

## 1.3.A.8 Drug Testing, Sanctions & Treatment

### I Policy Index:



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### II Policy:

A urinalysis testing program and/or breath analyzer testing program is established throughout the Department of Corrections (DOC) to detect the use of drugs and alcohol by offenders. The DOC maintains a zero-tolerance policy with regard to use of drugs and alcohol by any/all adult and juvenile offenders. This policy incorporates an appropriate sanction and/or treatment intervention with all incidents of positive drug tests.

### III Definitions:

#### **Offender:**

For the purpose of this policy, an offender is an inmate (in the custody of the DOC institutional system), a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile (either in DOC placement or aftercare).

#### **DOC Institutions:**

South Dakota State Penitentiary (SDSP) and minimum units under SDSP's jurisdiction, Mike Durfee State Prison (MDSP) and minimum units under MDSP's jurisdiction, South Dakota Women's Prison (SDWP) and minimum units under SDWP's jurisdiction and the State Treatment and Rehabilitation (STAR) Academy.

#### **DOC Units:**

All DOC institutions, Parole Services and juvenile aftercare.

#### **Targeted Testing:**

Testing of specific individuals or groups of individuals who are identified based on their behaviors, medical or legal status, history, activities, or characteristics.

#### **Random Testing:**

Testing of individuals based on chance selection criteria. Typically these tests are unscheduled and unannounced.

#### **Blood Alcohol Content (BAC):**

The measurement of alcohol content in a person's body by measuring the weight of alcohol in an offender's blood as shown by chemical analysis of the offender's breath, blood or other bodily

substance. It is a violation for any DOC offender to have a BAC of more than two thousandths (.002.)

**Preliminary Breath Test (PBT):**

A device used to conduct chemical test analysis of an offender's breath. These tests are to be administered by DOC staff or authorized contractual staff.

**Specific UA:**

A urinalysis test conducted by a laboratory, usually the Public Health Lab (Department of Health) in Pierre, on a specific urine sample to detect the presence of unauthorized controlled substances or other substances.

**Positive Result:**

A test result that indicates the presence of a tested drug or substance. A positive result indicates the offender has ingested the substance(s) testing positive.

**Negative Result:**

The total absence or presence below the cut off level of the initial test or confirmatory test of a drug.

**Confirmation Test:**

The retest or second test of a positive urine specimen. A confirmation test is used to confirm a positive result/specimen. Confirmatory tests shall be conducted by the Public Health Lab.

**Chain of Custody:**

A record of the movement and location of the evidence (urine specimen) and the history of those persons who had it in their custody, from the time it is obtained until the testing is completed. The chain of custody requires testimony of continuous possession by each individual having possession of the evidence (urine specimen). The purpose is to establish that the specimen remained in largely the same condition as when obtained and that the possibility of alteration, substitution or change of condition to the specimen was minimal.

**Drug:**

All non-prescribed mood controlling substances, including such examples as, alcohol, marijuana, cocaine, amphetamines, methamphetamines, barbiturates, benzodiazepine, opiates, and hallucinogens.

**IV Procedures:**

**1. Drug Testing Standards:**

- A. The CEO of each unit will assign and train staff to ensure the provisions of this policy are implemented, including but not limited to random and targeted testing requirements, data collection/documentation, staff training and reporting of testing and test results.
- B. A PBT is sufficient to detect the presence of alcohol. An offender may be found to have used or possessed alcohol based on the results of a PBT test alone. If a PBT test result is positive for alcohol, an offender may be required to submit to a urinalysis (UA) or blood test.
  - 1. Staff conducting a PBT shall adhere to all instructions pertaining to the proper use and operation of PBT testing equipment.

- C. Drug testing kits/materials used by DOC staff to perform a drug test must be issued and approved by the DOC.
- D. A portion of the DOC offender population will be drug testing each month either through a random selection or targeted; however, offenders will not be drug tested on the basis of sexual orientation, race, color, religion, gender, age or national origin.
  - 1. Adult DOC facilities and juvenile units will use the Random Selection Report in COMS to select offenders for targeted drug testing.

