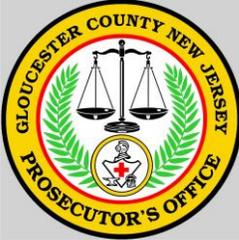


GLOUCESTER COUNTY PROSECUTOR'S OFFICE			
Standard Operating Procedure			
VOLUME: 2	CHAPTER: 16	# OF PAGES: 15	
SUBJECT: DRUG SCREENING			
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BY THE ORDER OF: Prosecutor Charles A. Fiore		02/21/2013	10,12
		06/06/2016	8
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SUPERSEDES ORDER #: SOP #39			

PURPOSE: To provide clear methods and procedures for drug screening of all sworn personnel, candidates for employment, all other law enforcement personnel assigned to our Office for a designated period of time (especially task force members), trainees, volunteers, interns and county employees.

POLICY: The Gloucester County Prosecutor's Office, as the Chief Law Enforcement Agency of Gloucester County, represents a significant role in administering justice in our free society. Drug abuse by a sworn member of the Gloucester County Prosecutor's Office will severely undermine the public trust and confidence in the Office of the Prosecutor and office employees. It is the policy of the Gloucester County Prosecutor's Office to insure that the citizens of the County of Gloucester, State of New Jersey, are provided service and protection by sworn personnel whose integrity and competence are beyond question. Therefore, drug abuse by a sworn member of the Prosecutor's Office shall not be tolerated. Mandatory drug testing is a method to insure that no drug abuse including anabolic steroids is taking place within the sworn ranks of the Gloucester County Prosecutor's Office. The following shall not be construed to limit in any way the rights of the Prosecutor's Office to drug test any other civilian employee.

PROCEDURE:

I. Applicability

- A. Random drug testing will be performed upon:
 - 1. Candidates for the position of County Investigator [Prosecutor's Detective] who, if appointed, will be responsible for the enforcement of the criminal laws of this State and will be authorized to carry a firearm under N.J.S.A. 2C: 39-6;
 - 2. County Investigator [Prosecutor's Detective] trainees subject to the Police Training Act while they attend a mandatory basic training course;
 - 3. County Investigators [Prosecutor's Detectives] who are responsible for the enforcement of the criminal laws of this State, come under the jurisdiction of the Police Training Act, and may also be authorized to carry a firearm under N.J.S.A. 2C: 39-6;
 - 4. The County Prosecutor and all Assistant County Prosecutors.
- B. Drug testing of a County Investigator [Prosecutor's Detective] or Assistant Prosecutor will be ordered when there is reasonable suspicion to believe that the individual is illegally using drugs including anabolic steroids. Reasonable suspicion will be determined by the Gloucester County Prosecutor or her/his designee.

II. Types of Drug Testing

- A. The Gloucester County Prosecutor's Office must carefully select candidates whose character and credibility are beyond reproach. The Office of the Prosecutor strives to hire people who are qualified and are able to perform the duties and responsibilities to which they will be assigned. Therefore, drug abusers should be detected and disqualified from employment in the Gloucester County Prosecutor's Office. It is the policy of the Office of the Prosecutor that all candidates for employment or anyone performing duties under the direction of the Gloucester County Prosecutor will undergo drug screening.
- B. It is the policy of the Office of the Prosecutor that a candidate for pay, volunteer position, or anyone performing duties under the direction of the Gloucester County Prosecutor shall be required to submit a urine sample at a time during the pre-employment or assignment stage when the individual is seriously being considered for appointment or assignment to the Office of the Prosecutor.
- C. Candidates for the position of County Investigator [Prosecutor's Detective] and Assistant Prosecutor.
 - 1. Candidates may be required to submit a urine specimen at any time prior to appointment.
- D. County Investigator [Prosecutor's Detective] Trainees
 - 1. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing

conducted during mandatory basic training will comply with rules and regulations established by the Police Training Commission.

2. Individual trainees may also be required to submit a urine specimen for testing when reasonable suspicion exists 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 or her/his designee, or the academy director.

