

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> Standard Operating Procedures		
<b>Functional Area:</b> Facilities Operations	<b>Reference Number:</b> IIB01-0024 (209.10)	<b>Revises            Previous            Effective Date:</b>  3/01/2005
<b>Subject:</b> Inmate/Probationer Drug Testing		
<b>Authority:</b> Bryson/Jacobs	<b>Effective Date:</b> 4/30/15	Page 1 of  11

**I. POLICY:**

Each state facility/center shall conduct urine analysis on inmates or probationers on both a random selection basis and for reasonable suspicion or cause to detect the use of illegal drugs. County correctional institutions shall also conduct urine analysis on inmates/probationers to detect the use of illegal drugs. Testing in county correctional institutions may be coordinated through the State and County Coordinator's Office and may be conducted by staff of a neighboring state facility/center. Otherwise, testing in county correctional facilities/centers will follow the procedures prescribed in this SOP.

**II. APPLICABILITY:**

All State Prisons, County Correctional Institutions, Probation Detention Centers, Probation Boot Camps, and Transitional Centers.

**III. RELATED DIRECTIVES:**

- A. O.C.G.A. 42-1-10
- B. Board Rules: 125-3-1-.03, 125-3-2
- C. GDC-SOPs: IIB02-0001, IK01-0005, IIB09-0001, IID04-0006 and IIIB02-0005
- D. A.C.A. Standards 3-4061, 3-4292, 3-4388

**IV. DEFINITIONS:**

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- A. **Laboratory Drug Screen:** A controlled laboratory test(s) conducted to detect the usage (inhalation, ingestion, injection) of illegal drugs in the subject's system.
- B. **Random Selection:** Designating a sample drawn from the inmate/probationer population so that each member of the population has an equal chance to be selected.
- C. **Reasonable Suspicion:** Knowledge sufficient under the circumstance to cause an ordinary prudent and cautious person to believe someone has consumed illegal drugs.
- D. **On-site Drug Field Testing:** Preliminary analytical testing procedure done at the facility/center to detect drug of abuse in urine. Test kits for this purpose are available from certain pharmaceutical companies.

V. **ATTACHMENTS:**

Attachment # 1 - Drug Screen - Chain of Custody Form

VI. **PROCEDURE:**

- A. **Purpose and Objectives:** The Georgia Department of Corrections will maintain a rigorous program of inmate and probationer drug testing in all facilities/centers housing GDC inmates or probationers to preserve the safety and welfare of its facilities/centers and for the protection of the public. The Department will maintain a zero tolerance for inmate/probationer substance use within its facilities/centers. Drug testing may be utilized to:
  - 1. Provide a management tool to identify inmates and probationers actively using unauthorized substances while incarcerated for the purpose of imposing appropriate sanctions and offering treatment interventions as appropriate.
  - 2. Assist in maintaining the safety and security of the facility/center through a rigorous program of drug testing.

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3. Deter inmates and probationers from the use of unauthorized and/or illegal substances by holding them strictly accountable for **all** occurrences of substance use through the imposition of appropriate and progressive sanctions.
4. Provide a mechanism for confirming suspicion of drug use by an inmate or probationer.
5. Provide an avenue for confrontation and treatment intervention for inmates/probationers actively using unauthorized and/or illegal substances while incarcerated.

**B. Selection:**

1. Each facility/center will develop a random listing of five percent (5%) of its inmate/probationer population every 30 days and those inmates/probationers will be tested on site for drug abuse. The listing will be computer-generated using a computer program developed and approved by the Facilities Division in conjunction with the Department's Office of Information Technology. The current program is a paradox-based program within the Offender Management System software program. The list of inmates/probationers to be tested will be generated by the Operations Analyst at each facility/center on a monthly basis. The list will be given to the facility's/center's Drug Testing Coordinator who will arrange for all inmates/probationers whose names are on the list to be tested. Actual monthly test dates shall be at irregular intervals during the month. Urine will be obtained at varying days and times to include weekdays, weekends and all three shifts. Inmates in diagnostic status will be excluded in random testing but will be tested based on reasonable suspicion.
2. Additional drug testing will be conducted on inmates/probationers returning to a facility/center after being in the community for the purposes of work or furlough; in substance abuse treatment programs; as a special condition of probation; and

