



BOB RILEY
GOVERNOR

State of Alabama Alabama Department of Correction

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RICHARD F. ALLEN
COMMISSIONER

January 25, 2007

ADMINISTRATIVE REGULATION
NUMBER 440

OPR: TREATMENT

INMATE DRUG SCREENING

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for verifying inmate compliance to a drug free environment. Drug testing has been instituted for ADOC supervised inmates as a management tool for staff and as a deterrent to drug use, drug trafficking, and drug related infractions.

II. POLICY

It is the policy of the ADOC to conduct drug and alcohol testing of inmates to detect and deter the abuse of contraband and illicit substances. This policy provides for non-discrimination, including, but not limited to, race, religion, and gender. ADOC is committed to drug testing, sanctions, and treatment of all inmates to the extent possible to maintain a zero tolerance for such behavior.

III. DEFINITION(S) AND ACRONYM(S)

- A. Screened positive. A positive urinalysis test conducted by an ADOC on-site laboratory.
- B. Confirmed positive. A positive urinalysis test conducted by an independent off-site laboratory.

IV. RESPONSIBILITIES

- A. The ADOC Director of Treatment will:
 - 1. Ensure that this AR is in compliance with applicable state and industry standards.
 - 2. Procure and distribute drug testing equipment and supplies.
 - 3. Develop and implement a curriculum of appropriate training.

4. The Drug Testing Officer will ensure that all tests are completed according to standards of the *College of American Pathologists* and that proper chain of custody is maintained to ensure the integrity of the testing program. Officers will receive training on applicable equipment associated with the substance abuse testing program.

V. PROCEDURES

A. Testing for Drugs and Alcohol:

1. Testing equipment should be capable of screening for the following: Alcohol, Amphetamines, Methamphetamines, MDMA (Ecstasy), Oxycodone, Tricyclic Antidepressants (TCA), Barbiturates, Benzodiazepines, Methadone, Cannabinoids (marijuana), Cocaine, Opiates, and Phencyclidine (PCP).
2. The majority of testing should be for frequently abused drugs, such as cocaine, marijuana and alcohol. Random screening will be done for all drugs.
3. Each institution will test for drugs most frequently used in that locale.
4. The inmate's institutional and medical records may be reviewed to determine type of drug(s) used prior to incarceration.

B. Inmate Testing Criteria. The following criteria will be used for the selection of inmates tested for substance abuse:

1. Inmates will be tested on a random, unannounced basis at a frequency that will assist the Warden/designee in assessing if the inmate is drug free.
 - a. The names of individuals for random testing will be generated by computer, based on five percent (5%) of the population for a given institution.
 - b. Inmates who have contact with the general public may be screened at a greater frequency than random testing, such as those inmates whose job assignments include, but not limited to, outside squads, infirmary, trade school, and inmate "runners."
 - c. The computer-generated list will be distributed to the Warden/designee so that specimens can be collected at different days and times during the month.
2. Inmates assigned to a community custody institution will be tested at a greater frequency than those assigned to a major institution.
3. Inmates who appear or are reported under the influence of drugs or alcohol may be tested.

4. Testing an inmate for any reason other than the ones listed above must be approved by the Warden/designee.
5. Inmates that test positive for a specific drug shall not be re-tested for that same drug any earlier than the time specified in the following chart:

Substance Detection Periods	
Test Positive for:	Test after:
Amphetamines	5 days
Barbiturates	3 days
Benzodiazepines	10 days
THC	45 days
Cocaine	5 days
MDMA	7 days
Methadone	7 days
Methamphetamine	5 days
Methaqualone	10 days
Opiates	7 days
Oxycodone	7 days
PCP	8 days
Propoxyphene	7 days
Hydrocodone	7 days
LSD	10 days
Alcohol	1 days

6. Calculation of testing time should be based on the date the specimen was collected; not the screening or confirmation date.