## 2. Urinalysis Testing:

- A. Refusal by an offender to provide an adequate urine specimen or breath sample as ordered, may be treated as an admission of usage and a positive test result. Offender's who refuse to provide a sufficient sample for testing may be subject to disciplinary action (See DOC policy 1.3.C.2 *Inmate Discipline System* and DOC policy 1.3.C.3 *Juvenile Discipline System*).
- B. If an offender housed within a DOC institution is required to produce a urine specimen for a urinalysis test, the offender will be provided up to four (4) hours to produce the specimen. If the offender fails to produce the minimum amount of specimen required in four (4) hours, their actions may be considered to be an admission of usage and a positive test result.
- C. The minimum amount of specimen needed for testing is approximately twenty-five milliliters (25 ml) or .85 fluid ounce. A UA test container that is one-third to one-half full will contain a sufficient sample for testing at the State Health Laboratory, should the offender choose to request a confirmation test.
- D. If a specimen is sent to the State Health Laboratory for testing, staff will typically request the lab conduct a "Four Panel" drug screen. The "Four Panel" drug screen is designed to detect the presence of marijuana (THC), opiates, cocaine, and amphetamines/methamphetamines. A "Five Panel" drug screen may be requested in situations where the presence of alcohol is suspected. A "Five Panel" drug screen tests for the presence of all of the above listed substances and the presence of alcohol.
- E. A new admission offender, (including adult suspended sentence and parole violators returned to custody) who test positive for cannabinoids (marijuana plants and plant products that contain tetrahydrocannabinol (THC)) within forty-five (45) days of admission to the DOC, will not be considered to have a positive test result.
  - 1. The intent is to allow reasonable time (up to 45 days) for the offender to clear their body of cannabinoids used prior to admission/incarceration.
  - 2. Offenders who test positive for cannabinoids within the 45 day period will be observed and re-tested at various intervals until the test result registers zero, or otherwise drops below the minimum reading of the testing device.
  - 3. Offenders who test positive for cannabinoids within 45 days of admission/incarceration, and who are found to have used cannabinoids while incarcerated, will be considered to have a positive result and are subject to disciplinary action.
- F. If the result of the urinalysis test is negative, the urine specimen will be disposed of in a toilet and the cup and field test disposed of in the trash.

- G. If the result of the urinalysis test is positive, the staff member conducting the test will generate a disciplinary report no later than the end of their shift. The positive urine specimen will be stored in a designated and secure location.
- H. A confirmation urinalysis test is not required when a positive result is obtained by a UA test (field test) administered by staff.
- I. Adult offenders with a positive result from a UA test administered by staff may request a confirmation test be completed by the State Health Lab utilizing the same sample/urine specimen.
  - 1. The offender is responsible for any and all expenses/fees associated with the testing of the sample by the State Health Lab.
  - 2. The disciplinary process involving the offender's positive test result will be suspended while the results of the State Health Lab test specimen are pending. When the results of the confirmation test are reported to the DOC, the disciplinary process will resume.
  - 3. A copy of a statement of the methods and findings of any examination or analysis conducted by an employee of the State Health Lab may be introduced as evidence by the DOC during hearings and/or reviews and shall have the same force and effect as if the person who performed the analysis or examination had testified in person (See SDCL § [23-1-19.3](#)).

### **3. Drug Testing:**

- A. Target drug testing of offenders.
  - 1. An offender may be required to submit to a targeted UA test and/or breath analyzer test (PBT) when:
    - a. There is a reason to believe an offender has used any intoxicant or drug not authorized by medical staff.
    - b. An offender is found in possession of suspected alcohol, marijuana, or unauthorized drugs; or when suspected alcohol, marijuana, or unauthorized drugs are detected in an area controlled, occupied or inhabited by the offender.
    - c. An offender is observed in possession of suspected alcohol, marijuana, or unauthorized drugs but those supervising the offender are unable to obtain a sample of the material/substance.
    - d. Information is received that suggests an offender is under the influence of, or has recently used or possessed alcohol, marijuana or unauthorized drugs.
    - e. An offender admits using alcohol, marijuana or other unauthorized drugs, (tests may be administered to confirm use, the type of substances, the amounts in their system, etc.)
    - f. Upon the directive of the unit CEO.
      - 1) Adult DOC facilities and juvenile units will use the Random Selection Report in COMS to select offenders for targeted drug testing.

