
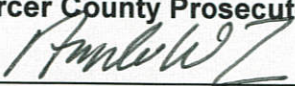
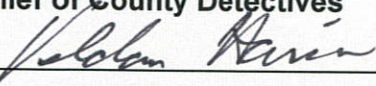


MERCER COUNTY PROSECUTOR'S OFFICE					
VOLUME: 01	CHAPTER: TBD	# OF PAGES: 17			
SUBJECT: Law Enforcement Drug Testing					
EFFECTIVE DATE: November 2, 2018		ACCREDITATION STANDARDS:	REVISION DATE:	PAGE #	
UNDER THE AUTHORITY OF: Angelo J. Onofri Mercer County Prosecutor 					
BY ORDER OF: Veldon Harris Chief of County Detectives 					
SUPERSEDES ORDER #:					

PURPOSE: The illegal use of drugs is incompatible with service in law enforcement and will not be tolerated by the Mercer County Prosecutor's Office. Integrity is an essential component of our relationship with the public and it is undermined when sworn law enforcement officers use drugs illegally. Citizens have the right to expect those who are sworn to protect them are both physically and mentally capable of performing their duties and fulfilling their responsibilities. The purpose of this policy is to safeguard the Mercer County Prosecutor's Office and its employees, and preserve public trust by establishing guidelines and procedures for drug testing law enforcement staff. This policy is in accordance and in compliance with New Jersey Attorney General Directive 2018-2 and New Jersey Attorney General's Law Enforcement Drug Testing Policy, revised April of 2018.

This policy only applies to the sworn law enforcement officers of the Mercer County Prosecutor's Office, including detective applicants and detective trainees.

POLICY: It is the policy of the Mercer County Prosecutor's Office that all sworn law enforcement staff, who are responsible for the enforcement of the criminal laws of this state and are authorized to carry a firearm under N.J.S.A. 2C:39-6, including applicants and trainees for these positions, are subject to urine testing for illegal drug use. For the purpose of this policy, all sworn investigative staff members regardless of their rank or assignment are hereinafter referred to as "detective."

Drug testing will occur when reasonable suspicion exists to believe that a detective is illegally using drugs or when a detective has been randomly selected to submit to a drug screen. As part of the hiring process, applicants will be drug tested prior to employment and can be tested at any time during the application process. Trainees may be drug tested at any time during their attendance at the New Jersey Division of Criminal Justice Basic Course for Investigators training academy. A negative drug test result is a continued condition of employment as a detective.

Any detective who has a positive test result for illegal drug use, as specified below, or who refuses to submit to a drug test upon a lawful order, shall be terminated from this agency upon final disciplinary action.

A detective who believes that they may have been exposed to illegal narcotics or prescription medication must immediately notify the Chief of Detectives and the Internal Affairs Unit, through their appropriate chain of command. Any detective who suspects another Mercer County Prosecutor's Office employee is using drugs illegally shall make an immediate report to the Internal Affairs Unit. Failure to immediately report any suspicions of illegal drug use will result in disciplinary action.

I. Types of Testing

A. Applicant Testing

Detective applicants shall be informed that the pre-employment process will include drug testing specified on the "Drug Testing Applicant Notice and Acknowledgement" form. Applicants for employment may be tested as many times as the Mercer County Prosecutor's Office deems necessary to ensure that the applicant(s) is not engaged in the illegal use of drugs. During the pre-employment process, the Mercer County Prosecutor's Office will comply with the provisions of the Americans with Disabilities Act (ADA) by refraining from making any medical inquiries. Therefore, the "Medication Information" form will not be used at the applicant stage unless a positive test result requires an explanation by the applicant.

The "Drug Testing Applicant Notice and Acknowledgement" form minimally indicates that a negative test result is a continued condition of employment and that a positive test result will be just cause for all of the following:

1. result in the applicant being dropped from consideration for employment;
2. cause the applicant's name to be reported to the central drug registry maintained by the Division of State Police; and
3. 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 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. Trainee Testing

Individuals hired as detective trainees who are required to attend and successfully complete a mandatory basic training course approved by the Police Training Commission 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. 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. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor.