C. Inmate Specimen Collection:

1. Prior to collecting the urine specimen:
 - a. The inmate will:
 - 1) Leave bags, containers, and outer garments outside the restroom.
 - 2) Wash his / her hands prior to urination.
 - b. The collection process will be conducted by members of the same sex, in private, and outside the presence of other inmates or other non-involved staff.
 - c. The collecting officer will:
 - 1) Receive on-the-job training on urine collection procedures.

- 2) Secure and search the area where the urine specimen is collected, making sure the area is free of anything that could be used to contaminate the urine specimen.
- 3) Place bluing dye/color in the toilet prior to testing.
- 4) Positively identify the inmate by picture, name, and AIS number using the inmate identification card.
- 5) Enter the following information on the ADOC Form 440-A, *Chain of Custody*: inmate's name, AIS number, race, sex, and if any medications (yes or no) were taken during the last month.
- 6) Search the inmate to ensure the inmate cannot contaminate the urine specimen.

2. Collecting the urine specimen:

- a. ADOC on-site laboratory Drug-Testing Officers will not collect urine specimens.
- b. The collecting officer will:
 - 1) Observe the inmate giving the urine specimen during the entire process to ensure the inmate does not contaminate the urine specimen.
 - 2) Collect at least one-half of a specimen cup of urine for testing, but not less than 30ml.
 - 3) Remain with the inmate in the secure urine collection area until the urine specimen is adequately produced.
 - 4) If inmate is unable to produce an adequate specimen:
 - a) Permit the inmate to drink eight (8) ounces of water every thirty (30) minutes, not to exceed 24 ounces.
 - b) The sound of running water may be used as encouragement.
 - c) A new specimen cup will be provided on each attempt.
 - 5) An inmate who is unable to provide a urine specimen within three (3) hours of being ordered to do so:

- a) Will be considered refusing to submit a urine specimen.
 - b) Will be charged with disciplinary action referencing AR 403, *Disciplinary Hearing Procedures for Major Rule Violations*. The sanctions shall be the same or similar as a positive urine test.
3. After collecting the urine specimen:
- a. Secure the cap on the specimen cup.
 - b. Place a label on the side of the cup and write the inmate's name, AIS number, race, and date the urine specimen was collected. This must match the information previously recorded on ADOC Form 440-A.
 - c. Secure cap with tamper-proof seal/evidence tape to avoid tampering or contamination. Write the inmate's name, AIS number, race, and date the urine specimen was collected on the evidence seal tape.
 - d. Write corresponding ADOC Form 440-A line number on the cup label and the evidence seal tape on the cap.
 - e. The inmate will observe the collection process.

D. Specimen Storage And Transportation:

1. An ADOC Form 440-A, *Chain of Custody*, must always be maintained with each urine specimen collected. The chain of custody begins with the inmate providing the urine specimen, then the collecting officer, and finally the transporting officer or officer operating the drug testing equipment. This chain of custody should be kept to a minimum to prevent possible contamination.
2. A locked container will be used to hold specimens at the collection point and during transportation to the testing site. The locked container will be held in a secure area. Only the collection site shift commander and laboratory testing officer will have access to the specimen container key. The ADOC Form 440-A will reflect placing into and removing specimens from secure storage.
3. If the urine specimen is not tested within twenty-four (24) hours after collection, the container holding the urine specimen must be placed in a locked and secure refrigeration unit. Only the shift commander will have access to the key locking the refrigeration unit.

