



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
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NUMBER
DOC 420.385

POLICY

TITLE
PRESUMPTIVE DRUG TESTING

REVIEW/REVISION HISTORY:

Effective: 9/3/19

Revised: 2/9/24

SUMMARY OF REVISION/REVIEW:

Major changes to include updated procedures for test results. Read carefully!


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

1/12/24

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 420.380 Drug/Alcohol Testing; DOC 890.000 Safety Program; DOC 890.030 Hazardous/Dangerous Waste Management; DOC 890.070 Chemical Control and HAZCOM; DOC 890.130 Job Safety Analysis, Hazard Assessments, and Personal Protective Equipment; [Records Retention Schedule](#)

POLICY:

- I. The Department has established guidelines for the use of presumptive drug testing kits to identify suspected illegal/unauthorized drugs.
- II. Testing of drug/alcohol use by an individual will be conducted per DOC 420.380 Drug/Alcohol Testing.

DIRECTIVE:

- I. General Requirements
 - A. The Chief of Investigative Operations/Reentry Center Manager (RCM)/Community Corrections Supervisor (CCS)/designee will identify positions/assignments authorized to use presumptive drug testing kits.
 1. Employees/contract staff will complete the manufacturer’s certification and DOC 21-916 Presumptive Drug Testing Agreement before using kits.
 - B. Only suspected drugs will be tested using the appropriate kit. Employees/contract staff will only use kits they have current certification to use.
 - C. Documentation for certified employees/contract staff will be maintained in the personnel file per the Records Retention Schedule and locally by the:
 1. Chief Investigator at major facilities (i.e., Level 3 or higher).
 2. Superintendent/designee at stand-alone Level 2 facilities.
 3. RCM in Reentry Centers.
 4. CCS in the Field.
 5. Chief of Investigative Operations for Special Investigative Services employees.
 - D. Audits will be completed at least annually to ensure employees/contract staff are trained and certified in compliance with the manufacturer’s requirements.
- II. Substance Identification and Testing


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- A. When a substance is found and believed to contain illegal/unauthorized drugs, certified employees/contract staff will attempt to identify the substance using a presumptive drug testing kit.
 - 1. Unknown powdered substances or suspected drugs without a sufficient testing quantity may be sent to Washington State Patrol or a contracted laboratory for identification/disposal.

- B. When conducting a test and handling substances, certified employees/contract staff will:
 - 1. Have an employee/contract staff observe, if available.
 - 2. Use appropriate personal protective equipment per DOC 890.130 Job Safety Analysis, Hazard Assessments, and Personal Protective Equipment.
 - 3. Follow manufacturer recommendations for proper handling and disposal. Safety Officers may recommend additional precautions based on testing location(s). No eating or drinking will be allowed while testing.
 - 4. Photograph/video record suspected illegal/unauthorized drugs before and after testing. The photograph/recording will include the test results and be maintained in a secure location designated by the Chief of Investigative Operations/Superintendent/RCM/CCS/designee.
 - 5. Handle suspected illegal/unauthorized drugs as evidence per the appropriate policy. Evidence reports will describe the substance's location and characteristics (e.g., color, obvious odor, texture).

III. Test Results

- A. If the test result is positive or abnormal:
 - 1. In total confinement and Reentry Centers, the tester will have a witness confirm the test result.
 - 2. The individual will be informed of test results and provided an opportunity to admit using and/or possessing drugs/alcohol.
 - a. An individual's admission will be documented when the infraction report is served on DOC 14-021 Admission of Drug/Alcohol Use/Possession.

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3. An individual in total/partial confinement may request laboratory confirmation. DOC 14-204 Request for Laboratory Confirmation will be served with the infraction report.
 - a. If the test results are confirmed positive by the laboratory, the individual will reimburse the Department for testing costs.
 - 1) Reimbursement will be processed as a withdrawal/debt per DOC 200.000 Trust Accounts for Incarcerated Individuals.
 - 2) The individual will be notified if a contracted laboratory is not available.
4. The tester may order offsite screening and/or confirmation through a contracted laboratory, if available, with justification (e.g., confirm suspicious results/prescribed use, subject to Board hearing) and approval from the Chief of Investigative Operations/Superintendent/RCM/CCS/designee.
 - B. For tests being sent to the contracted laboratory chain of custody will be documented on DOC 14-038 Drug/Alcohol Test Chain of Custody Log.
 - C. Positive test results, including updates for tests sent to a contracted laboratory, will be documented:
 1. In Prisons or Reentry Centers, as a report in the Incident Management Reporting System.
 2. In the Field, as a chronological entry in the electronic file.

IV. Disciplinary Action

- A. Results of presumptive testing kits may be the sole factor when determining guilt for possessing or introducing drugs/alcohol by individuals in total/partial confinement only when the results have been confirmed by a contracted laboratory.
 1. Additional evidence is required to support a violation (e.g., refusal of confirmation laboratory testing, statement by individual or witness, confidential information, positive urinalysis test, use of a canine, medical response, paraphernalia) if the results have not been confirmed.

V. Chemical Exposure

- A. When an employee/contract staff experiences an exposure:

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1. The following will be provided:
 - a. Resources to clean up and conduct an assessment to determine the extent of exposure.
 - b. Clean clothing, if needed.
 - c. The opportunity to seek immediate medical care.
2. The supervisor will be notified as soon as possible of the exposure and DOC 03-133 Accident/Injury Report will be completed per DOC 890.000 Safety Program.

B. Contaminated materials will be disposed of per DOC 890.030 Hazardous/Dangerous Waste Management.

C. Questions about post-exposure follow-up should be directed to the Occupational Nurse Consultant or the exposed person's health care provider.

VI. Storage

A. Test kits will be stored and maintained in a secure location designated by the Superintendent/RCM/CCS/designee or Chief of Investigative Operations for Special Investigative Services.

1. Kits will be stored in the Intelligence and Investigations Unit at major facilities.

B. Safety Data Sheets will be maintained for each type of test kit per DOC 890.070 Chemical Control and HAZCOM.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 03-133 Accident/Injury Report
DOC 14-021 Admission of Drug/Alcohol Use/Possession
DOC 14-038 Drug/Alcohol Test Chain of Custody Log



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DOC 14-204 Request for Laboratory Confirmation
DOC 21-916 Presumptive Drug Testing Agreement