



Change Notice

DIRECTIVE AFFECTED: 6060.08
CHANGE NOTICE NUMBER: 1
DATE: 3/8/2001

1. **PURPOSE AND SCOPE.** To revise PS 6060.08, Urine Surveillance and Narcotic Identification to remove the requirement for staff to administer the Random selection list in a sequential order.

2. **SUMMARY OF CHANGES.** The revised policy will allow staff to skip an inmate on the Random list who is not readily available, i.e., on a medical trip, in the visiting room, etc., and continue with testing from the list. The inmate who was bypassed can then be tested when it is more convenient for staff and the inmate is available.

Additionally, an extension of the Random list will serve to supply additional inmate names for testing to replace inmates who are not readily available for testing. For example, if five percent of the population must be tested, a list containing seven percent should be produced. Inmates will then be sequentially chosen from the remaining names on the Random list to replace those unavailable for testing.

3. **TABLE OF CHANGES**

Remove

Pages 7 and 8

Insert

Pages 7 and 8

4. **ACTION.** File this Change Notice in front of PS 6060.08, Urine Surveillance and Narcotic Identification.

/s/
Kathleen Hawk Sawyer
Director



Program Statement

OPI: CPD
NUMBER: 6060.08
DATE: 11/24/99
SUBJECT: Urine Surveillance and Narcotic Identification

1. **[PURPOSE AND SCOPE §550.30.** The Warden must establish programs of urine testing for drug use, to monitor specific groups or individual inmates who are considered as high risk for drug use, such as those involved in community activities, those with a history of drug use, and those inmates specifically suspected of drug use.

Testing is to be performed as frequently as the Warden determines on at least 50 percent of inmates who are involved in community activities. In addition, staff shall randomly sample each institution's inmate population during each month to test for drug use.]

Information on urine surveillance of inmates at Community Corrections Centers and other community-based programs is in the Community Corrections Manual.

This Program Statement also requires that each institution maintain a supply of Narcotic Identification Kits to determine whether unknown substances are narcotics, or other controlled substances.

2. **SUMMARY OF CHANGES.** This revision changes:

- The Random urine testing requirement for High Level Security from seven percent to ten percent and Minimum Level Security institutions from five percent to three percent.

[Bracketed Bold - Rules]

Regular Type - Implementing Information

- The Random selection process from a "selection without replacement" to "selection with replacement" of the inmate's name.
- Additionally, an inmate's name will no longer be removed from the Disruptive Group Testing Category when their name also appears on the Random Selection Category.

3. PROGRAM OBJECTIVES. The expected results of this program are:

- a. Illegal use of drugs by inmates will be deterred.
- b. Inmates will live in a safe and orderly environment.
- c. The public will be protected from undue risk from inmates in community activities.

4. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 6060.07 Urine Surveillance and Narcotic Identification
(1/29/99)

b. Directives Referenced

PS 1380.05 Special Investigative Supervisors Manual (8/1/95)
PS 1627.01 Commercial Drivers Testing for Use of Controlled
 Substances/Alcohol (11/29/96)
PS 5270.07 Inmate Discipline and Special Housing Units
(12/29/87)
PS 5360.07 Religious Beliefs and Practices (8/29/97)
PS 5500.09 Correctional Services Manual (10/27/97)
PS 7300.09 Community Corrections Manual (1/12/98)

c. Rules cited in this Program Statement are contained in 28 CFR
550.30-32.

5. STANDARDS REFERENCED

a. American Correctional Association 3rd Edition Standards for
Adult Correctional Institutions: 3-4344-1

b. American Correctional Association 3rd Edition Standards for
Adult Local Detention Facilities: 3-ALDF-4E-19-2

c. American Correctional Association 2nd edition Standards for
Administration of Correctional Agencies: None

d. American Correctional Association Standards for Adult
Correctional Boot Camp Programs: 1-ABC-4E-22

6. PRETRIAL/HOLDOVER PROCEDURES. Procedures required in this Program
Statement apply to pretrial and holdover inmates.

7. RESPONSIBILITIES. Ordinarily, the Warden designates the Captain
as the Urine Surveillance Program Coordinator.

- Operational responsibility may be further delegated no lower than Lieutenant.

