, will be responsible for the law enforcement of the criminal laws of this state and will be authorized to carry a firearm under N.J.S.A. 2C:39-6;
  2. Law enforcement officer trainees subject to the Police Training Act while they attend a mandatory basic training course; and
  3. Sworn 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 and are authorized to carry a firearm under N.J.S.A. 2C:39-6.
- B. The Attorney General's Law Enforcement Drug Testing Policy requires law enforcement agencies to drug test applicants as a condition of employment. Pursuant to Directive No. 2018-2, law enforcement agencies must implement a mandatory random drug testing program for sworn law enforcement officers consistent with the mandates of the minimum random testing requirements and reporting requirements set forth therein. Additionally, law enforcement agencies have an independent obligation to undertake the drug testing of individual officers when there is reasonable suspicion to believe that the officer is illegally using drugs.
- C. Therefore, the Wanaque Police Department hereby adopts the policy of "Random Drug Testing" as directed by the Passaic County Prosecutor and as subsequently mandated by the NJ Attorney General's Law Enforcement Directive No. 2018-2.

### **V. TYPES OF DRUG TESTING**

- A. Applicants for the position as a law enforcement officer.
  1. Applicants will be required to submit a urine specimen at any time prior to appointment.
- B. Law Enforcement Trainees.

1. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with rules and regulations established by the Police Training Commission.
2. Individual trainees will also be required to submit a urine specimen for testing where there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor, The Chief of Police, or the Academy Director.

C. Sworn Law Enforcement Officers

1. Urine specimens shall be ordered from a sworn law enforcement officer when there exists reasonable suspicion to believe that the officer is illegally using drugs. Urine specimens shall not be ordered from an officer without the approval of the County Prosecutor or Chief of Police.
2. Urine specimens will be ordered from sworn law enforcement officers who have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which each and every sworn member of the 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.
3. Urine specimens may be collected from law enforcement officers during a regularly scheduled and announced medical examination or a fitness for duty examination. However, the collection and analysis of these specimens are not governed by this policy.

**VI. NOTIFICATION OF DRUG TESTING PROCEDURES**

A. Applicants

1. The Wanaque Police Department will notify those applicants that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will:
  - a) result in the applicant being dropped from consideration for employment.
  - b) cause the applicants name to be reported to the central drug registry maintained by the Division of State Police.
  - 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 tested positive 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.

B. Trainees

1. All newly appointed law enforcement officers shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will result in:
  - a) The officer's termination from employment;
  - b) inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police; and
  - c) the officer being permanently barred from future law enforcement employment in New Jersey.
2. Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey.
3. As per the Attorney General's Guidelines, each police academy will include in its rules and regulations a provision implementing drug testing during basic training.

C. Sworn Law Enforcement Officers: Reasonable Suspicion Testing

circumstances,  
basis of a

1. Individual law enforcement officers will be ordered to submit to a drug test when there is reasonable suspicion to believe that the officer is illegally using drugs.
2. Before an officer may be ordered to submit to a drug test based on reasonable suspicion, the Department shall prepare a written report, which documents the basis for the reasonable suspicion. The report shall be reviewed by the County Prosecutor or Chief of Police before a reasonable suspicion test may be ordered. Under emergent approval may be given for a reasonable suspicion test on the verbal report.
3. A negative result is a condition of employment as a sworn officer and that a positive result will result in:
  - a) the officer's termination from employment;
  - b) inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police; and

- c) the officer being permanently barred from future law enforcement employment in New Jersey.
4. Any officer who refuses to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so is subject to the same penalties as those officers who test positive for the illegal use of drugs. Any 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.