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 test result is a continued condition of employment and that a positive test result, or a refusal to submit to a drug test, will result in:

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

C. Detective Testing

Detectives 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 when they are randomly selected for drug testing pursuant to this policy.

1. Reasonable Suspicion Testing

- a. Urine specimens shall be ordered from a detective when there exists a reasonable suspicion that the detective is illegally using drugs.
- b. Upon a report from any source that a detective may be illegally using drugs, the Internal Affairs supervisor, Chief of Detectives and the Prosecutor shall immediately be notified.
- c. Upon the approval of the Prosecutor and at the direction of the Chief of Detectives, the Internal Affairs Unit will initiate an investigation to establish whether a basis exists for reasonable suspicion of illegal drug use.
- d. The Internal Affairs Unit supervisor or designee shall document findings in a written report.
- e. The written report shall be submitted to the Prosecutor and Chief of Detectives for a determination if reasonable suspicion exists that the detective has engaged in illegal drug use.
- f. If the Prosecutor or Chief of Detectives, or designee, determines that reasonable suspicion of illegal drug use exists, the detective shall be ordered to submit a urine specimen for drug screening in accordance with the procedures listed below. Under emergent circumstances, approval may be given by the Prosecutor, Chief of Detectives, or designee, for a reasonable suspicion test on the basis of a verbal report. In such a case, a written report shall be made not less than 72 hours after verbal approval.
- g. Any detective having reason to believe that another employee of the Mercer County Prosecutor's Office is using drugs illegally must report it immediately or face disciplinary action. This immediate report shall be made directly to the Internal Affairs Unit.

2. Random Testing

- a. Random selection shall be defined as a method of selection in which each and every detective of the Mercer County Prosecutor's Office has an equal chance to be selected for each random drug test.
- b. The Prosecutor, or designee, shall determine the percentage of detectives selected for each random drug test. A minimum of 10 percent of the detective staff of the Mercer County Prosecutor's Office will be selected for each random drug test. If a detective is randomly selected for testing and is on approved leave for a period of time exceeding 15 working days, i.e. family medical leave, an additional detective will be selected to ensure that a minimum of 10 percent of the staff can be immediately tested. The detective initially selected shall be drug tested immediately upon their return to work. Random drug testing shall occur at least twice per calendar year.
- c. The method of random selection shall be as follows:
 1. The Prosecutor or Chief of Detectives shall designate the Internal Affairs Unit to conduct the selection process. A random selection process shall be used that ensures that every detective of the Mercer County Prosecutor's Office has an equal chance of being selected for each random drug test.
 2. This random selection process may be completed utilizing a manual method of drawing names randomly by lot or through a computer program obtained specifically to ensure random selection.
 3. The selection process will be conducted in the presence of the Prosecutor, Chief of Detectives, Internal Affairs supervisor, or their designees.
 4. A representative of each affected collective bargaining unit shall be notified and given an opportunity to witness the random selection process.
 5. All witnesses to the random selection process are present solely to ensure the process was conducted fairly. They will not learn the identity of who was selected for drug testing.
 6. The Internal Affairs supervisor or designee shall document the date of the random selection, the selection method used, all persons present at the time of the selection and the results of the selection.

Any member of the Mercer County Prosecutor's Office who discloses the identity of an employee selected for random testing prior to the test, or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, shall be subject to disciplinary action.

II. Notification of Detectives

- A. When a reasonable suspicion drug test is to be conducted, the Internal Affairs supervisor or designee will go to the detective at their work assignment and order the detective to accompany them to a designated lavatory to collect the specimen. In the event a detective who is subject to a reasonable suspicion drug testing is not at their work assignment, the Internal Affairs supervisor or designee shall locate the detective to conduct immediate testing. Any detective who interferes with or refuses to cooperate with a reasonable suspicion drug test shall be subject to disciplinary action.
- B. Detectives selected for random drug screening shall be contacted by the Internal Affairs supervisor or designee at their work assignment and shall immediately report to the designated lavatory to submit a urine specimen.
- C. The order to provide a urine sample for drug screening is a direct order from the Chief of Detectives. No detective has the right to refuse the order, nor has the right to delay the order for any reason, nor has the right to have a union representative or attorney present at the time the specimen is collected.
- D. If a detective is scheduled off, sick, or otherwise unavailable at the time of the random drug screening, they shall be tested immediately upon return to duty.