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based upon reasonable suspicion arising from an event or incident to include but not limited to the following:

- a. Confidential information from a reliable source;
  - b. Observed unusual actions or behaviors;
  - c. An inmate/probationer being found in possession of suspected drugs and/or alcohol;
  - d. A group of inmates/probationers located in an area in which suspected drugs and/or alcohol are found to include in a specific living unit, on a work detail vehicle or in an inmate/probationer work area; and
  - e. Suspected intoxication of an inmate/probationer.
3. Inmates/probationers suspected to be either intoxicated or under the influence of drugs may be examined by a member of the health care staff. If an inmate/probationer is intoxicated or under the influence of drugs, appropriate treatment and medical observation will be provided to ensure the welfare of the inmate/probationer, as required. An inmate/probationer suspected of being under the influence of drugs or intoxicated should be placed in administrative segregation immediately, if he or she is acting abnormally.
  4. Reasonable suspicion drug tests require the authorization of the Warden/Superintendent, Deputy Warden/Assistant Superintendent, Chief Correctional Supervisor, or Duty Officer.
  5. Inmates/probationers returning from furlough or pass may be subject to drug testing at the discretion of the Warden or Superintendent. Transitional Center and Diversion Center residents and resident workers may be subject to drug testing upon return from work or outside detail, at the discretion of the

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Superintendent. If random procedures are established for testing these inmates/probationers returning to the facility/center from being in the community, specific "random" selection criteria must be specified in written local operating procedures.

6. All inmates/probationers participating in any of the Department's Substance Abuse Treatment Program phases to include the Residential Substance Abuse Treatment Program; the Prison Substance Abuse Program; and the Specialized Intervention Programs #1 or #2 shall be tested upon entry into that phase and on a monthly basis while in treatment.

C. **Screening Criteria:** The drug screen urinalysis should test for the active ingredients found in one or more of the following: marijuana, amphetamines, barbiturates, cocaine, morphine, heroin, opiates and/or other drugs of abuse as selected.

D. **Alcohol Testing:**

1. All facilities/centers will have the capability of testing inmates/probationers for suspected alcohol use. Testing will be primarily for reasonable suspicion.
2. The Alco-Sensor will be the standard testing method used for suspected alcohol use. Facilities/Centers wishing to use a different alcohol testing product must obtain the written approval of the Corrections Division Director or designee.
3. Positive alcohol tests will result in a disciplinary report being written and handled in accordance with the procedures outlined below for positive drug tests.

E. **Staff Training:**

1. **Sample Analysis:** All staff who analyze urine samples will be trained by manufacturer representatives according to the manufacturer's specifications. These staff will also receive training on

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Corrections Division procedures. The manufacturer will provide a certificate to each individual upon completion of certification training and demonstration of proficiency via written and skills tests.

2. **Specimen Collection and Chain-of-Custody Only:** Any staff person who will assist only in the collection of the urine specimen or otherwise in the chain of custody will receive training on the Corrections Division procedures only. Specimen collection training may be provided by the facility/center designee for supervision of the drug screening program.

F. **Safety Issues:** Universal precautions and basic physical safety standards shall be utilized in drug testing. As with all laboratory procedures, good physical hygiene and safe practices will be followed:

1. Avoid contact with eyes and skin.
2. Wear protective latex gloves.
3. Do not eat, drink, or smoke at test location and do not have food, drinks or cigarettes in the testing area.
4. Wash hands thoroughly after handling specimens.
5. Do not refrigerate food/drink where specimens are
6. Do Not test specimens known to have blood in them.

G. **Collection of Sample:**

1. Each Warden or Superintendent will designate a Drug Testing Coordinator to supervise the drug testing program, establish in-house procedures, train staff collecting urine, conduct drug testing, ensure the facility's/center's drug testing program is operating in compliance with Department policy/procedure and prepare reports.