**VII. RANDOM DRUG TESTING**

- A. The Wanaque Police Department through this policy established a random drug testing program for all sworn officers. This random drug testing policy is hereby modified in accordance with the NJ Attorney General's Law Enforcement Directive No. 2018-2.
- B. All sworn officers of the Department are eligible for random drug testing, regardless of rank or assignment.
- C. A minimum of 10% of the total number of the Department's sworn officers will be selected each time a random selection process is conducted. Consistent with Directive No. 2018-2, the Chief of Police has determined that the frequency of random drug testing shall be once in the remainder of calendar year 2018 and twice in each subsequent calendar year.
- D. Any officer who is on a leave of absence with or without pay for more than thirty (30) consecutive days, suspended with or without pay, on extended sick leave for more than thirty (30) consecutive days, or if they have surrendered their weapon, identification and badge and are not functioning as a law enforcement officer at the time of the test, will not be subject to the test. Their names will be removed from the master list before the beginning of the process. However, officers on a leave of absence or sick leave for thirty (30) days or less will remain on the master list and will be tested upon their return to duty. Also, officers on injury leave for thirty (30) days or less will be tested upon their return to duty.

Officers who are off duty, on vacation leave, bereavement leave, convention leave or personal leave, and have been randomly selected shall be tested upon their return to duty. If an officer calls out sick or injured after the selection process has occurred and has not provided a urine specimen, the Department, at its option, can either go to the officer's residence to obtain a urine specimen or direct the officer to return to the Department. If the officer cannot drive to the Department, the Department will transport the officer to the Department.

- E. Method of Selection:
  - 1. The method of random selection will be by a lottery type system.
  - 2. Each sworn officer will be assigned a randomly selected number prior to the selection process.

3. A master list showing the randomly selected number corresponding with the sworn law enforcement officer's name shall be kept on file with the Chief of Police.
4. An elected representative of the bargaining unit will be notified one (1) hour before the selection process begins and will be permitted to witness the selection of the random draw. An elected representative cannot record or transmit any information about the identities of the officers randomly selected.
5. The Chief of Police, the Internal Affairs Officer, and the elected representative of the bargaining unit shall sign a form verifying the randomly selected numbers selected. (SEE ATTACHED)
6. The Chief of Police and the Internal Affairs Officer shall sign a confidential form that shows the randomly selected number to name conversion. (SEE ATTACHED)
7. After conducting the lottery type system to acquire the randomly selected number identification for each sworn officer a second lottery type draw will be conducted to achieve the percentage of sworn officers to be tested.
8. Any member of the Department who discloses the identity of an officer selected for random drug testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to discipline.
9. Officers who refuse to submit to a drug test, for any reason, when randomly selected are subject to the same penalties as those officers who test positive for the illegal use of drugs. Officers who resign or retire after being randomly selected to submit a urine specimen for drug testing and who do not provide the specimen shall be deemed to have refused to submit to the drug test.

## **VIII. SPECIMEN COLLECTION**

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

1. The Department 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 Department, the Department may request that a member of the same gender from another law enforcement agency serve as monitor of the process.
2. Prior to the submission of the specimen, an applicant for a law enforcement position shall execute a form consenting to the collection and analysis of their urine for illegal drugs. 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 this policy. Applicants are not required to complete a Drug Testing Medication Information form at this time.

3. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form advising the trainee that a negative result is a condition of employment and that a positive result will result in the consequences outlined in 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 listing all prescription medication, non-prescription (over-the-counter) medication, dietary supplements and nutritional supplements that were ingested by the trainee 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.
4. Prior to the submission of a urine specimen, an officer shall execute a form advising the officer that a negative result is a condition of employment and that a positive result will result in the consequences outlined in 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 for 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.

B. Monitor's Responsibilities

1. The monitor of the specimen acquisition process shall be responsible for:
  - a. Ensuring that all documentation is fully and accurately completed by the individual submitting the specimen (the donor).
  - b. Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen. Individual specimens and forms shall be identified throughout the process by the use of social security numbers. At no time shall a name appear on any form or specimen container sent to the State Toxicology Laboratory.
  - c. Complying with chain of custody procedures established by the New Jersey State Toxicology Laboratory for the collection and submission for analysis of urine specimens.

- d. Specimens shall be collected utilizing equipment and supplies approved 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 State Toxicology Laboratory.
  - e. Collecting and submitting urine specimens in accordance with procedures established by the State Toxicology 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 allows the donor to select two sealed specimen container kits.
3. The donor unseals both kits and removes the kit contents on a clean surface.
4. Using an ordinary pencil, the donor writes his/her SSN and the letter "A" below the SSN on one of the ID labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequently produced specimen, as "bottle A" and "first specimen", respectively.
5. Next, using an ordinary pencil, the donor writes his/her SSN and the letter "B" below the SSN on one of the ID labels, and places the label inside one of the specimen containers printed side out, thereby designating this bottle, and subsequently produced specimen, as "bottle B" and "second specimen", respectively.