III. Collection Process Oversight and Selection of Monitor(s)

- A. The Internal Affairs supervisor or designee will be responsible for the overall supervision of the urine specimen collection. The Internal Affairs supervisor or designee shall be positioned at an appropriate location to supervise the processing, collection and storage of the urine specimens.
 - 1. The Internal Affairs supervisor or designee shall designate a monitor(s) to oversee the specimen collection process.
 - 2. The monitor shall always be of the same gender as the individual being tested.
 - 3. When a monitor of the same gender is unavailable, one will be requested from a local law enforcement agency.
- B. The monitor of the specimen collection shall be responsible for:
 - 1. Ensuring that all documentation is fully and accurately completed by the detective submitting the specimen.
 - 2. Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen. The monitor shall accompany the detective into the designated lavatory and shall remain there until the specimen is provided and the container is handed to the monitor. The monitor shall not directly observe the detective filling the specimen bottle unless there is an indication the detective attempted to adulterate or otherwise compromise the integrity of the specimen.
 - 3. If there is reason to believe that the detective will adulterate or otherwise compromise the integrity of the test process, the Chief of Detectives may authorize the monitor to directly observe the detective filling the specimen container. The information that formed the basis of the direct observation shall be provided in a written report within 72 hours of the collection.

4. Ensuring that individual specimens and forms are identified throughout the process using Social Security numbers. At no time shall a name appear on any form or specimen container sent to the New Jersey State Toxicology Laboratory.
5. Specimens shall be collected utilizing equipment and supplies approved by the New Jersey 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 New Jersey State Toxicology Laboratory.
6. Complying with the chain of custody procedures established for the collection of urine specimens and their subsequent submission to the New Jersey State Toxicology Laboratory for analysis.

C. In order to ensure the accuracy and integrity of the collection process, a monitor may:

1. Request that the detective providing the urine specimen remove outer clothing (such as jackets, sweaters, etc.), empty their pockets and wash their hands prior to producing a urine specimen.
2. Add tinting agents to toilet water and secure the area where the specimens are to be collected prior to specimen collection.

D. Preliminary procedures:

Prior to the submission of a urine specimen, a detective shall execute a Detective Notice and Acknowledgement form (Appendix B) advising the detective that a negative test result is a condition of employment and that a positive test result will subject the detective to disciplinary action outlined in this policy. The form shall also advise the detective that a refusal to participate in the test process carries the same penalties as testing positive. Detectives shall complete the Drug Testing Medication Information form (Appendix C), listing all prescription medication, non-prescription medication, dietary supplements and nutritional supplements that were ingested by the detective during the last 14 days. The Drug Testing Medication Information form shall be placed in an envelope which is sealed by the detective. The detective shall write their Social Security number on the front of the envelope, and date and initial over the rear seal of the envelope. This sealed envelope accompanies the urine specimen to the New Jersey State Toxicology Laboratory.

E. Specimen Collection

1. The detective and monitor shall:
 - a. Unless otherwise noted, all steps must be completed by the individual detective being tested in the presence of the monitor.
 - b. The detective must provide two urine samples, per New Jersey Attorney General Directive 2018-2.
 - c. The monitor allows the detective to select two sealed specimen container kits.
 - d. The detective unseals both kits and removes the kits' contents on a clean surface.

