




COLUMBIA POLICE DEPARTMENT

"Policing Excellence through Community Partnerships"

Directive Type: General Order	Effective Date: 01-27-2016	General Order Number: 04.02
Subject: <i>Drug Use and Drug Testing</i>		
Amends/Supersedes: Section 04, Chapter 02, <i>Drug Use and Drug Testing</i>	Chief of Police: 	
Distribution: All Personnel	Review Date: July 1	# of Pages: 5

1.0 INTRODUCTION

The use of illegal and unauthorized drugs is a serious threat to our nation's collective health, safety and welfare. Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. The negative effects of drug abuse in the workplace are amplified when drug abuse exists within a Police Department. The City of Columbia has a compelling interest in ensuring that employees of its Police Department are physically capable of performing their duties while possessing unimpeachable integrity and judgment.

Police Department personnel engage in drug interdiction activities, carry firearms, operate vehicles under dangerous conditions at high rates of speed, and have access to highly sensitive, confidential information involving drug traffickers. As a result, Police Department personnel pose a threat to public and personal safety if impaired and are subject to personal temptation as well as bribery attempts in administering drug laws even when not impaired by drug use.

Police Department personnel cannot be permitted to violate the laws that they enforce and the public has a right to expect that its Police Department's employees are fit to perform their duties. Public interest demands that effective measures be taken to identify, deter, and eliminate drug use in the Columbia Police Department.

For these reasons, the City of Columbia Police Department institutes the following drug use and drug-testing directive covering all Police Department employees.

2.0 GENERAL RULE

All employees of the Columbia Police Department are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs that are not prescribed for the employee's use. This prohibition applies to use at anytime, both on-the-job and off-the-job. Columbia Police Department employees are, of course, permitted to possess any substance when required by their jobs. In addition, the distribution, possession, storage, purchase, or use of alcohol by City employees on City premises or time* is expressly prohibited and constitutes grounds for immediate termination.

*The term "City premises or time" includes, but is not limited to, city vehicles and private vehicles on city premises, parking lots, and recreation areas; and any circumstances in which an employee has been designated in writing by the City Manager as a representative for the City. Employees are not prohibited from having unopened containers of alcoholic beverages in their personal vehicles.

3.0 APPLICANTS FOR EMPLOYMENT

Applicants determined to be final candidates for employment are to have drug and alcohol screening following a Conditional Offer of Employment. The Department shall not hire any applicant tentatively selected for employment who refuses to submit to a drug and alcohol test or who tests positive for use of non-prescribed controlled or unlawful drugs or alcohol.

4.0 CURRENT EMPLOYEES

All Columbia Police Department employees will be subject to drug and alcohol testing where "reasonable suspicion" of drug or alcohol use in violation of this directive exists, post accident circumstances or under other lawful conditions.

4.1 Reasonable suspicion is deemed to exist when:

1. Information is received by a reliable informant that an employee has used illegal drugs or alcohol;
2. Verifiable information obtained from other employees based on their observations;
3. When a supervisor can substantiate specific, contemporaneous, articulable observations concerning appearance, behavior, speech, or body odor or other physical indicators of probable drug or alcohol use. By way of but not limited to the following: slurred speech, odor of marijuana, physical or verbal altercation, unusual clumsiness, staggering or inability to walk a straight line, unusual behavior (i.e., confusion, disorientation, lack of coordination, marked personality changes, irrational behavior), sleeping on the job or lethargy, or other abnormal behavior.

4.2 Post-accident or serious post-accident circumstances:

1. Accident resulted in a fatality
2. Employee is issued a citation for a moving traffic violation
3. A serious accident occurred due to the apparent fault of the employee or in which the employee's performance could have contributed to the accident. The determination to test an employee will be based on the best information available at the time of the decision. A serious accident is defined as:
 - Accident caused bodily injury that requires medical care away from the scene of the accident;
 - One or more motor vehicles incurs disabling damages, requiring the towing of one or more of the vehicles from the scene by a tow truck or other vehicle;
 - Total aggregate property damage (all vehicles or property) in excess of \$1000 (one thousand dollars) based on reliable estimates;
 - Non-vehicular: Failed to follow established safety procedure or committed blatant or obvious safety violation that caused; or, may have caused, bodily injury or property damage.

4.3 Other conditions requiring an employee to submit to drug and alcohol testing are:

- An employee has been arrested for violation of drug laws.
- An employee has admitted violating the Department's drug directive

4.4 Random testing for illegal or unauthorized drugs and alcohol use shall be conducted for all sworn personnel and the following non-sworn personnel: Police Officer Candidate, Evidence/Property Supervisor, Evidence/Property Technician.

5.0 TESTING PROCEDURE

5.1 Drug and alcohol testing will be collected by an outside laboratory.

5.2 The collection of urine samples will be performed under reasonable and sanitary conditions. Urine normally will be collected under conditions of semi-privacy - that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule.

5.3 Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing company. Labeling, storage, and transportation of samples shall be performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.

5.4 Urine specimens will be checked for at least the following substances:

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|----------------------------------|---------------|
| Marijuana and related substances | Amphetamines |
| Cocaine | Phencyclidine |
| Opiates | |

5.5 Alcohol testing will be done by breath analysis.

5.6 Applicants and employees will have an opportunity to provide notification of any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.

5.7 Samples that initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer shall be conclusive for all employment-related purposes.

5.8 The City's Medical Review Officer will allow an employee whose drug or alcohol test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the City except in very limited circumstances.

6.0 USE OF PRESCRIPTION/OVER THE COUNTER DRUGS

An employee will inform their immediate supervisor if, prior to beginning work or while on duty, they have used or intend to use any prescription drugs, over the counter drugs, or other substance that might impair their ability to satisfactorily perform their duties. Failure to notify the supervisor under these circumstances may result in disciplinary action to and including termination depending on the severity of any resulting incident. The City's Human Resources Director will be consulted prior to such discipline being imposed.

7.0 NOTICE TO EMPLOYEES

The Columbia Police Department shall distribute to all employees a copy of this directive. Additional copies of this directive are available upon request. By continuing to work, the employee agrees that he will abide by the directive as a

condition of employment.

8.0 CONSEQUENCES OF VIOLATING THIS DIRECTIVE

The Department may terminate the employee if the test results for illegal drug or alcohol use are positive.

9.0 CONFIDENTIALITY

Any drug or alcohol test results or information supplied by employees and applicants as a part of the Columbia Police Department's drug testing program will be kept as confidential as possible, consistent with the purposes of this directive.

10.0 TESTING COSTS

The City will pay the costs of all drug tests to which the Columbia Police Department requires an employee to submit.

11.0 NOTIFICATION OF TEST RESULTS

11.1 Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.

11.2 Employees will be notified of the results, (including the drug(s) and/or alcohol discovered) of all drug tests, provided the results are positive.

12.0 EMPLOYEE ASSISTANCE PROGRAM

12.1 The City's Employee Assistance Program is coordinated through the South Carolina Vocational Rehabilitation Program. Most services provided through the program are at no cost to the employee. If any costs will be borne by the employee, the costs will be communicated in advance.

12.2 Periodically, the Columbia Police Department will make available to employees programs and information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

12.3 Information about the Employee Assistance Program is available through the Personnel/Recruiting Unit or the South Carolina Vocational Rehabilitation Department.