Only staff (not inmates) may execute the duties of this program (such as urine collection, recording, mailing, and processing of results).

8. SURVEILLANCE CATEGORIES. Urine surveillance is to be applied to inmates in the following categories:

a. Random. Five percent of each institution's total inmate population must be tested randomly monthly, however, exactly three percent are to be tested randomly in all Minimum Security Level institutions and ten percent in all U.S. Penitentiaries, with the exception of:

- ADX-FLO-MAX, Florence, Colorado and
- U.S. Penitentiary Marion, Illinois, which is to follow the five percent random testing monthly (see Section 10.c.(1)).

Inclusion in another urine surveillance category will not interfere with inclusion in the random sample. The Random selection process is modified from "selection without replacement" to "selection with replacement." This removes the inmate assurance that once tested in a given month that there is no possibility of being tested until the following month.

b. Community Activities. At least 50 percent of inmates involved in community activities are to be tested, including all inmates with a history of drug use.

For the purposes of this Program Statement, inmates assigned to Military Base details are not considered to be involved in community activities.

c. Disruptive Groups. Every confirmed disruptive group member will be tested each month.

d. Suspected. Inmates who have been identified through intelligence gathering, i.e., telephone monitoring, involvement in an incident resulting in physical violence towards another person. This testing will occur over an extended period of time (e.g., three consecutive months).

e. Saturation. A method for targeting a large group of inmates for testing.

f. Prior Act. Inmates found by the DHO to have committed the following prohibited acts will be tested monthly for the following 24 months (see Section 8.):

- Refusing to Provide a Urine Sample, Code 110;
- Introduction of Drugs or Drug Paraphernalia, Code 111;
- Use of Drugs or Related Paraphernalia, Code 112; or
- Possession of Drugs or Related Paraphernalia, Code 113.

9. [PROCEDURES S550.31

a. Staff of the same sex as the inmate tested shall directly supervise the giving of the urine sample. If an inmate is unwilling to provide a urine sample within two hours of a request for it, staff must file an incident report. No waiting period or extra time need be allowed for an inmate who directly and specifically refuses to provide a urine sample. To eliminate the possibility of diluted or adulterated samples, staff shall keep the inmate under direct visual supervision during this two-hour period, or until a complete sample is furnished. To assist the inmate in giving the sample, staff shall offer the inmate eight ounces of water at the beginning of the two-hour time period. An inmate is presumed to be unwilling if the inmate fails to provide a urine sample within the allotted time period. An inmate may rebut this presumption during the disciplinary process.]

Ordinarily, an inmate is expected to provide a urine sample within two hours of the request, but the Captain (or Lieutenant) may extend the time if warranted by specific situations (for example, the inmate has a documented medical or psychological problem, is dehydrated, etc.).

Staff may consider supervising indirectly an inmate who claims to be willing but unable to provide a urine sample under direct visual supervision. For example, this might be accomplished by allowing the inmate to provide the sample in a secure, dry room after a thorough search has been made of both the inmate and the room.

A urine sample is considered to be approximately a full specimen bottle. Refer to Standard Procedures for Collecting Urine Surveillance Samples (Attachment A).

[b. Institution staff shall determine whether a justifiable reason exists, (e.g., use of prescribed medication) for any positive urine test result. If the inmate's urine test shows a positive test result for the presence of drugs which cannot be justified, staff shall file an incident report.]

In addition to checking whether the inmate's positive urinalysis result may be justified by prescribed medication, staff must ensure that the minimum waiting period for successive positive results is taken into account, as guided by the Detection Periods for Selected Drugs (Attachment B).

- Those time periods are estimates of the maximum time urine would test positive for a particular drug. For example, ordinarily, at least 30 days would have to elapse between urine collections before disciplinary action could be taken for a second positive THC result; however, urine could be collected from that inmate within those 30 days, and an incident report could be based on positive results for a drug other than THC.

Incident reports pertaining to positive urine tests will be forwarded to the Unit Discipline Committee, in accordance with the Program Statement on Inmate Discipline and Special Housing Units.