E. County Investigators [Prosecutor's Detectives] and Assistant Prosecutors

1. Urine specimens shall be ordered from a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor when reasonable suspicion exists to believe that the individual is illegally using drugs. Urine specimens shall not be ordered from an individual without the approval of the County Prosecutor or her/his designee.
2. Urine specimens shall be ordered from County Investigators [Prosecutor's Detectives] and Assistant Prosecutors who have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which each and every County Investigator [Prosecutor's Detective] and Assistant Prosecutor, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.
3. Urine specimens may be collected from County Investigators [Prosecutor's Detectives] and Assistant Prosecutors during a regularly scheduled and announced medical examination or a fitness for duty examination. The collection/analysis of these specimens will be determined by the County Prosecutor.

III. Notification of Drug Testing Procedures

A. Candidates

1. This agency will test candidates for County Investigator [Prosecutor's Detective] and will notify those candidates that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will:
 - a. Result in the candidate being removed from consideration for employment.
 - b. Cause the candidate's name to be reported to the central drug registry maintained by the Division of State Police.
 - c. Preclude the candidate from being considered for future law enforcement employment for a period of two years.

In addition, the notification will indicate that if the candidate is currently employed 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.

B. Trainees

1. All newly appointed County Investigators [Prosecutor's Detectives] shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will result in:
 - a. The officer's termination from employment.
 - b. Inclusion of the officer's name in the central drug registry maintained by the Division of State Police.
 - c. The officer will be permanently barred from future law enforcement employment in New Jersey.
2. Newly appointed officers shall be further informed that the refusal to submit to a drug test will result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey.

C. County Investigator [Prosecutor's Detective] and Assistant Prosecutor Reasonable Suspicion Testing:

1. This policy, in accordance with N.J.S.A. 40:14-118, will provide that individual County Investigators [Prosecutor's Detectives] and Assistant Prosecutors will be ordered to submit to a drug test when there is a reasonable suspicion to believe that an individual is illegally using drugs.
2. Before a County Investigator [Prosecutor's Detective] or Assistant Prosecutor may be ordered to submit to a drug test based on reasonable suspicion, this agency shall prepare a written report, which documents the basis for the reasonable suspicion. The County Prosecutor shall review the report before a reasonable suspicion test may be ordered. Under emergent circumstances, approval may be given for a reasonable suspicion test on the basis of a verbal report.
3. A negative result is a condition of employment as a County Investigator [Prosecutor's Detective] and Assistant Prosecutor and that a positive test will result in:
 - a. Report to the County Prosecutor.
 - b. The County Investigator's [Prosecutor's Detectives] or Assistant Prosecutor's termination from employment.
 - c. Inclusion of the County Investigator's [Prosecutor's Detective] or Assistant Prosecutor's name in the central drug registry maintained by the Division of State Police.
 - d. The County Investigator [Prosecutor's Detective] or Assistant Prosecutor is permanently barred from future law enforcement employment in New Jersey.
4. County Investigators [Prosecutor's Detectives] or Assistant Prosecutors who refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so are subject to the same penalties as those individuals who test positive for the illegal use of drugs.

