

# Metropolitan Police Department □ Washington, D.C.



## GENERAL ORDER



<b>Subject:</b>  <b>Random Drug Screening Program</b>	<b>Series</b>	<b>Number</b>	<b>Distribution</b>
	<b>1002</b>	<b>5</b>	<b>A</b>
	<b>Effective Date</b>		
	<b>January 9, 1998</b>		
	<b>Revision Date</b>		
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The Random Drug Screening Program is a key component of the Metropolitan Police Department's drug screening procedures to deter illicit drug use in order to further ensure the public's trust in our Department and to reinforce the public's confidence in the integrity of all sworn members. The law enforcement mission of the Department cannot be effectively achieved without public confidence in the integrity of its police officers. Any illicit drug use erodes that confidence and breeds disrespect for the law and for those entrusted with upholding it. This program is designed to be a proactive approach and deterrent to a serious societal problem facing all police officers and officials. Random drug screening, along with the routinely scheduled physical examination drug screening program, is a reasonable, preventative, and protective procedure that maintains the Department's image and capability as an effective law enforcement agency. This order consists of the following parts:

**PART I Responsibilities and Procedures for Members of the Department**

- A. General.
- B. Notification.
- C. Appearance at Screening Site.
- D. Refusal.
- E. Failure to Appear at the Clinic.
- F. Positive Screening Results Pending Confirmation.
- G. Confirmation of Test Results.
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## **PART I**

### **A. General**

For the purposes of this order the following definitions apply:

**Clinic Medical Director** - The physician (or designee) director of the Police and Fire Clinic.

**MPD Liaison Official** - The MPD official (or designee) assigned to the Police and Fire Clinic.

**Medical Review Officer** - The physician responsible for reading and interpreting drug screen analysis reports.

1. The confirmed finding of an illicit or unauthorized substance in the urine, the refusal of a member to submit to a drug screen, or the involvement of a member in any action which undermines the integrity of the drug screening program or circumvents the procedures established by this department in conjunction with this program shall result in an adverse action recommendation for termination of employment.
2. The collection procedures outlined in General Order 1002.4, Drug Screening Program and Urine Specimen Collection Manual, shall be used to collect and process urine specimens obtained pursuant to the provisions of this order.
3. The Human Resources Officer shall use a computer program to randomly select sworn members regardless of rank at the beginning of each working day (Monday through Friday exclusive of holidays) from the entire pool of sworn members on the Department's personnel file. All sworn members will have an equal chance of being selected each day, therefore, some members may be selected more than once before other members are selected. The potential for selection again shortly after a drug screening is an important element of the preventative aspect of this program.

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4. The Human Resources Officer shall prepare a PD 317 (Notification to Report for Random Drug Screening) for each member selected that morning and ensure that the PD 317s are delivered directly to the appropriate Watch Commanders before the first roll call of the day.

5. Sworn members are prohibited from taking prescription medication that is not prescribed for them or taking medications in doses higher than recommended for their course of treatment.

**B. Notification**

Members will be notified to appear at the Clinic by means of a PD 317 presented by their Watch Commander as soon as possible after the Watch Commander receives the PD 317. The Watch Commander shall direct the member to report to the Clinic for testing. The Watch Commander shall notify the Human Resources Bureau (HRB) Lieutenant that the member has been directed to report for drug screening at the specified time. Members shall sign and date the notification form to document their acknowledgment that they were directed to report for drug screening. The original PD 317 shall be retained at the member's unit in a confidential file. A copy of the signed PD 317 shall be FAXED (or if necessary, hand carried) to HRB immediately after the form is signed.

1. If a member is on previously approved annual leave, military leave, sick leave, leave without pay or a scheduled day off when the notification is initially received by their unit, the Watch Commander shall document the reason that the member could not be tested on the PD 317. The PD 317 shall be FAXED (or if necessary, hand carried) to HRB immediately after roll call.

2. When selected, members on administrative leave and extended sick leave shall report for screening as directed by their unit Watch Commander.

3. Members working tours of duty that coincide with the Clinic hours of operation for drug testing from 0700 to 2100 shall report to the Clinic, while on duty, to provide a specimen. Members working a tour of duty that does not start during the time period when the Clinic is open shall be scheduled to report to the Clinic no later than the conclusion of their tour. Members that are scheduled to report after their normal tour ends will receive compensation pursuant to the provisions of G.O. 206.1. The member shall prepare a PD 1130 which will be signed by a Clinic official.

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4. If the member has a scheduled court commitment on the screening day, the member shall be directed to report to the Clinic prior to going to court, or if that is not possible, report to the Clinic after leaving court. The Director, Court Liaison Division, shall be notified of the requirement that the member report for Random Drug Screening.