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2. The collection of samples shall take place in a designated area which does not permit the inmate/probationer to come in contact with other individuals or other materials which could be used to adulterate the sample while the container or sample is in the inmate's/probationer's possession. The area used for the collection of urine needs to be clean, well lighted and used solely for the collection of urine during the collection process.
3. One designated staff member of the same gender should be present to observe the collection of the specimen. Prior to taking the urine, a pat down search of the inmate/probationer will be done to ensure there is nothing in his or her possession which could be used to alter the urine. The collection of urine shall be observed continuously from a side or frontal view by the staff assigned to collect the specimen. The employee shall check to see that the specimen approximates body temperature and has proper coloration to ensure that the specimen has not been diluted, substituted or adulterated. The inmate/probationer should provide at least two ounces of urine to ensure sufficient quantity for testing.
4. The designated staff shall provide the inmate/probationer with a pre-labeled container for the collection of the sample. The label shall include the inmate's/probationer's name, number, date of birth, the date and the time of collection. The inmate/probationer shall initial the label.
5. The inmate/probationer must provide the sample at the time requested.
  - a. Failure to comply within a 2-hour period of time or refusal to provide the urine sample is grounds for a disciplinary report. The charge is C-17, "Refusal To be Tested."
  - b. The staff member should indicate, on the Chain of Custody form, the inmate's/probationer's refusal to provide a sample.

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- c. Inmates/Probationers are to be allowed to drink water, using appropriate precautions to insure they do not contaminate samples.
- 6. Inmates/probationers found attempting to alter, contaminate or adulterate the sample in any way shall be cited with a disciplinary report to carry the charge of B-17, "Obstructing Duties".
- 7. A valid chain of custody will be maintained at all times in accordance with the provisions of this procedure.

**H. Chain of Custody:**

- 1. A Drug Screen - Chain of Custody form (Attachment #1) shall be completed by the staff member collecting and/or analyzing the sample and shall include the inmate's/probationer's name, number, date of birth and the date and time of collection.
- 2. When the sample is collected, the inmate/probationer will complete the appropriate section of the Chain of Custody Form.
- 3. If for any reason the test cannot be completed immediately following collection of the sample:
  - a. The staff member shall seal the sample under observation of the inmate/probationer. The inmate/probationer then signs the Chain of Custody form, as does the staff member. If an inmate/probationer refuses to sign, the staff member will provide a statement, witnessed by at least one other person, indicating the inmate's/probationer's refusal to sign.
  - b. The staff member shall transport the sealed sample to the specimen holding area and deliver it to the appropriate individual for testing. The employee receiving the sample shall sign the sheet. The employees who transported the sample shall witness the signature.



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c. The sample shall be stored in a secure and technically appropriate manner until such time that it is turned over to the appropriate personnel for testing.

I. Storage of Specimens:

1. **Short term storage** - Specimens not tested immediately after collection should be refrigerated within 48 hours, in a refrigerator fitted with a lock. Specimens yielding negative results may be disposed of immediately.
2. **Long term storage** - If the specimen tests positive and will be sent for confirmation or used as the basis for a disciplinary hearing, it should be frozen in the freezer compartment of a refrigerator fitted with a lock. A Chain of Custody form will reflect all individuals handling the specimen. The specimen may be disposed of when no longer required.
3. **Refrigerator:** Any refrigerator used to store urine specimens must remain locked at all times, except when samples are being put in or taken out.
4. **Disposal of Urine:** When a sample tests negative or after all disciplinary appeals or Court action have been exhausted on a positive test, all samples must be disposed of via a toilet receptacle. The bottle shall be rinsed with bleach and disposed of or placed in a trash bag for contaminated medical products.

J. **Field Testing:** Each collected specimen shall be tested at the facility/center by staff designated by the Warden/Superintendent, using kits designated for field testing of urine for drug use. Prior to using test kits, expiration date will be checked. Reagents will not be used beyond their expiration dates. Only the specific product(s) authorized for use by the Corrections Division Director or designee will be used in inmate/probationer drug testing. Currently the Roche On-Trak and/or Roche Test Stik will be used. Samples needing a confirmation test will be sent to the Laboratory on contract with GDC

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for a Gas Chromatography / Mass Spectrometry (GC/MS) test.