- D. County Investigators [Prosecutor's Detectives] and Assistant Prosecutors Random Drug Testing:
1. The Office of the Prosecutor will implement a random drug testing program for County Investigators [Prosecutor's Detectives] and Assistant Prosecutors. The random drug testing cannot be implemented until rules and regulations establishing such a procedure have been in effect for a minimum of 60 days.
 2. The following conditions shall apply to the random drug testing of County Investigators [Prosecutor's Detectives] and Assistant Prosecutors:
 - a. All County Investigators [Prosecutor's Detectives] and Assistant Prosecutors are eligible for random drug testing, regardless of rank.
 - b. Random drug testing shall be conducted twice each calendar year. No less than 10 percent (10%) of all County Investigators [Prosecutor's Detectives] and Assistant Prosecutors shall be randomly tested each time.
 - c. Anabolic steroid testing of County Investigators [Prosecutor's Detectives] and Assistant Prosecutors will be incorporated in the random drug testing of all sworn law enforcement officers of the Gloucester County Prosecutor's Office. Anabolic steroid testing will apply to **only** those individuals selected for random drug testing. Therefore, the only persons required to submit to anabolic steroid testing will be those same persons who were randomly selected for the testing of illegal drugs. The percentage of those selected for anabolic steroid testing may be 100% of the persons who were selected for random drug testing.
 - d. The random selection of County Investigators [Prosecutor's Detectives] and Assistant Prosecutors shall be achieved by using a method by which each and every sworn member of the agency, regardless of rank or assignment has an equal chance of being selected for drug testing each and every time a selection is conducted.
 - e. The random selection process will be a lottery system. Each County Investigators [Prosecutor's Detectives] and Assistant Prosecutors social security number will be assigned a numerical number which is selected from a container.
 - f. Records shall be kept of each random selection and signed by all present.
 - g. A representative of each collective bargaining unit shall be invited to be present for all selections.
 - h. Any member of the Office of the Prosecutor, who discloses the identity of an individual selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens, shall be subject to discipline.

- i. Urine samples will be collected using containers approved by the New Jersey State Toxicology Laboratory.
- j. County Investigators [Prosecutor's Detectives] and Assistant Prosecutors who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the individual did in fact refuse to submit the sample, the individual shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, this agency shall forward the officer's name to the Central Drug Registry and note that the individual refused to submit to a drug test.

IV. Specimen Acquisition Procedures

A. Preliminary acquisition procedures

1. A member of the Office of the Prosecutor will serve as monitor of the specimen acquisition process. The monitor shall always be of the same sex as the individual being tested. In the event there is no member of the same sex available from this agency collecting the specimens, the Office of the Prosecutor may request that a member of the same sex from another law enforcement agency serve as monitor of the process.
2. The monitor of the specimen acquisition process shall be responsible for:
 - a. Ensuring that the individual submitting the specimen fully and accurately completes all documentation.
 - b. Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen.
 - c. Complying with chain of custody procedures established for the collection of urine specimens and their subsequent submission to the New Jersey State Toxicology Laboratory.
3. Prior to the submission of a specimen, a candidate shall execute a form consenting to the collection and analysis of their urine for illegal drugs. (Attachment A) The form shall also advise the candidate that a negative result is a condition of employment and that a positive result will:
 - a. Result in the candidate being dropped from consideration for employment.
 - b. Cause the candidate's name to be reported to the central drug registry maintained by the Division of State Police.
 - c. Preclude the candidate from being considered for future law enforcement employment for a period of two years.
4. Candidates shall not complete a medical questionnaire (Attachment B) prior to the submission of a specimen unless they have already received a conditional offer of employment. However, candidates who have not received a conditional offer (volunteer, intern, etc.) of employment can be required to complete a medical questionnaire if, following the submission of

their specimen to the State Toxicology Laboratory for analysis, the Office of the Prosecutor receives a report indicating that the specimen tested positive for a controlled substance.

5. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form (Attachment C) advising the trainee that a negative result is a condition of employment and that a positive result will:
 - a. Result in the trainee being dismissed from basic training.
 - b. Cause the trainee to being dismissed from employment as a law enforcement officer by the Office of the Prosecutor.
 - c. Cause the trainee's name to be reported to the central drug registry maintained by the Division of State Police.
 - d. Cause the trainee to be permanently barred from future law enforcement employment in New Jersey.
 - e. This form shall also advise trainees that the refusal to participate in the test process carries the same penalties as testing positive. Trainees shall also complete a medical questionnaire (Attachment B), which clearly describes all medications, both prescriptions, and over-the-counter (non-prescription) that were ingested in the past 30 days.
6. Prior to the submission of a urine specimen, County Investigators [Prosecutor's Detectives] and Assistant Prosecutors shall complete a medical questionnaire (Attachment B), which clearly describes all medications, both prescription, and over-the-counter (non-prescription), that was ingested in the past 30 days.