4. All ADOC on-site laboratory tests must be completed within seven (7) days of collection.

E. Inmate Specimen Testing:

1. Only ADOC on-site laboratory Drug-Testing Officers will have access to urine specimens stored in the laboratory or be present in the laboratory while drug tests are conducted.
2. All testing of urine specimens using test sticks and/or panels will be conducted in accordance with the manufacturer's instructions.
3. All testing of urine specimens using the analyzer will be conducted in accordance with the operating instructions for the equipment.
4. Laboratory Drug-Testing Officers will:
 - a) Ensure that all information recorded on the urine specimen cup corresponds to the information recorded on the ADOC Form 440-A.
 - b) Ensure that all specimens collected are sealed and the proper chain of custody has been maintained. On-site laboratory Drug-Testing Officers will not test specimens if the chain of custody has been broken or the specimen submitted appears compromised.
 - c) Complete and submit an ADOC Form 302, *Incident Reporting*, anytime a urine specimen is declined and not tested.
 - d) Give the benefit of doubt to the inmate being tested. A positive screen will be re-tested for verification using a new specimen of urine from the original specimen container. Verified positive results will be sent to an outside independent laboratory for confirmation testing.
5. Each institution will promptly be notified of any inmate screened positive at an on-site drug testing laboratory. Any inmate, testing positive, shall have his / her current custody status reviewed. Specimen verification reports will not be forwarded to the sending institution until a confirmation report has been received from the outside independent toxicology laboratory. Disciplinary action will not be initiated on an inmate until a positive confirmation specimen report has been received from an outside independent laboratory.
6. All inmates confirmed positive will be charged the current fee set by the outside toxicology laboratory (As of this date, the current fee is \$31.50.)
7. A specimen determined to be adulterated will be referred back to the collecting officer or shift commander for appropriate disciplinary action as specified in AR 403.

F. Independent Laboratory Confirmation Testing:

1. An off-site laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) or accredited through the *College of American Pathologists* (CAPS) will conduct confirmation testing.
2. The ADOC on-site laboratory Drug-Testing Officer will send a portion of the specimen and a signed specimen control form requesting confirmation of the suspected controlled substance utilizing gas chromatography/mass spectrometry (GC/MS) testing.
 - a. The off-site independent laboratory will supply materials for packaging and mailing the specimen.
 - b. The appropriate identification items from the ADOC Form 440-A, *Chain of Custody* form and the inmate's specimen container with the chain of custody form will be sent to the off-site independent laboratory with the supplied specimen package.
3. If the specimen is confirmed positive, the cost of the independent laboratory confirmation testing will be charged to the inmate's prisoner money on deposit account (PMOD). The cost to the inmate is determined by the current fees set by the independent laboratory. The Accounting Division will notify wardens and business managers of the current cost for confirmation testing.
4. If the specimen is confirmed negative by the off-site independent laboratory, the cost of the independent analysis will be paid from the Institutional Contingency Fund (ICF) and not by the inmate.

G. Confirmed Positive Urinalysis:

1. The ADOC Drug Testing Officer will forward the ADOC Form 440-B, *Individual Specimen Report*, for each inmate confirmed positive to the inmate's institution and the Director of Treatment.
2. Disciplinary action, see AR 403, *Disciplinary Hearing Procedures for Major Rule Violations*, will be initiated by the officer who collected the specimen or the shift commander.
3. The investigating officer will consult the ADOC Director of Treatment to resolve questions about medication the inmate may have taken prior to testing that could cause a positive result.
4. A weekly computer file will be made by each ADOC on-site drug testing laboratory on a computer disk after the last test run each Thursday and transmitted by 3:00 p.m. to Information Systems Division so the results can be automatically recorded in the Department's computerized data base.

5. Any problem with the drug testing equipment, data management system, or products **must** be immediately reported to the vendor. If the problem is not resolved within one (1) working day, the Director of Treatment will be contacted.
6. Inmates who test positive will be referred to their classification specialist for referral to an appropriate substance abuse treatment program. These efforts will be noted in the inmate's institutional file. Volunteering for treatment is not a bar from disciplinary action.
7. Inmates who test positive will be closely monitored, escape potential re-evaluated, and security level reviewed for increased security, if necessary and/or appropriate.
8. Community custody inmates who test positive for drug use (other than alcohol or marijuana) will be returned to a major institution on the first offense for reclassification.

