

## SAN DIEGO POLICE DEPARTMENT ORDER

**DATE/TIME:** AUGUST 17, 2021 1700 HOURS  
**NUMBER:** OR 21-21  
**SUBJECT:** RANDOM DRUG TESTING PROCEDURES  
**COST CENTER:** 1914161211  
**SCOPE:** ALL MEMBERS OF THE DEPARTMENT  
**DEPARTMENT PROCEDURE AFFECTED:** N/A

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All sworn members of the Department are subject to the Department's Random Drug Testing Program, as negotiated between the Police Officers Association and the City of San Diego, memorialized in Article 57 of the Police Officers Association Memorandum of Understanding FY 2022, effective July 1, 2021. This Department Order incorporates by reference the full text of Article 57. Officers to be tested will be notified by their commanding officers, or designees.

The Concentra facility at 5575 Ruffin Road, Suite 100, is open twenty-four (24) hours, seven (7) days a week to accommodate third watch officers. This is the only Concentra facility with extended hours.

### **Notification Procedures**

Random drug testing notification procedures require the use of the standardized notice form that can be located on the F: Drive in the Medical Assistance folder titled, "Random Drug Testing Form".

### **The following notification procedures are to be followed:**

1. The notifying supervisor will complete the form for the employee who is to test and make a copy. The employee will be provided the original form.
2. Employees shall present themselves for testing at the earliest possible time during the shift, but no later than four hours after being notified that they are to be tested.
3. The employee will take the original form and have it date/time stamped and signed at the testing facility when appearing to submit to the breath alcohol test and a urine sample for other specific drugs.
4. **All officers on duty and in-county shall be served regardless of schools, training, or special assignments**

5. The supervisor will follow-up with the employee to ensure compliance with the four hour limit. The copy of the notice will be destroyed after the employee returns the original completed RDT form.
6. On the next business day, the supervisor will inform Medical Assistance of any RDT notices that were not served in instances where the employee cannot be notified within the timeframe above due to being on an emergency response. Also, on the next business day, the supervisor is to send Medical Assistance a copy of the completed RDT form for those officers who completed their test. The copy can be, 1) scanned /e-mailed (preferred); or 2) faxed.
7. The command will retain the original for 90 days.

### **Testing Procedures**

Random drug testing procedures, as outlined in Article 57 of the Police Officers Association Memorandum of Understanding, require sworn employees to comply with the following procedures while at the medical contractor's site:

1. Officers will be required to stay within the medical contractor's facility until the required breath alcohol test is performed and/or a urine sample is given.
2. Urine sample must be at least 45 ml, the minimum amount required for testing purposes.
3. Officers are required to sign and complete all requested paperwork. A failure to complete all necessary steps and requested paperwork is an unjustifiable failure to test, which may result in discipline.

#### **At the testing site, the employee being tested will:**

- A. Identify themselves by presenting one of the following: Their Department identification, City of San Diego Employee identification, or valid driver license.
- B. Complete requested paperwork, the forms used by Concentra ask for the officer's City identification number. For Privacy Act reasons, officers are not required to provide their social security number or their birth date. The San Diego Police Identification Card contains the officer's City identification number to be used.
- C. Officers will be directed to remove jackets or other bulky items and secure them in a storage locker.

Participate in a breath alcohol test and provide a urine sample.

The breath alcohol test should be conducted in a room that provides privacy to the employee being tested.

The medical technician will open an individually sealed, disposable mouthpiece in view of the employee and attach it to the Evidential Breath Testing Device (EBT). After the testing procedures are explained to the Employee, the Employee and the medical technician must complete, date, and sign the City of San Diego's Breath Alcohol Testing Form.

The medical technician will instruct the Employee to blow forcefully into the mouthpiece to obtain a reading. Following the screening test, the medical technician must show the Employee the results displayed on the breath alcohol test or the printed results.

If the results of the screening test indicate an alcohol concentration of 0.02 or greater, a confirmation test must be conducted, which will use the same procedures as the breath alcohol screening test. If the initial and confirmation test results are not identical, the confirmation test result is deemed to be the final result.

#### D. Drug Screening

The medical technician will not witness the provision of the urine sample. However, security measures will be taken to assure the validity of the test. The sample will be divided into two containers and sealed in the officer's presence by the medical technician. Officers will be required to sign and initial the chain of custody forms.

### **Reporting Procedures**

Test results are sent to the City's Personnel Department. Officers will receive written notification of their test results within approximately five working days.

In instances of positive breath alcohol test results, consistent with Administrative Regulation 97.00, the medical technician will ask the Officer to remain at the medical facility until further direction is provided by City Personnel. City Personnel Department will immediately notify the Executive Assistant Chief.

In instances of positive breath alcohol test results, the Executive Assistant Chief will direct a Sergeant from the Medical Assistance Unit to report to the medical facility to transport the officer back to the Command.

In instances of positive results for legally prescribed drugs, the City's Personnel Department will request officers submit written substantiation from their prescribing physicians. The Police Department will be notified of positive results for illegal drugs or inadequately explained legal drugs. Investigations will be conducted as appropriate and discipline may result.

**If the drug screening results are positive, officers may request the split sample be sent for testing by an independent Substance Abuse and Mental Services Health Administration (S.A.M.H.S.A.) certified laboratory of their choice. The request must be made within 30 calendar days of receipt of the notice of positive drug test results.**

Drug testing information relating to individual officers is confidential. For additional information, contact the Medical Assistance Unit at 531-2124.

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Please read at squad conferences and give a copy to all personnel.