- g. Adult offenders housed in a DOC facility who are returning from a temporary release from the facility; including but not limited to, furlough, community service, work release, or deployment to a natural disaster (including drills), education/programming, job seeking or a travel permit (if on community supervision) may be randomly tested.
  - h. Any offender (adult or juvenile) is subject to testing . Example: An offender testing positive on a previous test (history of positive test results) or an offender receiving or being considered for medical treatment or prescription drug management.
- B. Supervisory staff from contract facilities, community agencies/employers, community treatment program staff, medical staff, etc. may order an offender placed in their care/custody submit to a random or targeted UA test or PBT test.
- 1. Staff will conduct UA or PBT testing on offenders as directed and/or requested by the DOC.
  - 2. The standards described in this policy may be applied to the testing process, or testing staff may utilize the authorized testing process already in place at the facility.
- C. Offender's testing positive may be subject to disciplinary action and/or criminal prosecution.

#### **4. Staff Training on Drug Testing:**

- A. All DOC staff designated to obtain samples/specimens from an offender for the purpose of drug testing will receive drug testing training (See DOC policies 1.1.D.1 [Staff Training Requirements](#), 1.1.D.2 [Juvenile Division Staff Training](#) and Parole OM 7.1.D.1 [Training and Staff Development](#)). Staff are responsible for the accurate collection of samples/specimens, proper administration of drug tests and proper disposal of samples/specimens.
- B. Only DOC staff who have received the prescribed drug testing training may administer a drug test to an offender or collect a sample/specimen from an offender for a drug test.
- C. All staff involved in processing drug test kits will receive instruction and training on proper chain of custody procedures.

#### **5. Sanctions/Responses to Positive Drug Tests:**

- A. Positive drug tests may result in a response by staff, which includes a range of escalating sanctions for continued positive drug test results.
- B. Juvenile aftercare sanctions and responses for a positive drug test may include:
  - 1. House Arrest.
  - 2. Additional community service.
  - 3. Detention, pending an aftercare revocation hearing.
  - 4. Discontinuation of aftercare status and implementation of a DOC placement.
  - 5. Substance abuse programming/treatment.
  - 6. Electronic monitoring.

7. Discharge/removal from chemical dependency treatment program.
  8. Increased level of chemical dependency treatment (inpatient treatment).
  9. Additional restrictions and treatment assignments in current chemical dependency treatment program.
  10. Other sanctions and responses deemed appropriate by the juvenile corrections agent (JCA) and/or juvenile corrections agent supervisor (JCAS).
- C. Adult parolee sanctions and staff response for a positive drug test may include:
1. Increased level of supervision.
  2. Detention, pending parole revocation hearing.
  3. The option to participate in the Community Transition Program (See DOC policy 1.5.G.2 [Parole Services-Community Transition Program](#)).
  4. Revocation of parole/ return to institutional placement.
  5. Substance abuse programming/treatment.
  6. Other sanctions and responses deemed appropriate by parole service staff.
  7. Discharge/removal from chemical dependency treatment program.
  8. Increased level of chemical dependency treatment.
  9. Electronic Monitoring.
  10. Placement on 24/7 Sobriety Program (Twice Daily PBTs, SCRAM, Remote Breath, or other monitoring technologies).
  11. Additional restrictions and treatment assignments in current chemical dependency treatment program.
  12. Sanctions imposed by Parole Service Staff in accordance with DOC policy 1.5.G.6 [Parole Services-Response to Violations](#).
- D. Juveniles in DOC placement, sanctions and staff response for a positive test may include:
1. Imposition of fines.
  2. Additional assignments.
  3. Work without compensation.
  4. Loss or restriction of privileges.
  5. Required programming/treatment.
  6. Transfer to a more secure housing unit.
  7. Extended length of stay.

8. Other sanctions and responses deemed appropriate by DOC.
  9. Discharge/removal from chemical dependency treatment program.
  10. Increased level of chemical dependency treatment.
- E. Adult inmate sanctions and staff response for a positive test may include (See SDCL §§ [24-2-9](#) and [24-15A-4](#)):
1. Imposition of fines.
  2. Additional labor without compensation.
  3. Restriction of privileges.
  4. Loss of work, school or other privileges.
  5. Required programming/treatment.
  6. Loss of good time (if applicable).
  7. Placement in Disciplinary Segregation (See DOC policy 1.3.D.1 [Disciplinary Segregation Housing](#)).
  8. Transfer to a more secure housing unit.
  9. Change in classification status.
  10. Possible denial of parole release.
  11. Discharge/removal from chemical dependency treatment program.
  12. Loss of property for up to one (1) year (See DOC policy 1.3.C.5 [Inmate Forfeiture of Personal Property](#)).
  13. Other sanctions and responses deemed appropriate by DOC.