H. Treatment for Inmates Testing Positive:

1. Inmates assigned to Community Based Facilities that test positive for using alcohol or marijuana for the first time may remain at the institution and attend a drug treatment program. If a drug treatment program is not available at that institution, the inmate shall be transferred to the least-restrictive institution that has a drug treatment program.
2. Inmates assigned to Community Based Facilities who test positive a subsequent time shall be transferred to a major institution for reclassification and participation in an appropriate drug treatment program.
3. Community / minimum-out custody inmates who test positive for hard drugs, such as cocaine, will be removed and transferred to a higher security level institution for drug treatment.
4. Inmates assigned to other than Community Based Facilities who test positive for alcohol or drugs shall be assigned to the institutional drug treatment program according to the ADOC Classification Manual procedures.
5. The drug treatment counselor will develop an individualized treatment plan that addresses the inmate's substance abuse issues. Treatment plans will include attendance at Alcoholics Anonymous (AA)/Narcotics Anonymous (NA) meetings, and structured study including drug abuse videos and pamphlets.
6. Community custody inmates who test positive for alcohol or marijuana after having completed a substance abuse program may be entered into a Relapse Prevention program.

7. An inmate can refuse to participate in a drug treatment program, in such instances the refusal will be recorded in the inmate's institutional file. Refusal may preclude participation in programs that the inmate otherwise would have been eligible.

I. Drug Testing Supplies

1. Each ADOC drug-testing laboratory will order necessary drug testing supplies through the Office of the Director of Treatment. Immediately upon receipt of drug testing supplies, the shipment will be checked against the packing slip and any discrepancies resolved with the vendor. After any discrepancies have been resolved, a copy of the packing slip certifying that all items have been received will be mailed or faxed to the Director of Treatment.
2. ADOC institutions will request specimen containers and evidence seals from their assigned on-site drug testing laboratory.
3. The one-step testing devices (test sticks and multiple panels) used by community-based institutions will be ordered and distributed through the Director of Treatment.
4. ADOC on-site drug testing laboratories will keep a copy of all receipts for testing supplies received for one (1) year.

VI. **DISPOSITION**

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. **FORMS**

- A. ADOC Form 440-A, *Chain of Custody*.
- B. ADOC Form 440-B, *Individual Specimen Report*.

VIII. **SUPERCEDES**

This AR supercedes AR 440 dated January 5, 2006.

IX. PERFORMANCE

- A. Code of Alabama 1975
- B. National Commission on Correctional Health Care: Standards for Health Care in Prisons, 2003.
- C. Standards of the *College of American Pathologists*.
- D. Substance Abuse or Mental Health Services Administration (SAMHSA)


Richard F. Allen, Commissioner

STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS

CHAIN OF CUSTODY

Name of Institution: _____ Inst. Code: _____

Date: _____ Time Specimens Delivered: _____

	First	Last	Time of Collection	AIS #	Race	Sex (M-F)	Medications (Yes or No)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							

OUR INSTITUTION REQUESTS THE ABOVE NAMED INMATE (S) BE DRUG SCREENED AND THE RESULTS OF ALL POSITIVE TESTS BE REPORTED VIA PHONE CALL WITH PAPERWORK TO FOLLOW.

There are a total of _____ specimens to be tested.

From: (The above Inmates)	To: _____	Date: _____	Time: _____
From: _____	To: _____	Date: _____	Time: _____
From: _____	To: _____	Date: _____	Time: _____
From: _____	To: _____	Date: _____	Time: _____
From: _____	To: _____	Date: _____	Time: _____
From: _____	To: _____	Date: _____	Time: _____

RETAIN THIS FORM FOR ONE YEAR

ADOC Form 440-A – January 25, 2007

STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS

INDIVIDUAL SPECIMEN REPORT

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Name:	Printed:
ID:	Specimen ID:
Posted By:	Collection Date/Time:
Date Posted:	Chain of Custody:

Test Name:	Outcome
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Drug Screen

Alcohol	ALC
Cannabinoid	THC
Cocaine	COC

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Outcome:

Reviewed By:

Print Date:

Signed: _____

Results approved by: _____ Date: _____

Copy Received by Inmate: _____ AIS # _____ Date: _____

RETAIN THIS FORM FOR ONE YEAR

ADOC Form 440-B – January 25, 2007