- e. Using an ordinary pencil, the detective writes their Social Security number and the letter "A" below the Social Security number on one of the labels, and places the label inside one of the specimen containers, printed side facing out, thereby designating the bottle and subsequent produced sample as "Bottle A" (First sample). Only an ordinary pencil can be used for this labeling.
- f. Next, using an ordinary pencil, the detective writes their Social Security number and the letter "B" below the Social Security number on the second label, and places the label inside of the second specimen container printed side facing out, thereby designating the bottle as "Bottle B" (Second sample). Only an ordinary pencil can be used for this labeling.
- g. The monitor will check that the detective's Social Security number on both labels match the submission forms.
- h. The monitor will instruct the detective to deposit a specimen between 45 ml and 60 ml into each specimen container, to not flush the toilet, and return with both specimens immediately after the specimen is produced.
- i. The monitor will check each specimen for adequate volume and the temperature indicator strip on the specimen container within four minutes. A color change between 90 degrees and 100 degrees Fahrenheit indicates an acceptable specimen temperature reading. The monitor indicates if the temperature is acceptable in the "Yes/No" column for each specimen and writes the collection date and their initials in the spaces provided on the submission form.

If the temperature strip does not indicate the acceptable temperature, the monitor shall consider the possibility that the detective attempted to tamper with the test collection. The Internal Affairs supervisor should be immediately notified and a determination should be made if testing needs to be repeated.

- j. If the monitor is satisfied that all test requirements are met and the required documentation is accurate, the monitor shall request that the detective seal each one of the specimen containers. If necessary, the detective may request the assistance from the monitor in sealing the specimen container cap. However, this assistance will only be done with the expressed permission of, and in the presence of, the detective supplying the specimen. Additionally, closure devices that aid in the sealing of the specimen containers will be available.
- k. The monitor shall take possession of both specimens and accompanying documentation. Once the detective has relinquished the specimens to the monitor and they have been accepted, the detective has fulfilled their obligation and shall not be ordered to resubmit urine specimens, absent reasonable suspicion or another random selection.

- I. All specimens and documentation are collected and maintained by the Internal Affairs Unit supervisor, or designee. The Internal Affairs Unit supervisor shall ensure that all specimens are stored in a controlled access refrigerator until such time as they can be delivered to the New Jersey State Toxicology Laboratory.

2. Procedure for "Shy Bladder":

When a detective initially produces an inadequate amount of urine, the monitor shall do the following:

- a. Advise the detective that they must remain on the premises and will remain under the supervision of a test monitor, or a member of the Internal Affairs Unit, or designee.
- b. While the detective is under supervision, he/she will be allowed to drink fluids 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.
- d. If the detective remains unable to provide a specimen after a reasonable period of time, the Chief of Detectives shall be notified and will determine whether the detective will remain in the presence of the monitor until further attempts to produce a sample are successful or whether the testing of the detective will be discontinued.
- e. If the detective remains unable to provide a specimen after a reasonable period of time, the Chief of Detectives or designee may have the detective examined by a doctor (chosen by the Mercer County Prosecutor's Office) 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. A monitor shall accompany the detective to this medical evaluation.

IV. Submission to the New Jersey State Toxicology Laboratory

- A. Both urine specimens will be submitted to the New Jersey State Toxicology Laboratory, per New Jersey Attorney General Directive 2018-2.
- B. The New Jersey State Toxicology Laboratory is the only facility approved for the analysis of law enforcement drug tests conducted under the Law Enforcement Drug Testing Policy. The Mercer County Prosecutor's Office is not permitted to use any other facility or laboratory for the purpose of analyzing urine specimens for illegal drug use by law enforcement officers.
- C. Urine specimens should be submitted to the New Jersey State Toxicology 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 Mercer County Prosecutor's Office shall store the specimens in a controlled access refrigerated storage area until submission to the New Jersey State Toxicology Laboratory.

- D. Submission of specimens to the New Jersey State Toxicology Laboratory shall be hand delivered by a member of the Internal Affairs Unit or designee or commercial courier using "next day delivery." Specimens submitted by commercial courier must be packaged to ensure their integrity.
- E. All specimens must be accompanied by the Law Enforcement Drug Testing Custody and Submission form and the sealed envelope containing the Drug Testing Medication Information form.
 - 1. Both specimens will be submitted to the New Jersey State Toxicology Laboratory.
 - 2. One specimen will be tested. The second specimen will be maintained for 60 days following the Mercer County Prosecutor's Office receiving a positive drug test result from the laboratory.
- F. Any specimen that shows evidence of tampering or damage will be rejected by the New Jersey State Toxicology Laboratory.