5. The Watch Commander shall send the Human Resources Officer an e-mail message confirming the names of the members that were directed to report for drug screening and the members selected for drug screening that could not report on the selected date including the reason the member could not report. If e-mail is unavailable, the Watch Commander shall FAX the confirmation message to HRB before the end of the tour.

**C. Appearance at Screening Site**

1. Members shall report to the Clinic on the date and time specified by their Watch Commander and shall:

- a. Ensure that their urine specimen is not contaminated with any foreign substance (adulteration) or diluted during the collection phase.
- b. Submit their own urine specimen, and ensure that the specimen has not been substituted for another substance.
- c. Not substitute their own urine specimen with any other person's specimen during the screening process.
- d. Not take any action that would undermine the integrity of the drug screening program or circumvent the procedures established by this Department in conjunction with the drug screening program.

2. When a member reports to the Clinic for screening under this program, the member shall have their identification folder, identification card for non-contact members, or other officially issued proof of identification that includes a photograph of the member.

3. When a member reports sick after being served with a PD 317 they shall notify an official and report to the clinic for screening as directed. If a member is physically unable to report to the Clinic due to an incapacitating illness

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or injury on their screening day, they shall notify an official. The official shall prepare an investigative report documenting the circumstances which shall be signed by the Watch Commander then forwarded to the Human Resources Officer.

4. Emergency annual leave will normally not be granted except under unusual circumstances after a member has been served with a PD 317. When requesting emergency leave the member shall advise the official that they have been served with a PD 317 and the specific reason(s) for the leave. If emergency leave is granted, a report documenting the unusual circumstances shall be submitted by the member to their supervisor on the member's return to duty. In turn, the official granting the emergency leave shall prepare an investigative report with recommendations, through channels, to the Human Resources Officer within three (3) business days. The official granting the emergency leave is responsible for verifying the emergency prompting the request.

**D. Refusal**

Refusal of a sworn member to submit to screening under this program shall result in the recommendation of termination of that member from the Metropolitan Police Department for refusal of Drug Screening.

**E. Failure to Appear at the Clinic**

Members that have been properly notified and fail to appear at the Clinic will be deemed to be in a "Refusal" status absent exigent circumstances. The member shall immediately report the existence of exigent circumstances to their unit Watch Commander, or if unavailable, to the Communications Division Watch Commander. A report documenting the exigent circumstances shall be submitted by the member to their immediate supervisor. In turn, the supervisor shall prepare an investigative report with recommendations, through channels, to the Human Resources Officer within three (3) business days. The validity of exigent circumstances shall be determined by the Human Resources Officer.

**F Positive Screening Results Pending Confirmation**

The specimen of a member determined to be positive for illicit substances during the screening shall be tested using Gas Chromatography/Mass Spectrometry (GC/MS) to confirm the presence in the specimen of metabolites resulting from the use of illicit substances. The duty status of the member shall not be changed until the confirmation test results are received and reviewed by the Medical Services Division Director.

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**G. Confirmation of Test Results**

1. If the confirmation test is negative no further action will be taken.

2. If the confirmation test is positive, the member shall be contacted by an MPD Liaison officer and directed to report to the Clinic where they will be interviewed by the Medical Review Officer (MRO) and an MPD Clinic liaison official regarding the confirmed positive test results.

3. In the case of a positive confirmation of a sample wherein the testee states that they are taking medication and where the confirmation levels are consistent with the reported medication, the MRO shall interview the testee to verify the proper use of prescription medications that could explain the confirmation levels. If the positive test results can not be explained based on the prescription medication taken, the case shall be referred to the Office of Internal Affairs (OIA).

**H. Circumvention of Random Drug Screening Procedures**

Any attempt to circumvent the procedures of the random drug screening program shall be investigated by OIA. An investigative report shall be prepared, with recommendations, and forwarded to the Human Resources Officer within 30 calendar days.

**I. Adverse Action Proceedings**

The Human Resources Officer will initiate the preparation of termination proceedings based on the recommendations from OIA for all members with a confirmed positive urine test that are not the result of bona fide medical treatment by a licensed physician, psychiatrist, and/or dentist. Members refusing to appear for or submit to drug screening or the involvement of a member in any action which undermines the integrity of the drug screening program or circumvents the procedures of the program will also be recommended for termination.

**PART II**

**A. Officials.**

1. Officials shall ensure that members under their direction strictly comply with the procedures outlined in this program.

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2. Officials shall not post, publish, disseminate, or in any other way make known the names of members scheduled to be screened.

3. Because of the potential for the adverse "labeling" of a member, all activities associated with this program shall be considered confidential and personal. Violation of the confidentiality aspects of this program shall be considered as a circumvention of the random drug screening program and may subject the offending member to disciplinary action.

4. Officials shall take extreme care to respect the employee's personal integrity during the entire drug screening process.