An inmate who has been found to have committed any of the following prohibited acts will be tested monthly for the following 24 months:

- Refusing to Provide a Urine Sample, Code 110;
- Introduction of Drugs or Drug Paraphernalia, Code 111;
- Use of Drugs or Related Paraphernalia, Code 112; or
- Possession of Drugs or Related Paraphernalia, 113.

After being tested for a period of 24 consecutive months and no further discipline actions taken for drug related offenses, the inmate will be removed from the Prior Act List; however, acts of misconduct (Codes 110, 111, 112, or 113) while on the Prior Act List requires continuance on the Prior Act List for an additional 24 months from the date of the new discipline action.

c. Urine Sample Screening and Confirmation. Urinalysis will be performed exclusively by a Central Office-approved laboratory.

The urinalysis contractor will detect and identify at least the following drugs and/or metabolites by basic screen at the minimal levels stated in the contract:

- Morphine (total, free, or glucuronide)
- Methadone (& metabolite)
- Codeine
- Other Opiates
- Barbiturates (including but not limited to Amobarbital, Phenobarbital, Pentobarbital, Butabarbital, Hexobarbital, Secobarbital)
- Amphetamines (including, but not limited to, d-amphetamine and methamphetamine)
- Cocaine (free)
- Cocaine metabolite (benzoylecdgonine)
- Phencyclidine (PCP)
- THC

An initial positive test is confirmed by a second test before it is reported to the institution.

A positive written report from the contractor for any of the above drugs indicates that the particular drug has been identified by an initial screening test and then confirmed by a different laboratory procedure.

If a contractor detects and identifies other drugs or substances during the initial screening, the contractor will identify and report them. The institution may then decide whether to request confirmation.

- Retesting at the inmate's request is not permitted.

10. GENERATING RANDOM URINE SURVEILLANCE LISTS

a. On the first work day of each month a list of randomly selected inmate names will be produced through the SENTRY Random Population Selection Transaction. This list is non-alphabetical and will be used for the selection of inmates.

A second list in alphabetical order will also be produced to determine the location of the selected inmates. This second list is to facilitate use of the random list and may not be used to select inmates for urine surveillance.

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Many institutions have both operating methods and data recording instruments for the urine testing programs. For this reason the only part of the computerized list which may be used is the random list of names. The other data elements are printed for staff convenience and may be used or ignored according to the procedural requirements of the local program.

- * b. The Urine Surveillance Program Coordinator is responsible for list security and secure storage of the lists until it is delivered to the person responsible for urine testing. Ordinarily, the list of inmate names will be issued to staff for collection at the beginning of the shift. Ordinarily is defined as in Article 18, section U of the Master Agreement. *

The Urine Surveillance Program Coordinator will assure that sufficient copies of the list are printed to accommodate the local program requirements. Random lists cannot be replicated by SENTRY if they are lost or destroyed.

c. Procedures for collecting samples from the random group shall be developed locally in accordance with the following requirements:

- * (1) The random list will be used sequentially beginning with the first name. The notification and collection, however, may occur in any order. Inmates do not have to provide the sample in the order that they were notified. Names of inmates no longer at the institution will be skipped and not counted. Inmates not readily available, e.g., on a medical trip, in the visiting room, may also be skipped.

*

Exactly five percent (rounded) of the listed population count will be ordered to produce samples. The number of samples taken plus the refusals must equal five percent of the count listed on the printout. With exception, exactly three percent (rounded) will be tested randomly in all Minimum Security Level institutions and ten percent (rounded) of the listed inmate population in all U.S. Penitentiaries will be ordered to produce samples, except for ADX-FLO-MAX, Florence, Colorado and the U.S. Penitentiary Marion, Illinois, which will follow the five percent random testing monthly.

- * An extension of the Random list will serve to supply additional inmate names for testing to replace the inmates who are not readily available for testing. For example, if five percent of the population must be tested, a list containing seven percent should be produced. *

* Inmates will then be sequentially chosen from the remaining names on the Random list to replace those unavailable for testing in order to continue testing from the list. Any unavailable inmate who is bypassed should be tested when it is more convenient for staff and the inmate is available. *

(2) Fairness and randomness are necessary in using the list. No listed inmate may be excused if he or she is available to provide a urine sample. If even one inmate is excused, the selection process is no longer random.