V. Testing

The specimen will be tested by the New Jersey State Toxicology Laboratory for the following substances and their metabolites:

- A. Amphetamines;
- B. Barbiturates;
- C. Benzodiazepines;
- D. Cocaine;
- E. Marijuana;
- F. Methadone;
- G. Opiates;
- H. Oxycodone/Oxymorphone; and
- I. Phencyclidine.

In addition to the controlled substances listed above, a law enforcement executive may request that a specimen(s) be tested for the presence of steroids and other currently abused chemicals.

VI. Drug Test Results

- A. The State Toxicology Laboratory shall notify the Mercer County Prosecutor's Office of any positive test results in writing as soon as possible, but no longer than 15 working days from the date of the submission.
- B. Under no circumstances will the Mercer County Prosecutor's Office or any individual from the Mercer County Prosecutor's Office resubmit a specimen for testing or ask that a particular specimen within the possession of the New Jersey State Toxicology Laboratory be retested.

- C. The Mercer County Prosecutor's Office shall notify the detective of a positive test result as soon as practicable after receipt of the report from the New Jersey State Toxicology Laboratory. Upon request, the detective may receive a copy of the laboratory report indicating the positive test result.
- D. When a specimen tests positive, a medical review officer from the State Toxicology Laboratory will review the test results together with the Drug Testing 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 Mercer County Prosecutor's Office to obtain further information from the individual being tested concerning the medications listed on the Drug Testing Medication Information form to determine whether the detective had a valid prescription for that drug. The detective may be required to provide documentation related to prescribed medications that may have caused the positive test result. Additionally, the detective may be required to authorize a medical waiver for the Mercer County Prosecutor's Office to obtain this medical documentation directly from their physician to ensure the medication was not illegally used. This waiver would be of limited scope, requiring documentation of a valid current prescription medication that may have caused the positive test result. 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. Detectives who do not have a valid prescription are subject to disciplinary action.
- F. A detective who believes that they may have been exposed to illegal narcotics or prescription medication that may cause a positive drug urine screening must immediately notify the Chief of Detectives and the Internal Affairs Unit, through their appropriate chain of command. This notification will result in a medical evaluation to ensure the health and safety of the exposed detective. Failure to make this immediate notification of exposure will result in any positive test deemed as an illegal use of drugs.

VII. Positive Test Result and Independent Testing of the Second Sample

The second specimen will be released by the New Jersey State Toxicology Laboratory under the following circumstances:

- A. The Mercer County Prosecutor's Office is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance; and
- B. The Mercer County Prosecutor's Office notifies the detective that the first specimen tested positive for a controlled substance; and
- C. The Mercer County Prosecutor's Office is informed by the detective whose specimen tested positive that he/she wishes to challenge the positive result.
- D. The detective who tested positive must designate, from a list maintained by the New Jersey State Toxicology Laboratory, 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. The detective will pay all costs associated with the reception and testing of the sample.
- E. 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 laboratory by pre-paid tracking mail also following accepted chain of custody procedures.

- F. Following testing of the second specimen, the independent laboratory will report the result of the second specimen drug test to the detective, the Mercer County Prosecutor's Office, and to the medical review officer from the New Jersey State Toxicology Laboratory.

VIII. Consequences of a Positive Test Result

Any detective who tests positive for illegal drug use shall be:

- A. Immediately suspended from all duties;
- B. The detective shall be administratively charged and upon final disciplinary action, terminated from employment as a detective with the Mercer County Prosecutor's Office;
- C. Reported to the Central Drug Registry maintained by the Division of State Police; and
- D. Permanently barred from future law enforcement employment in New Jersey.

IX. Consequences of a Refusal to Submit to a Drug Test

- A. Detectives who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended from employment.
- B. Upon a finding that the detective did in fact refuse to submit a sample, the detective shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey.
- C. In addition, the Mercer County Prosecutor's Office shall forward the detective's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- D. Please note that if there is no valid reason why a detective cannot produce a specimen, the detective's actions will be treated as a refusal.
- E. In addition, a detective 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 in Lieu of Disciplinary Action

A detective 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 the Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.