6. The monitor checks that the donor SSN on both labels matches the SSN provided on the submission form.
7. The monitor instructs the donor to void a specimen between 45mL and 60mL into each specimen container, to not flush the toilet, and return with both specimens immediately after the specimen is produced.
  - a. The monitor must follow the “shy bladder” procedure for donors that initially are unable to produce an adequate amount of urine (see Shy Bladder Procedure, below).
8. The monitor checks each specimen for adequate volume and temperature indicator strip on the specimen container within 4 minutes. A color change between 90 ~~F~~ <sup>F</sup> indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable with the “Yes/No” column for each specimen and writes the collection date and his/her initials in the spaces provided on the submission form. 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.
9. If the monitor is satisfied that all test requirements are met and the required documentation is accurate, he/she shall request the donor to seal each one of the specimen containers.
10. The monitor will take possession of the specimens and documentation. The monitor will ensure that all specimens, including second specimens, are delivered to the NJSTL in a timely manner.

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 reasonable over a period of up to three hours in an attempt to induce the production of a specimen.
  - 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. Second Specimen

1. A donor whose specimen tested positive may only challenge the positive test result by having a second specimen independently tested. The first specimen will not be retested.
2. The second specimen will be maintained at the State Toxicology Laboratory for 60 days following the receipt of a positive drug test result from the laboratory by the Department.
3. The second specimen will be released by the NJSTL under the following circumstances:
  - a. The Department is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance.
  - b. The Department notifies the donor that the first specimen tested positive for a controlled substance; and
  - c. The Department is informed by the donor whose specimen tested positive that he/she wishes to challenge the positive test result.
4. The positive urine donor must 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.
  - a. The State Toxicology Laboratory maintains an up-to-date list of SAMSHA and CAP certified laboratories and will furnish that list upon request.
5. A representative of the second test laboratory may, in person, take possession of the second sample in accordance with the accepted chain of custody procedures or the sample may be sent to the laboratory by pre-paid tracking mail also following accepted chain of custody procedures.
6. Following testing of the second specimen, the independent laboratory will report the result of the second specimen drug test to the donor, to the Department, and to the medical review officer.

**IX. SUBMISSION OF SPECIMENS FOR ANALYSIS**

- A. The New Jersey State Toxicology Laboratory within the Division of Criminal Justice will constitute the sole facility for the analysis of law enforcement drug tests. Law enforcement agencies are not permitted to use any other facility or laboratory for purposes of analyzing urine specimens.
- B. Urine specimens should be submitted to the State Toxicology Laboratory within one working day of their collection. In the event a specimen cannot be submitted to the laboratory within one working day of its collection, the Department shall store the specimen in a controlled access refrigerated storage area until submission to the State Toxicology Laboratory.
  - 1. Submissions of specimens to the State Toxicology Laboratory may be accomplished by personnel from our Department or commercial courier.
  - 2. Should our Department choose to have specimens delivered to the State Toxicology Laboratory by commercial courier, the following procedural safeguards must be taken:
    - a. All submissions must be by "next day delivery".
    - b. In addition to the sealed container, all submissions must be packaged in a manner that includes two additional seals to provide for the integrity of the test specimens.
    - c. The State Toxicology Laboratory must reject specimens that it has reason to believe have been subject to tampering.

**X. ANALYSIS OF SPECIMENS**

- A. The State Toxicology Laboratory will utilize the following test procedures to analyze urine specimens for law enforcement agencies:
  - 1. All specimens will be subject to an initial test utilizing fluorescence polarization immunoassay analysis.
  - 2. Those specimens that test positive for a controlled substance following the fluorescence polarization immunoassay, shall be subject to a gas chromatography/mass spectrophotometry analysis to confirm the presence of the controlled substance.
  - 3. In the event a specimen is confirmed to be positive for a controlled substance following the gas chromatography/mass spectrophotometry, a medical review officer at the laboratory shall compare the test results with the medical questionnaire submitted with the specimen to determine whether any substance listed on the questionnaire would explain the test result. The medical review officer may direct the agency that collected the specimen to obtain further information from

the individual being tested concerning the medications listed on the questionnaire. In the event the questionnaire does not explain the test result, the medical review officer shall issue a report indicating the specimen tested positive.

4. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:
  - a. Amphetamine/Methamphetamine
  - b. Barbiturates
  - c. Benzodiazepine
  - d. Cannabinoids (Marijuana)
  - e. Cocaine
  - f. Methadone
  - g. Phencyclidine
  - h. Opiates
  - i. Oxycodone/Oxymorphone
5. The Chief of Police may request that one or more specimens be analyzed for the presence of steroids.
6. 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.

## **XI. DRUG TEST RESULTS**

- A. The State Toxicology Laboratory shall notify the submitting law enforcement agency of test results from the specimens submitted for analysis. All reports shall be in writing and sent to the agency within 15 working days of the submission.
- B. 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.
- C. The submitting agency 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. Under no circumstances will the State Toxicology Laboratory provide the Department with verbal reports of drug test results. In addition, no individual nor the Department may ask the Laboratory to conduct a second analysis of a specimen that has already been analyzed.

- D. Under no circumstances may an agency or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be re-tested.

**XII. 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; and
  - 3. The applicant shall be precluded from consideration for future law enforcement employment by any law enforcement agency in New Jersey for a period of two years.
  - 4. Where the applicant is currently employed by another agency as a sworn law enforcement officer, the officer's current employer shall be notified of the positive test result. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and also report his or her name to the Central Drug Registry maintained by the Division of State Police.
- B. When a trainee tests positive for illegal drug use, 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:
  - 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 to the Central Drug Registry maintained by the Division of State Police by his or her employer; and
4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

**XIII. 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 for a period of two years. 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 in New Jersey 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. 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.

**XIV. RECORD KEEPING**

- A. Each law enforcement Agency's Internal Affairs Unit shall maintain 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. For all drug testing:
    - a. The identity of those ordered to submit urine samples;

- b. the reason for that order;
  - c. the date the urine was collected;
  - d. the monitor of the collection process;
  - e. the chain of custody of the urine sample from the time it was collected until the time it was received by the State Toxicology Laboratory;
  - f. the results of the drug testing;
  - g. copies of notifications to the subject;
  - h. for any positive result or refusal, appropriate documentation of disciplinary action; and
  - i. 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.
2. For random drug testing, the records will also include the following information:
- a. a description of the process used to randomly select officers for drug testing;
  - b. the date the selection was made;
  - c. a copy of the document listing the identities of those selected for drug testing;
  - d. a list of those who were actually tested; and
  - e. the date(s) those officers were tested.

C. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

D. Consistent with the NJ Attorney General's Law Enforcement Directive No. 2018-2, the Chief of Police or his/her designee will notify the Passaic County Prosecutor in the event of a positive drug test by an officer, a refusal by an officer to take the drug test or the administration of a reasonable suspicion drug test to an officer by written confidential notice within ten days. Upon completion of any disciplinary action, the Department will notify the County Prosecutor of the conclusion of same.

E. Consistent with the NJ Attorney General's Law Enforcement Directive No. 2018-2, the Department's random drug testing policy shall be posted on the Department's website.

**XV. 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 or refuses an order to submit a urine sample.
- B. A sworn law enforcement officer who tests positive for illegal drug use for 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;
  - 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 applicable);
  - 7. substance the individual tested positive for, or circumstances of the refusal to submit a urine sample;
  - 8. date of dismissal from the agency; and
  - 9. whether the individual was an applicant, trainee or sworn law enforcement officer.
- C. Notifications to the Central Registry shall be sent to:

Records and Identification Section  
Division of State Police  
P.O. Box 7068  
West Trenton, New Jersey 08628
- D. 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 law enforcement agency as part of the background investigation process for prospective or newly appointed personnel.

2. In response to a court order.