
	<b>LOWER MERION TOWNSHIP POLICE DEPARTMENT</b> <b>Ardmore, Pennsylvania</b>	
	<b>Policy 3.3.6</b>	
Subject:		Distribution:
<b>Substance Abuse Program</b>		<b>All Sworn Personnel</b>
Date of Issue:	Expiration Date:	Rescinds:
<b>06-01-2014</b>	<b>Until Amended or Rescinded</b>	<b>General Order: 05-37</b>
References:		
<b>CALEA: N/A; PLEAC: N/A</b>		
By Authority of:		
		<b>Superintendent of Police</b>

## **PURPOSE**

The purpose of this policy is to inform all employees of the provisions of the Township of Lower Merion Police Department's Substance Abuse Program.

## **POLICY**

The critical mission of law enforcement establishes a compelling need to maintain a drug and alcohol free work environment. Officers who engage in the prohibited use of drugs, alcohol and controlled substances risk their safety, and that of their fellow officers and the community they serve. Substance abuse undermines the integrity of the Department and increases the potential for corruption. Therefore, it is the policy of this Department to maintain a drug and alcohol free workplace in part through the use of random employee drug testing.

## **DEFINITIONS**

- A. **Alcohol**: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.
- B. **Controlled Substance**: Any substance, which is illegal to consume, possess, manufacture or distribute, or any psychoactive substance drug or medication that requires the prescription of a licensed medical practitioner.
- C. **Drug**: Any substance that is restricted or prohibited by this policy.
- D. **Drug and Alcohol Test**: The compulsory production and submission of blood, breath or urine, in accordance with Departmental procedures, to detect prohibited drug or alcohol usage. While this policy provides for only the submission of urine for detection and analysis of controlled substances, it does not preclude the Department from using a blood, breath or other test for the same purposes.

- E. Random Selection:** A method of selection in which each and every sworn employee has an equal chance to be selected for drug testing each and every time a selection is conducted.

## **PROCEDURES**

### **A. Prohibited Activity**

1. No employee shall illegally possess any controlled substance.
2. No employee shall knowingly ingest any controlled substance unless prescribed by, and taken in accordance with, the directions of a licensed medical practitioner.
3. Employees shall notify their immediate supervisor when required to use prescription medicine, which they have been informed, has the potential to impair job performance. They do not need to identify their specific illness.
  - a. The employee shall advise his/her supervisor of the known side effects of such medication and the prescribed period of use.
  - b. The employee may be temporarily reassigned to other duties, when appropriate.
  - c. Supervisors shall document this information through the use of an internal memorandum and forward it to Human Resources through the chain of command.
4. Any employee who unintentionally ingests, or is made to ingest, a drug or controlled substance, shall immediately report the incident to their supervisor so that appropriate medical steps may be taken to ensure the officer's health and safety.
5. No employee shall consume any intoxicating beverage while on duty or on Township premises, unless authorized by a supervisor in the course of their employment.
6. No employee shall:
  - a. Report for duty with the odor of an alcoholic beverage on his or her breath or person; or
  - b. Report for work, or be on duty as a law enforcement officer when alcohol or drugs have impaired his or her judgment or physical condition.

## B. Drug and Alcohol Testing Types

### 1. Frequency by Employee Assignment

- a. Personnel may be required to undergo additional drug testing as a condition of assignment or transfer to specialized units/assignments as established by Department policy.
- b. Specialized units/assignments are designated by the Superintendent of Police and include, but are not limited to, narcotics, evidence custodian, investigations, juvenile, the emergency response team, and multi-jurisdictional task forces.

### 2. Reasonable Suspicion Drug Testing

- a. Supervisory personnel may request the Command Staff and/or Program Manager to order a drug and/or alcohol test of any employee when there is reasonable suspicion to believe that an employee has used or has possession of any controlled substance or alcohol while on duty or during working hours. An employee under reasonable suspicion may be removed from duty, with pay, pending the results of drug/alcohol testing. Reasonable suspicion to request a drug and/or alcohol test is based on a totality of circumstances. The **Township of Lower Merion Substance Abuse Handbook for Police** includes a list of indicators that may initiate a drug and/or alcohol test, see Section III, C, of the Handbook. The list is not all-inclusive.

### 3. Random Selection Testing

- a. Methodology described in the **Substance Abuse Handbook for Police**.

## C. Drug and Alcohol Testing Procedures

1. Testing shall conform to the methodology described in the **Substance Abuse Handbook for Police**.

## D. Chain of Evidence-Storage

1. Each step in the collection and processing of urine specimens shall be documented to establish procedural integrity and the chain of custody.
2. Where a positive result is confirmed, urine specimens shall be retained by the laboratory in properly secured, long-term storage.

## **E. Drug and Alcohol-Test Results**

1. All records pertaining to Department required drug tests shall remain confidential and shall not be provided to other employers or agencies without the written permission of the person whose records are sought or a properly issued subpoena.
2. Drug test results and records shall be stored and retained in compliance with the law.
3. The Township's Human Resources Department shall maintain all records relating to drug testing results of applicants and law enforcement officers.
4. Any employee receiving a confirmed positive drug test result will be removed from duty pending termination of employment.
5. Any employee receiving a positive alcohol test shall be subject to the following:
  - a. First offense – A minimum 3-day (24 Hr.) suspension from duty and required rehabilitation.
  - b. Second offense – A minimum 5-day (40 Hr.) suspension from duty and required rehabilitation.
  - c. Third offense - Termination of employment.

## **RESPONSIBILITIES**

- A. All supervisory staff are responsible for ensuring that personnel under their supervision comply with all aspects of this policy.
- B. The legal right of all personnel to maintain confidentiality in the results of their drug tests shall be observed by all employees.