## **6. Chemical Dependency Treatment:**

- A. Chemical dependency treatment and/or programming may be available to adult and juvenile offenders under DOC jurisdiction, within the limitations of available resources.
1. Adult and juvenile offenders in DOC placement will receive a chemical dependency evaluation based on DSM-IV-TR criteria and a structured clinical interview.
    - a. The evaluation will be completed prior to the release/discharge of the offender; to include release to parole (adults) or aftercare (juveniles).
    - b. At intake, all adult offenders receive chemical dependency evaluations.
    - c. Chemical dependency evaluations will not normally be conducted on adult offenders who are sentenced to life in prison or capital punishment or offenders with INS or U.S. Marshal holds.

2. Recommendations for offender placement in a specific chemical dependency program are based on:
  - a. Severity of chemical dependency.
  - b. Co-Occurring Diagnosis.
  - c. Length of stay in custody.
  - d. Chemical dependency program options available.
  - e. Number of prior treatments.
  - f. Custody/classification risk level.
  - g. Other issues determined to be significant at the time of placement.
- B. Referral to community based chemical dependency programs and 12 Step self-help upon discharge/release is a high priority for adult and juvenile offenders.

## **7. Report on Drug Test Results:**

- A. Adult institutional staff and Juvenile Community Corrections staff will document all drug tests administered to offenders in the Comprehensive Offender Management System (COMS), substance Testing screen. All positive test results will be recorded in the *Tested* section of the Substance Testing screen in COMS (previously the *STest* screen). Parole Services staff will document drug tests in accordance with Parole OM 7.4.F.1 [Drug Testing and Sanctions](#).
- B. When counting the number of tests, each panel/test is not included as a separate test. If a panel tests for four (4) different drugs, this is counted as one (1) test.
  1. For example: During the reporting period there were 144 incidents where offenders had random 4 drug screens = 144 random tests; during same period there were 10 incidents where offenders had targeted 5 drug screens = 10 targeted tests; total number of tests during the period were 144 plus 10 = 154 tests.
  2. Positive tests for cannabinoids involving offenders within the first forty-five (45) days of incarceration following admission/DOC placement (if a juvenile is initially ordered to placement) are not to be included in the report, nor will their positive tests for cannabinoids to be included, unless the offender was found to have used marijuana while incarcerated.
  3. Tests that were initially found to be positive but were later found to be negative due to prescribed/authorized medication or a subsequent negative finding by the State Health Lab are not to be counted as positive.

## **8. Testing Procedures:**

- A. Each DOC unit responsible for conducting drug testing will ensure there are sufficient staff designated and trained to conduct testing and provide for the integrity and security of records and specimens.
  1. Obtaining a urine sample/specimen and/or PBT/breath sample.



2. Maintaining the chain of evidence. Proper chain of custody will be maintained with all testing specimens/samples (ACA 4-4207).
  3. Processing a urine sample/specimen and/or breath sample. Includes the procedures and timelines for sending the sample/specimen to the State Health Lab and determining when a specimen/sample will be sent to the state health lab (normally within 24 hours after collection).
  4. Specimens that produce a positive result may be retained short-term in refrigerated storage. Only authorized staff will have access to stored test specimens.
  5. Discarding a urine sample/specimen (if tested on site).
  6. Safely conducting a PBT or a UA test (utilization of DOC approved protective gloves throughout the collection process and during the disposal of the sample) and apply Standard Precautions, in accordance with DOC policy 1.4.E.8 *Blood-Borne Pathogens and Infectious Disease Management*.
- B. Procedures and training curriculum will be reviewed on a regular basis and revised as needed based on changes in policy or accepted practices/protocol.

## V Related Directives:

SDCL §§ [23-1-19.3](#), [24-2-9](#) and [24-15A-4](#)

DOC policy 1.1.D.1 - [Staff Training Requirements](#)

DOC policy 1.1.D.2 - [Training for Juvenile Division Staff](#)

DOC policy 1.3.C.2 -- [Inmate Discipline System](#)

DOC policy 1.3.C.3 -- [Juvenile Discipline System](#)

DOC policy 1.4.B.13 -- [LSI-R Assessment and Case Planning](#)

DOC policy 1.4.E.8 -- [Blood-Borne Pathogens and Infectious Disease Management](#)

DOC policy 1.5.G.2 -- [Community Transition Program](#)

DOC policy 1.5.G.6 -- [Response to Violations](#).

