

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE UA TESTING	Policy Number DJ-6 Effective Date 07-14-20
Related Information DI-2, <i>Administrative Restrictive Housing</i> DM-1, <i>Inmate Work Program</i>	Supersedes DJ-6 (10-22-08)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for administering inmate Urinalysis (UA) drug and alcohol testing in an effort to minimize the introduction, possession, and use of illegal drugs and alcohol within any Office jail facility.

POLICY

It is the policy of the Office to require all inmates to submit to random, and reasonable suspicion (targeted) UA testing in an attempt to deter illegal drug and alcohol activities within the Office jail system. The possession and use of illegal drugs and alcohol by inmates contributes to disturbances, disruption of jail facility security, and jeopardizes the safety of inmates, volunteers, and Office employees.

DEFINITIONS

Alcohol: A beverage containing ethanol, isopropanol, or methanol. For the purpose of this Office Policy, may include the derivative of an illicitly distilled beverage made by inmates from fruits, sugars, breads and other ingredients, known as “hooch,” that when fermented over a period of time, has a concentration level of alcohol.

Disciplinary Action Report (DAR): A form used to document a jail rule violation, as specified in the *Rules and Regulations for Inmates*, which has been alleged to have been committed by an inmate.

Drug: Any substance considered unlawful under the schedules of the Controlled Substances Section of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, or pursuant to Arizona Revised Statutes Title 13, Chapter 34, or the metabolite of the substance.

Sheriff's Inmate Electronic Data (SHIELD): An MCSO jail management system containing information about individuals who are, or have been, incarcerated, or booked into an MCSO jail facility. Information is entered in this database when an individual is booked, and updated throughout the term of incarceration. This includes, but is not limited to: inmate's charges; holds; court dispositions; bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day to day operations of jail facility housing unit shift logs.

PROCEDURES

1. **Random Inmate UA Testing:** When determining selection for random inmate UA testing, detention personnel shall access the T-Cup Test icon in SHIELD, select “Random Drug Test Record,” and then select their respective facility to access the random list of inmates to be tested.

- A. Only those inmates who have been in Office custody over eight days will be subject to random UA testing. This time frame allows for residual illegal drugs that may have been in the inmate's system at the time of arrest to have exited their body. If an inmate tests positive for cannabinoids from a random test prior to being in custody for 30 days, then the test will be documented in SHIELD, but no *Disciplinary Action Report* (DAR) shall be issued. If an inmate tests positive for any other drugs/substances after being in custody for over eight days, the test(s) shall be documented in SHIELD and the inmate may be subject to a DAR.
 - B. Notification to inmates of their requirement to submit to random UA testing, is specified in the *Rules and Regulations for Inmates*.
 - C. Detention personnel designated to perform the UA testing shall select the inmates from the SHIELD-generated list. The number of names provided allows for the unavailability of some inmates for reasons such as release, court appearance, illness, or recent prior testing.
 - D. All detention personnel have access to record UA test results, and all results shall be recorded in SHIELD.
 - E. Jail facility commanders, or their designees, will be responsible for the selection and management of the random UA testing program within their jail. Jail facility commanders, or their designees have access through SHIELD for reports and informational results regarding random UA testing in their jail facilities.
2. **Targeted Inmate UA Testing:** When determining selection for targeted inmate UA testing, detention personnel shall access the T-Cup UA Test icon in SHIELD and select *Targeted* when there is reasonable suspicion to believe an inmate may be under the influence of, or has consumed, any illegal or controlled substance, or alcohol.
- A. All detention personnel have access to record UA test results, and all results shall be recorded in SHIELD.
 - B. Jail facility commanders, or their designees, shall be responsible for the selection and management of the targeted UA testing within their jail. Jail facility commanders, or their designees have access through SHIELD for reports and informational results regarding targeted UA testing in their jail facilities.
3. **Inmate UA Testing Procedures:** UA testing shall be made by urinalysis and performed on-site by authorized detention personnel using the appropriate UA testing kit for the rapid, qualitative detection of drugs and alcohol in the urine. Questions or concerns regarding testing procedures shall be directed to a shift supervisor or the facility FTO.
- A. UA testing locations shall be determined by each jail facility commander.
 - B. Inmates will remain on-site until the results of the test are known. The inmate will be informed whether the UA test shows a positive or negative test result.
 - 1. If the initial UA test result is negative, the inmate will be considered drug and alcohol free.
 - 2. If the UA test result is positive, the inmate may request a second test to confirm the positive result.

- a. If the second UA test is negative, the inmate will be considered drug and alcohol free.
 - b. A second positive UA test shall stand, and no further UA testing will be permitted.
 3. All positive UA test results shall be digitally photographed. UA testing kits shall not be placed on copy machines. Photographs of UA testing kit results shall be obtained by taking a digital photograph of the results.
 - a. A digital photograph copy of a positive test result shall be placed in the inmate's Jail File.
 - b. If a positive test result is determined during random UA testing, a digital photograph copy shall be attached to the *Random Drug Test Record* in SHIELD.
 - c. A digital photograph copy of each positive UA test result shall be attached to the inmate's DAR for the Custody Bureau Hearing Unit to review.
 - C. A refusal to submit to UA testing, a positive UA test result, or a failure to produce a sample after one hour, as specified in the *Rules and Regulations for Inmates*, shall require the following:
 1. The inmate will be immediately placed into security restrictive housing pending a disciplinary review, as specified in Office Policy DI-2, *Administrative Restrictive Housing*.
 2. A DAR will be initiated, which will include a digital photograph copy of the positive UA test results if applicable, recommending the maximum disciplinary sanctions allowed, as specified in the *Rules and Regulations for Inmates*.
 3. All refusals of UA testing shall be recorded in SHIELD.
 - D. Fully sentenced inmates may have their two-for-one credits forfeited for refusing to submit to random UA testing, or having a positive UA test result, as specified in Office Policy DM-1, *Inmate Work Program*.
 - E. Work Release/Work Furlough inmates may be removed from these programs for refusing to submit to random UA testing, or having a positive UA test result.
4. **Submitting of Criminal Charges:** Criminal charges related to drug possession will not be sought based solely on a positive UA test result.
- A. When probable cause exists, detention personnel shall write an Incident Report (IR) documenting the facts and the circumstances surrounding the incident.
 - B. The IR may be forwarded to the Office Jail Crimes Unit for further review and investigation.