**B. Command Personnel.**

Bureau Heads and Commanding Officers shall:

1. Ensure that the PD 317 is served as soon as possible on the day of receipt and that the member signs the PD 317 to document their acknowledgment of selection for random drug screening .

2. Ensure that the Clinic is notified when a member is scheduled for drug screening in accordance with the provisions of this order.

3. Ensure the verification of the status of members whose PD 317s show that they are on Suspension without Pay, Leave without Pay, or Extended Sick Leave without Pay. Upon verification, forward the PD 317s to the Human Resources Officer.

4. Ensure that the executed PD 317 is retained and filed at their unit for three years (3) and then destroyed.

5. Investigate all reports of attempts to circumvent the procedures of the random drug screening program, which are forwarded to them by the Director, MSD, including refusals and failures to appear. The completed investigative report will, in all instances, be forwarded in 30 calendar days through channels to the Human Resources Officer with adverse action recommendations.

6. Upon notification by the MSD Director of a positive confirmed drug test, order the member to report to OIA.

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**C. Director, Medical Services Division.**

The Director shall:

1. **Oversee urinalysis screening for narcotic or controlled substance use on all sworn members who are selected under this program and so notified.**
2. **Ensure that drug screening can be performed during the times and dates when members are scheduled to report.**
3. **Notify the Bureau Head of any member who refuses to submit to a drug screen or who fails to appear for screening.**
4. **Investigate confirmations of positive testing wherein the testee claims the use of prescribed medication.**
5. **Ensure that the provisions of General Order 1002.4 are followed with regard to collecting and processing urine specimens.**
6. **Establish and maintain Clinic guidelines and regulations that ensure the integrity of the drug screening program.**
7. **Ensure that OIA is notified in accordance with the provisions of this order.**
8. **Upon notification of a confirmed positive screening result, notify the member's Bureau Head and the OIA. The Director shall submit a preliminary report to the Chief of Police containing the facts of the case.**

**D. Office of Internal Affairs.**

1. **Upon notification of a confirmed positive screening result, prepare a final investigative report with recommendations to be forwarded to the Human Resources Officer.**
2. **Investigate all reports referred by the Human Resources Officer of members attempting to circumvent the established procedures for the random drug screening program and prepare recommendations to the Human Resources Officer.**



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**E. Director, Information Services Division**

The Director shall:

1. Support the operation of an automated process that will randomly select sworn members as outlined in Part IA3.
2. Ensure that the automated program is placed in a computer maintained within the Office of the Human Resources Officer with a security access code selected by and maintained by the Human Resources Officer.
3. Ensure that the Support Services Officer is provided with a security access code selected by and maintained by the Support Services Officer to be used during the absence of the Human Resources Officer.

**F. Human Resources Officer**

The Human Resources Officer shall:

1. Use the automated selection program to select members each morning when the Clinic is open.
2. Prepare the PD 317s and forward them in a sealed envelope to the BureauHead of the appropriate organizational elements each morning.
3. Review reports of non-compliance with, or the circumvention of, the random drug screening program submitted by Bureau Heads or Commanding Officers and initiate adverse action proceedings based on their recommendations.
4. Record the disposition of members selected for drug screening: not available for screening on this date, directed to Clinic but did not report, tested negative, tested positive.
5. Refer, as appropriate, reports of non-compliance or circumvention for further investigation to OIA.
6. Initiate the preparation of adverse action proceedings based on recommendations of the Director, Medical Services Division or the OIA.

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7. The Human Resources Officer may temporarily suspend the random selection of members in the event of a total mobilization of sworn members or for any other reason deemed appropriate by the Chief of Police. The FOP Labor Committee shall be notified of the suspended status of the program.

G. Support Services Officer.

The Support Services Officer shall be responsible for carrying out the provisions of Part II F during the absence of the Human Resources Officer.

H. Future Revisions.

The Human Resources Officer may make minor modifications to this order to reflect improvements in the drug screening program. The FOP Labor Committee will be notified of any changes to this order prior to the effective date of any proposed changes.

I. Inspections.

Audit and Compliance Division, Office of Professional Responsibility personnel shall reserve the right to inspect the Clinic at any time, and are authorized to conduct unannounced inspections.

J. Confidentiality of Records.

The Director, Medical Services Division, shall ensure that the records are secured in compliance with the Privacy Act, 5 U.S.C. 552a and the patient access and confidentiality provisions of Chapter 31 of the District Personnel Manual. The Director shall establish a Privacy Act System of Records to protect both the agency's and the reference laboratories' records of employee urinalysis results. The Privacy Act System shall have specific provisions requiring that employee records are maintained and used with the highest regard for employee privacy.



Sonya T. Proctor  
Interim Chief of Police

STP:DHW:WRP:rsk