B. Specimen collection

1. Throughout the test process, the identity of those tested shall remain confidential. Individual specimens shall be identified throughout the process by the use of social security numbers. At no time shall an individual's name appear on any form or specimen container sent to the State Toxicology Laboratory.
2. Specimens will be collected utilizing equipment and supplies approved by the State Toxicology Laboratory. Under no circumstances may a specimen be collected and submitted for analysis in a specimen container that has not been approved by the State Toxicology Laboratory.
3. Urine specimens will be acquired and processed in accordance with procedures established by the State Toxicology Laboratory.
 - a. After the monitor has inspected the appropriate forms for accuracy, the candidate, trainee, County Investigator [Prosecutor's Detective] or Assistant Prosecutor shall void into the specimen collection container.
 - b. After a specimen has been produced, the individual shall seal the specimen container and deliver it to the monitor.

- c. Once the monitor is satisfied that the required documentation is accurate and he or she has inspected the specimen container to determine that a specimen has been produced, the monitor shall take possession of the specimen and ensure that it is delivered to the State Toxicology Laboratory for analysis.
4. Individuals will void without the direct observation of the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the test process. Under these circumstances, the monitor may directly observe the production of a specimen. The monitor must document the facts underlying her/his belief that an individual may adulterate a specimen or compromise the integrity of the test process.
5. Individuals that initially are unable to produce a urine specimen shall remain under the supervision of the test monitor until the monitor is satisfied that the individual cannot produce a specimen. While the individual is under supervision, the monitor may allow the individual to drink fluids in an attempt to induce the production of a specimen. If the individual remains unable to provide a specimen after a reasonable period of time, the monitor may have the individual examined by a doctor 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.
6. Trainees, County Investigators [Prosecutor's Detectives] and Assistant Prosecutors shall provide the monitor with a second urine specimen at the same time the first specimen is collected.
 - a. The second specimen shall be collected in the same fashion as the first specimen. The monitor shall take possession of the second specimen and place it in a secured refrigerated storage area.
 - b. The Office of the Prosecutor shall maintain possession of the second specimen for a period of 60 days or until the agency receives notification from the State Toxicology Laboratory that the first specimen tested negative for the presence of controlled substances.
 - c. The second specimen shall be released by this agency under the following circumstances:
 - i. The Office of the Prosecutor is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance; and
 - ii. The Office of the Prosecutor is informed by the individual whose specimen tested positive that the individual wishes to have the specimen independently tested; and
 - iii. The individual must designate a laboratory that is licensed as a clinical laboratory by the New Jersey Department of Health under the New Jersey Clinical Laboratory Improvement Act to conduct the independent test; and

- iv. A representative of the licensed clinical laboratory designated by the individual will take possession of the second specimen in accordance with accepted chain of custody procedures within 60 days of the date the specimen was produced.

V. Submissions of Specimens for Analysis

- A. The New Jersey State Toxicology Laboratory will constitute the sole facility for the analysis.
- B. Urine specimens should be submitted to the State Toxicology Laboratory within one working day of their collection. In the event a specimen cannot be submitted to the laboratory within one working day of its collection, the Office of the Prosecutor shall store the specimen in a controlled access refrigerated storage area until submission to the State Toxicology Laboratory.
 1. Personnel from the Office of the Prosecutor or commercial courier may accomplish submission of specimens to the State Toxicology Laboratory.
 2. Should the Office of the Prosecutor choose to have specimens delivered to the State Toxicology Laboratory by commercial courier, the following procedural safeguards must be taken:
 - a. All submissions must be by “next day delivery.”
 - b. In addition to the sealed container, all submissions must be packaged in a manner that includes two additional seals to provide for the integrity of the test specimens.
 - c. The State Toxicology Laboratory must reject specimens that it has reason to believe have been subject to tampering.