Parole OM 7.1.D.1 -- [Training and Staff Development](#)

Parole OM 7.4.F.1 -- [Drug Testing and Sanctions](#)

## VI Revision Log:

**August 2002:** Used term offender to apply to adults and juveniles in DOC institutional or community placement. **Added** the term “responses” to the list of sanctions. **Removed** SIS and SES from group of adult inmates not receiving CD assessments. **Removed** reference to Testing Coordinators. **Added** reporting requirements. **Added** Attachments 1 and 2.

**August 2006:** **Added** reference to SDCL § 24-2-9 and 24-15A-4. **Added** reference to policies 1.1.D.1, 1.1.D.2, 1.3.C.5, 1.5.A.5, and 1.5.A.6. **Added** definitions for Blood Alcohol Content (BAC), Preliminary Breath Test (PBT) and Specific UA. **Updated** unit names.

**June 2007:** **Deleted** the requirement on testing at least 3% of offenders participating in chemical dependency treatment. **Revised** the definition of offender. **Added** a reference to electronic monitoring, the 24/7 Program and daily PBTs under adult parolee sanctions. **Added** a reference to the LSI-R as a screening tool to determine if an inmate is referred for a chemical dependency evaluation. **Noted** that CD evaluations are not normally done on inmates with an INS Hold or a US Marshal Hold.

**May 2008:** **Revised** formatting of policy in accordance with DOC policy 1.1.A.2 Policy and Operational Memorandum Management policy. **Revised** abbreviations for “SDP” to SDSP” and “DSP” to read “MDSP” within the definition of DOC Institutions.

**May 2009:** **Added** reference to minimum units under SDWP’s jurisdiction to the definition of DOC

Institutions. **Added** "marijuana" to ss (A1 – A4 of Targeted Drug Testing). **Deleted** reference to "technical" as it relates to violations, **revised** title of "Response to Violations" within ss (B4) and **added** "up to" in ss (D12) all within Sanctions/Response to Positive Drug Tests. **Added** "TR" to update the DSM-IV diagnostic manual within ss (A of the Chemical Dependency Treatment section). **Revised** other minor grammatical changes throughout policy.

**May 2010:** **Revised** formatting of Section 1. **Added** reference to offenders in a DOC institution in ss (F of Drug Testing Standards). **Deleted** former ss (E of Report on Drug Test Results) regarding DOC Admin completing an annual drug test report.

**May 2011:** **Added** definition of Chain of Custody. **Deleted** "will be handled accordingly" and **Replaced** with "an admission of usage and a positive test result, the offender may be found guilty of a Prohibited act and may be subject to the to the institution's disciplinary process." in Section 1 F. **Deleted** "Each juvenile unit will use the UA Testing section within the Juvenile Offender Tracking System (JOTS) to randomly select which offenders to test." and **Replaced** with "Each juvenile unit will use the Random Selection Report in COMS to randomly select which offenders to test." in Section 1 D. 2. **Deleted** Parole agent response to a violation" and **Replaced** with "Responses as specified in DOC policy" in Section 4 B. 4. **Deleted** "Citrix" from Section 6 A. **Deleted** "Juvenile Offender Tracking System (JOTS)" and **Replaced** with "COMS" in Section 6 A. 1. **Added** G. Staff conducting a PBT or a urinalysis test will wear protective gloves throughout the collection process and disposal process." to Section 1. **Added** H. "A newly received offender (including supervised release violators returned to custody) who tests positive for cannabinoids (marijuana plants and plant products that contain tetrahydocannabinol, THC) on the first test performed within forty-five (45) days of incarceration will not be considered to have a positive UA." to Section 1. **Added** In most cases, staff will request the State Health Laboratory conduct a "Four Panel" drug screen on all samples. The "Four Panel" drug screen is designed to detect the presence of Marijuana (THC), Opiates, Cocaine, Amphetamines/Methamphetamines. A "Five Panel" drug screen may be requested in situations where the presence of alcohol is suspected. A "Five Panel" drug screen included all of the above listed substances in addition to testing for the presence of alcohol. **Deleted** "Dual diagnosis issues" and **Replaced** with "Co-Occurring diagnosis" in Section 5. A. 2. b.