(3) While the random list is to be produced on a regularly scheduled basis, it is not necessary to actually collect the samples in that same calendar month. For example, a list produced one month might be used through the 15th of the following month.

(4) Sample collection will not follow any pattern that inmates could predict. Samples will be taken at different hours (early morning, noon, late evening). Collection will be spread evenly over seven days a week during the course of a month whenever practicable.

11. NARCOTIC IDENTIFICATION KITS. Each Captain will ensure the institution maintains a supply of Narcotic Identification Kits (purchased through the Federal Supply Schedule) to determine the identity of unknown substances.

All lieutenants will be proficient in using the Narcotic Identification Kit and ordinarily are responsible for testing unknown substances.

While identification of such substances may be useful for various security purposes, it is often particularly important in the investigation of incident reports and may be important in referring incidents to the Federal Bureau of Investigation.

12. FEDERAL HIGHWAY ADMINISTRATION (FHWA) TESTING. Inmates assigned to drive a vehicle requiring a commercial driver's license are also subject to alcohol testing under FHWA guidelines.

Refer to the Correctional Services Manual and Special Investigative Supervisors Manual for further information.

/s/
Kathleen Hawk Sawyer
Director

STANDARD PROCEDURES FOR COLLECTING URINE SURVEILLANCE SAMPLES

1. To the extent possible, urine samples should be collected in one or two centralized areas of the institution, (e.g., lieutenants' office or R & D), by staff who are thoroughly familiar with the procedures specified below.
2. Inmates will be thoroughly searched to detect any device designed to provide a urine substitute or possible contaminant and will thoroughly wash their hands prior to providing the sample.
3. When the inmate reports for testing staff will:
 - make a positive picture identification of the inmate;
 - collect the sample from the inmate;
 - assign the sample a urine sample identification number;
 - label the urine bottle with that number and the date and;
 - record the number next to the inmate's name on the lab slip.
4. Bottles will be kept under direct staff observation and control at all times, both before and after the inmate furnishes the urine sample.
5. Ordinarily, to be submitted for testing, bottles will be full (i.e., 60cc or 2 oz). Once a sufficient sample is provided, staff must ensure that the urine sample identification number on the bottle corresponds to the number assigned to that inmate on the lab slip. Staff must then sign the laboratory form certifying that the specimen identified on the laboratory form is the specimen presented to staff by the inmate providing the certification on the form, bears the same identification number as the specimen, and has been labeled and sealed according to the collection procedures stipulated above.
6. The inmate will then certify by signing the laboratory form that the specimen provided to the collection officer was provided by the inmate, sealed in the inmate's presence, and the information on the form and label is correct. If the inmate refuses, a second staff member must make this verification and sign the form.

7. After samples are collected they will be maintained under direct staff observation until moved to a locked area where they will be stored until mailing. This area should be designated by the Urine Surveillance Program Coordinator and will be accessible to a very limited number of staff. Under no circumstances will inmates have access to this area.
8. All samples will be mailed to the testing laboratory no later than 72 hours after collection, (excluding holidays).
9. When a positive result is received, and an incident report written, a photocopy of both the slip returned by the lab and the slip listing the inmate's name and urine sample identification number (retained at the institution) will be attached to the incident report and made a part of the disciplinary record.

DETECTION PERIODS FOR SELECTED DRUGS

The time periods below are estimates of the maximum lengths of time, after last use, that a person's urine would be positive for a particular drug. These periods also represent the minimum waiting periods between samples on which successive disciplinary actions for the same drug ordinarily may be based. For example, ordinarily at least 30 days must elapse between urine collection dates before disciplinary action may be taken for a second THC positive. The inmate could, however, be retested within this 30-day period and disciplinary action could be based on positive results for drugs other than THC.

3 days	Amphetamines Methamphetamine Cocaine Cocaine Metabolite
5 days	Methadone Methadone Metabolite
6 days	Morphine Codeine Opiates Meperidine (Demerol) Pentazocine (Talwin) Propoxyphene (Darvon)
11 days	Barbiturates Phencyclidine (PCP)
14 days	Phenobarbital
30 days	THC