VI. Analysis of Specimens

The State Toxicology Laboratory will utilize the following test procedures to analyze urine specimens:

- A. All specimens will be subject to an initial test utilizing fluorescence polarization immunoassay analysis.
- B. Those specimens that test positive for a controlled substance following the fluorescence polarization immunoassay shall be subject to a gas chromatography/mass spectrophotometry analysis to confirm the presence of the controlled substance.
- C. In the event a specimen is confirmed to be positive for a controlled substance following the gas chromatography/mass spectrophotometry, a medical review officer at the laboratory shall compare the test results with the medical questionnaire submitted with the specimen to determine whether any substance listed on the questionnaire would explain the test result. The medical review officer may direct this agency to obtain further information from the individual being tested concerning the medications listed on the questionnaire. In the event the questionnaire does not explain the test result, the medical review officer shall issue a report indicating that the specimen tested positive.

- D. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:
 - 1. Amphetamine/Methamphetamine;
 - 2. Barbiturates;
 - 3. Benzodiazepine;
 - 4. Cannabinoids;
 - 5. Cocaine;
 - 6. Methadone;
 - 7. Phencyclidine; and
 - 8. Opiates.
- E. The County Prosecutor or his/her designee may request that one or more specimens be analyzed for the presence of steroids.
- F. The analysis of each specimen shall be done in accordance procedures adopted by the State Toxicology Laboratory. These procedures shall include but not limited to security of the test specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.
- G. A private pharmaceutical laboratory via the State Toxicology Laboratory will provide anabolic steroid testing.

VII. Drug Test Results

- A. The State Toxicology Laboratory shall notify the Office of the Prosecutor of any positive test results from the specimens submitted for analysis. All reports of positive test results shall be in writing and sent to this agency as soon as possible. The State Toxicology Laboratory will, upon request, provide this agency with written documentation that one or more specimens submitted for analysis tested negative.
- B. The State Toxicology Laboratory shall not report a specimen as having tested positive for a controlled substance until the specimen has undergone a confirmatory test and the medical review officer has reviewed the results of that test with the medical questionnaire pertinent to that specimen.
- C. The Office of the Prosecutor shall notify the applicant, trainee, County Investigator or Assistant Prosecutor of the results of a positive test result as soon as practical after receipt of the report from the State Toxicology Laboratory. Upon request, the individual may receive a copy of the laboratory report.
- D. Under no circumstances may an agency or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be retested.

VIII. Consequences of a Positive Test Result

- A. When a candidate tests positive for illegal drug use:
 - 1. The candidate shall be immediately removed from consideration for employment,
 - 2. The candidate shall be reported to the Central Drug Registry maintained by the Division of State Police by this agency; and
 - 3. The candidate shall be precluded from consideration for future law enforcement employment by any law enforcement agency in New Jersey for a period of two years.
 - 4. Where the candidate is currently employed by another agency as a sworn law enforcement officer, the officer's current employer shall be notified of the positive test result. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and also report his or her name to the Central Drug Registry maintained by the Division of State Police.

- B. When a trainee tests positive for illegal drug use, subject to rules adopted by the Police Training Commission:
 - 1. The trainee may be immediately dismissed from basic training and suspended from employment by the Office of the Prosecutor;
 - 2. The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the Office of the Prosecutor;
 - 3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police;
 - 4. The trainee shall be permanently barred from future law enforcement employment in New Jersey;

- C. When a County Investigator [Prosecutor's Detective] or Assistant Prosecutor tests positive for illegal drug use:
 - 1. The individual shall be immediately suspended from all duties;
 - 2. The individual shall be terminated from employment, upon final disciplinary action;
 - 3. The individual shall be reported to the Central Drug Registry maintained by the Division of State Police by this agency; and
 - 4. The individual shall be permanently barred from future law enforcement employment in New Jersey.

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

- A. Candidates who refuse to submit to a drug test during the pre-employment process shall be immediately removed from consideration for law enforcement and barred from consideration for future law enforcement employment for a period of

two years. In addition, the Office of the Prosecutor shall forward the candidate's name to the Central Drug Registry and note that the individual refused to submit to a drug test.