**June 2012:** **Added** "medical or legal status, history" to definition of Targeted Testing" **Added** "Typically these tests are unscheduled and unannounced" to definition of Random Testing. **Added** definition of "Positive Result" and "Drug". **Added** "staff training" and **Added** "based on security and programming needs" to Section 1 A. **Added** 1. 2. 3. to Section 1 B. **Added** "of offenders" to Section 1 D. **Added** 4. to Section 1 D. **Added** "The offender may be found guilty of a Major Prohibited Act and/or may be subject to the institutions disciplinary process" in Section 1 E. **Added** "or fails to produce the minimum amount needed for the UA test, their actions" to Section 1 F. **Deleted** "incarceration" and **Replaced** with "admission to" in Section 1. G. **Added** "are found to have" in Section 1 G. 3. **Added** "DOC approved" to Section 1 H. and moved to Section 7., #5. **Added** "The offender may be found guilty of a Major Prohibited Act and/or may be subject to the institutions disciplinary process" in Section 1 H. **Deleted** "is under the influence of alcohol, marijuana, or unauthorized controlled substances" and **Replaced** with "has used any intoxicant or drug not authorized by medical staff" in Section 2 A. 1. **Added** new B. to Section 2 and **Renumbered** items that follow in Section 2. **Deleted** "controlled substances" and **Replaced** with "drugs" throughout the policy. **Added** "community service, work release or deployment to a natural disaster (including drills) and **Added** "when the offender is" and **Added** "and not under the direct supervision of staff" to Section 2 C. **Added** "(Example: offender has tested positive on a previous test or the offender is receiving or under consideration for certain types of medical treatment" to Section 2 C. 2. **Added** "as required by the" and **Deleted** "require a test" and **Replaced** with "or operational memorandums, or when the offender is suspected of using or possessing alcohol, or unauthorized drugs." in Section 2 D. 1. **Added** "Only staff who have received the authorized training designed for the product may perform the testing" in Section 3 C. **Added** new A. "All positive drug/alcohol tests will result in an appropriate response, which may include a range of escalating sanctions for continued drug/alcohol use" in Section 4 **Renumbered** items that follow. **Added** "SCRAM" to Section 4 C. 11. **Added** "within the limitations imposed by

available resources” in Section 5. A. **Added** b. to Section 5. **Added** “following their admission to DOC” and **Added** “in the report” and **Added** “unless the inmate was found to have used marijuana while incarcerated” in Section 6 B. 2. **Deleted** “because the original position was” in Section 6 B. 3.

**January 2013:** **Deleted** “the urinalysis (UA) testing section within the Inmate Records Citrix database and **Replaced** with “the Random Selection Report in COMS” in Section 1 D.1. **Deleted** “use the Parolee Automated Tracking System” (PATS) to randomly select which offenders to test” and **Replaced** with “determine procedures to ensure compliance with random testing requirements/standards for offenders on community supervision” in Section 1 D. 3. **Deleted** “Prohibited Acts #5-11 and **Replaced** with “offense in custody” in Section 1 E. and F. **Deleted** “will” and **Replaced** with “may” in Section 2 A. **Added** 5. to Section 2. **Deleted** “or education assignment when the offender is off DOC grounds or outside the security perimeter of a DOC facility and not under the direct supervision of staff” and **Replaced** with “or upon returning from a travel permit (if on community supervision) in Section 2 C. 1. **Added** “or community agencies in connection to or as part of treatment/aftercare programming the offender may be involved with” in Section 2 C. 3. **Added** “or community agencies” in Section 2 D. 1. **Added** “All related training shall be documented in the staff members’s training file” in Section 3. A. **Added** “Only staff who have received the authorized training designed for the product used my perform the testing” in Section 3 B. **Deleted** “Only staff who have received the authorized training designed for the product may perform the testing” in Section 3 C. **Deleted** “completed by the DOC and the results of the testing within their respective databases” and **Replaced** with “in the appropriate area of COMS assigned to the unit” in Section 6 A. **Deleted** 1. 2. 3. Regarding the areas where the data was previously entered in Section 6. A.