**K. Reporting of Results:**

1. A report of results shall be prepared by the designated staff member and sent to the Deputy Warden for Security/Chief of Security and copies to the Deputy Warden for Care and Treatment and the Chief Counselor, who will distribute copies to the files and appropriate staff. Drug testing results will be logged and maintained on-site in a central file by the Drug Testing Coordinator.
2. All positive test results shall be placed in the inmate's/probationer's facility administrative file.
3. The results of the examination shall be final and shall be grounds for disciplinary action.
4. The facility will report drug test results on-line through the GDC Intranet on a monthly basis capturing the following information:
  - a. number of inmates/probationers tested randomly;
  - b. number of inmates/probationers tested based on suspicion of use;
  - c. number of inmates/probationers testing positive in random test;
  - d. number of inmates/probationers testing positive when tested based on suspicion;
  - e. number of inmates/probationers tested in current fiscal year to date, in random tests;
  - f. number of inmates/probationers tested in current fiscal year to date, based on suspicion;
  - g. number of inmates/probationers testing positive in random tests in current fiscal year to date;

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h. number of inmates/probationers testing positive in tests for suspicion in current fiscal year to date;

5. The Corrections Division Drug Testing Coordinator will review the monthly Intranet report to the Division Office to ensure that all facilities/center are operating in accordance with the Department's drug testing procedure.

**L. Sanctions:**

1. A Disciplinary Report will be generated for all positive drug and alcohol tests. Disciplinary Reports will be handled and sanctions given in accordance with GDC SOP IIB02-0001. All disciplinary action is progressive in nature and minimum sanctions of isolation and Tentative Parole Month extension should be used on first and second offenses.
2. For inmates found guilty of a drug or alcohol infraction, referral to the Classification Committee for review is a recommended sanction. The Classification Committee may assign inmates to the following substance abuse treatment interventions: Specialized Intervention Programs(SIP) #1 and #2; Prison Substance Abuse Program (PSAP); and the Residential Substance Abuse Treatment (RSAT) Program.
3. An initial positive will generally result in recommendation for program placement. A second positive drug test will result in programmatic sanctions (E.G.: program termination warning; or program discharge). Additional positive tests will generally result in more severe disciplinary sanctions to include isolation and the extension of the tentative parole month.
4. Probation Diversion Centers may refer probationers for treatment interventions to in-house substance abuse treatment programs; local mental health

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centers for substance abuse treatment or to other community substance abuse treatment programs.

5. All Probation Centers may take the probationer back to Court based on positive drug test results if indicated based on progressive sanctions.
6. Sanctions for positive drug tests will be progressive in nature and will be in accordance with GDC SOP IIB02-0005.
7. Inmates participating in the RSAT program will be automatically linked to the substance abuse treatment programs established by Parole following their release from prison.
8. All inmates testing positive for drug or alcohol use and being found guilty in a Disciplinary hearing will have the infraction reported to the Parole Board. The Parole Board will review these findings and they may impact the Board's decision to grant parole.

**M. Investigation and Reports:**

1. Positive reports may cause an investigation to be conducted by designated facility/center staff to determine how the drugs were introduced into the institution. The Warden/Superintendent may request assistance from Internal Investigations.
2. Inmates who test positive shall be cited with a disciplinary for C-17, "Using Unauthorized Drugs". If an inmate who tests positive was also on prescribed medication, the positive results will be discussed with the medical section before charging the inmate with a disciplinary infraction. The presence of prescription medications may require a confirmation test, depending on the drug screening test's sensitivity to the particular medication.

**VII. RETENTION SCHEDULE:**

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Attachment 1 of this SOP, when complete will be filed locally and kept for one year if the results are negative. If the results are positive, the form will become part of a disciplinary package that is placed in the inmate's case history file. The case history file is kept according to the official records retention schedule.