XI. Record Keeping

- A. The Internal Affairs Unit shall maintain all records relating to the drug screening of the detectives of the Mercer County Prosecutor's Office. The records of drug testing shall be maintained with the same level of confidentiality as all internal affairs files.
- B. For all drug testing, the records will include at least:
 - 1. The identity of detectives ordered to submit urine samples;
 - 2. The reason for that order;
 - 3. The date the urine was collected;
 - 4. The monitor of the collection process;
 - 5. The chain of custody of the urine sample from the time it was collected until the time it was received by the New Jersey State Toxicology Laboratory;
 - 6. The results of the drug testing;
 - 7. Copies of notifications to the subject;
 - 8. For any positive result, documentation from the detective's physician that the medication was lawfully prescribed and does not render the detective unfit for duty;
 - 9. For any positive result or refusal, appropriate documentation of disciplinary action.
- C. Additionally, random drug testing records will include:
 - 1. A description of the process used to randomly select detectives for drug testing;
 - 2. The date of that selection;
 - 3. A copy of the document listing the identities of the detectives selected for drug testing;
 - 4. A list of the detectives who were actually tested;
 - 5. The date the urine was collected.

XII. Central Drug Registry

- A. The Mercer County Prosecutor's Office shall notify the Central Drug Registry maintained by the Division of State Police of the identity of all detectives who test positive for the illegal use of drugs or refuse an order to submit to a drug test (Attachment D).

B. 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, 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.

C. 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

D. Information contained in the Central Drug 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.

XIII. Adherence to New Jersey Attorney General Guidelines

Any and all issues or points not specifically covered herein shall be controlled by the New Jersey Attorney General Directive 2018-2 and New Jersey Attorney General's Law Enforcement Drug Testing Policy, revised April of 2018.

ATTACHMENT A

DRUG TESTING

APPLICANT NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the pre-employment process, the Mercer County Prosecutor's Office 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

DETECTIVE NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of my employment with the Mercer County Prosecutor's Office, 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.

I understand that a negative drug test result is a condition of my continued employment as a sworn county detective with the Mercer County Prosecutor's Office.

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 "Detective 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 Detective Date

Signature of Witness Date

ATTACHMENT C

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.

Social Security Number and Initials

Date

ATTACHMENT D

NOTIFICATION TO THE CENTRAL DRUG REGISTRY

AGENCY SUBMITTING					
AGENCY			PHONE		
ADDRESS		CITY	STATE	ZIP	
CONTACT PERSON		TITLE	PHONE		
PERSON TO BE ENTERED					
LAST NAME	FIRST NAME	INITIAL	GENDER	RACE	EYE COLOR
THIS PERSON WAS:					
<input type="checkbox"/> APPLICANT		<input type="checkbox"/> TRAINEE			
<input type="checkbox"/> SWORN OFFICER- RANDOM		<input type="checkbox"/> SWORN OFFICER- REASONABLE SUSPICION			
ADDRESS					
CITY			STATE	ZIP	
DOB	SSN	SBI NUMBER (IF KNOWN)			
REASON FOR NOTIFICATION					
THE PERSON LISTED ABOVE <input type="checkbox"/> TESTED POSITIVE FOR _____ (IDENTIFY SUBSTANCE)					
OR					
<input type="checkbox"/> REFUSED TO SUBMIT A URINE SAMPLE					
DATE OF THE DRUG TEST OR REFUSAL			DATE OF FINAL DISMISSAL OR SEPARATION FROM AGENCY		
<u>CERTIFICATION</u> <i>(Must be completed by Chief or Director. Must be notarized with raised seal)</i>					
I hereby affirm that the above information is true and correct to the best of my knowledge.					
Print Name _____ Title _____					
Sworn and subscribed before me this _____ day of _____, _____.					
(Seal) _____					

Mail to: Division of State Police
Records and Identification Section
P.O. Box 7068
West Trenton, New Jersey 08628-0068