**July 2013:** **Deleted** 2. “All PBT testing equipment must be calibrated on a regular basis” in Section 1 B. **Deleted** “At least 3% of the unit’s population of offenders will be randomly drug tested each month” and **Replaced** with “A portion of the offenders in each unit will be identified to be drug tested each month” **Deleted** “compliance with random testing requirements/standards for” in Section 1 D. 3. **Added** J. and 1. & 2. to Section 1. **Added** “and training” in Section 3 C. **Added** “results” to Section 6 A. **Added** “or a subsequent negative finding by the State Health Lab” in Section 6 B. 3. **Deleted** C. and D. regarding a percentage of the population be tested each month. **Added** “the procedures and timelines for” and **Deleted** “a test lab” and **Replaced** with “the state health lab and determining when a sample will be sent to the state health lab” in Section 7 A. 3. **Added** “and apply Standard Precautions, in accordance with DOC policy” to Section 7 A. 5.

**May 2014:** **Added** 3. to Section 1 J. **Deleted** “identified to be drug tested each month” and **Replaced** with “targeted for drug testing each month” in Section 1 D. **Added** new Section 2 “Urinalysis Testing” **Added** “sufficient” in Section 2 A. **Deleted** “at the State Health Laboratory” and **Deleted** “After splitting the sample to conduct a field test, the original specimen container must contain at least 25 ml of urine” and **Added** “should the offender choose to request a confirmation test” in Section 2 C. **Deleted** “in most cases, staff will request that” and **Replaced** with “If a specimen is sent to the” and **Added** “sent to the lab for testing” and **Added** “tests for the presence of” in Section 2 D. **Deleted** “Additional” and **Replaced** with “Random” in Section 3 B. **Deleted** “or targeted population of offenders (adult or juvenile) within a unit” **Deleted** “irregular and unannounced targeted drug testing” and **Replaced** with “random testing” in Section 3 B. 2. **Added** “random or targeted” in Section 3 C. **Deleted** “for unauthorized drugs as a result of targeted drug testing” and **Added** “regardless of unit or housing assignment” in Section 3 D. **Deleted** “drug use” and **Replaced** with “positive drug test results” in Section 5 A. **Deleted** “All DOC units” and **Replaced** with “Institutional staff and Juvenile Community Corrections staff will” and **Added** “administered to offenders during the month” and **Added** “Positive tests will be tracked in Metrics and PBMS. Parole staff will document drug tests in accordance with Parole OM” in Section 7 A. **Deleted** “Operations Memorandum Development” and **Replaced** with “Testing Procedures and Training” in Section 8. **Deleted** “An operational memorandum will be maintained as needed at each DOC unit which outlines detailed” and **Replaced** with “Each DOC unit responsible for drug testing offenders will ensure staff are trained in and familiar with testing procedures/approved protocol” in Section 8 A. **Deleted** “The respective institution’s operational memorandum(s) and

**Replaced** with “Procedures and training curriculum” and **Deleted** “annually and updated as needed” and **Replaced** with “on a regular basis and revised as needed based on changes in policy or accepted practices/protocol” in Section 8 B.

**May 2015: Added** definition of “Negative Result” **Deleted** “validate the results of the first test of the specimen” and **Replaced** with “a positive result/specimen. Confirmatory tests shall be conducted by the Public Health Lab” in definition of “Confirmation Test”. **Added** “and train” in Section 1 A. **Added** “no later than the end of their shift” in Section 2 G. **Deleted** “in each unit will be targeted for” and **Added** “either through a random selection of targeted; however, offenders will not be drug tested on the basis of sexual orientation, race, color, religion, gender, age or national origin” in Section 1 D. **Deleted** 2, 3, and 4 in Section 1 D. **Deleted** “Targeted” in title of Section 3 and **Added** A and changed numbering of section. **Deleted** all language in Section 6 B. and **Replaced** with new language in b. **Added** “Substance Testing” and “All positive test results will be recorded in the Tested section of the Substance Testing screen in COMS” in Section 7 A. **Deleted** “staff are trained and familiar with drug testing procedures and approved protocol” and **Replaced** with “there are sufficient staff designated and trained to conduct testing and provide for the integrity and security of records and specimens” in Section 8 A. **Added** “normally within 24 hours after collection” in Section 8 A. 3. **Added** 4. to Section 8 A.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

07/06/2015

Date