- B. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit a sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the Office of the Prosecutor shall forward the trainee's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- C. County Investigators [Prosecutor's Detectives] and Assistant Prosecutors who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the individual did in fact refuse to submit the sample, the individual shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, this agency shall forward the officer's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- D. If there is no valid reason why a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor cannot produce a specimen, his/her actions will be treated as a refusal. In addition, a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor 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/Retirement in Lieu of Disciplinary Action

A County Investigator [Prosecutor's Detectives] or Assistant Prosecutor 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 this agency to 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 drug testing.
- B. The drug testing records shall include but not be limited to:
 - 1. For all drug testing:
 - a. The identity of those ordered to submit urine samples;
 - b. The reason for that order;
 - c. The date the urine was collected;
 - d. The monitor of the collection process;
 - e. The chain of custody of the urine sample from the time it was collected until the time it was received by the State Toxicology Laboratory;

- f. The results of the drug testing;
 - g. Copies of notifications to the subject;
 - h. For any positive result, documentation from the investigator's, prosecutor's, or candidate's physician that the medication was lawfully prescribed and does not render the officer unfit for duty; and
 - i. For any positive result or refusal, appropriate documentation of disciplinary action.
2. For random drug testing, the records will also include the following information:
- a. A description of the process used to randomly select individuals for drug testing;
 - b. The date selection was made;
 - c. A copy of the document listing the identities of those selected for drug testing;
 - d. A list of those who were actually tested; and
 - e. The date(s) those individuals were tested.
- C. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

XII. Central Drug Registry

- A. The Office of the Prosecutor shall notify the Central Drug Registry maintained by the Division of State Police of the identity of candidates, trainees, County Investigators and Assistant Prosecutors who test positive for the illegal use of drugs or refuse an order to submit a urine sample.
- B. Notifications to the Central Drug Registry shall include the following information as to each individual:
 - 1. Name and address of the Office of the Prosecutor;
 - 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 applicable);
 - 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 this 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 registry may be released by the Division of State Police only under the following circumstances;

1. In response to an inquiry from a law enforcement agency as part of the background investigation process for prospective or newly appointed personnel.
2. In response to a court order.

XIV. Notification to County Prosecutor

A. In the event of:

1. A positive drug test by a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor,
2. A refusal by a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor to take the drug test, or
3. Administration of a reasonable suspicion drug test to a County Investigator [Prosecutor's Detectives] or Assistant Prosecutor,

The Chief of Detectives or his/her designee shall provide a confidential written notice to the County Prosecutor or his/her designee within 10 days. Upon completion of any disciplinary action, the Chief of Detectives or his/her designee shall report the discipline to the County Prosecutor or his/her designee.

B. By December 31st of each year, the Chief of Detectives or his/her designee shall provide written notice to the County Prosecutor or his/her designee of:

1. The dates of testing conducted during the prior year,

2. The total number of County Investigators [Prosecutor's Detectives] and Assistant Prosecutors employed by the agency,
3. The total number of sworn personnel tested, and
4. The total number of sworn personnel who tested positive.

XV. Annual Report to Attorney General

By January 31st of each year, the County Prosecutor shall submit a report to the Attorney General, through the Division of Criminal Justice's Prosecutors' Supervision and Training Bureau. This summary shall include a statement indicating those agencies under the County Prosecutor's supervision that are in compliance with [Attorney General Directive 2018-2 \(Statewide Mandatory Random Drug Testing\)](#) and those that are not. The summary shall not reveal any subject officer's identity.

XVI. Public Accessibility and Confidentiality

- A. This policy shall be made available to the public upon request and shall be posted on the office's website.
- B. Annual reports from the County Prosecutor to the Attorney General, as required by [Attorney General Directive 2018-2 \(Statewide Mandatory Random Drug Testing\)](#), also shall be made available to the public upon request and shall be posted on the office's website.
- C. All written reports created or submitted pursuant to [Attorney General Directive 2018-2 \(Statewide Mandatory Random Drug Testing\)](#) that identify specific officers are confidential and not subject to public disclosure.