

 <p>State of Connecticut Department of Correction</p> <p><b>ADMINISTRATIVE DIRECTIVE</b></p>	Directive Number 6.8	Effective Date 08/26/15	Page 1 of 5
	Supersedes Urinalysis, dated 4/1/2011		
Approved By  Commissioner Scott Semple	Title  Urinalysis		

1. Policy. The Department of Correction shall conduct random and targeted urinalysis of all inmates in its custody. An inmate who tests positive for a prohibited substance shall be subject to disciplinary action, reclassification and/or treatment. The goals of the Department's urine testing program shall be enhanced public, staff and inmate safety, inmate accountability, institutional security and reduced substance abuse.
  
2. Authority and Reference.
  - A. Connecticut General Statutes, Section 18-81.
  - B. Agreement of Settlement in Deep v Bronson, Connecticut Superior Court (CVC) Civil No. 285596 and Rosado v Bronson, CSC Civil No. 284880 (1986).
  - C. Administrative Directives 3.12, Fees for Programs and Services; 6.2, Facility Post Orders and Logs; 6.7, Searches Conducted in Correctional Facilities; 9.2, Offender Classification; 9.5, Code of Penal Discipline; and 10.13, Offender Programs.
  
3. Definitions. For the purposes stated herein, the following definitions apply:
  - A. Reasonable Belief. Judgment based on specific objective facts and reasonable inferences drawn in light of experience, training and education.
  - B. Urinalysis. The testing of a urine specimen.
  
4. Targeted Urinalysis. A custody or program supervisor may order an inmate to submit a urine sample in the following circumstances:
  - A. When a staff member has a reasonable belief that the inmate is under the influence of a prohibited substance;
  - B. When the inmate is found to be in possession of a prohibited substance, or when a prohibited substance is detected or found in an area controlled, occupied or inhabited by the inmate;
  - C. When the inmate is observed to be in possession of or using prohibited substance, but correctional staff are unable to obtain a sample of the substance;
  - D. When correctional staff receive information from a reliable source that the inmate is currently under the influence of, or has recently used a prohibited substance;
  - E. When an inmate exhibits unusual behavior which might reasonably be associated with the use of a prohibited substance; or,
  - F. When an inmate returns from:
    1. a furlough;
    2. an extended family visit;
    3. a community release program;
    4. an escorted visit; or,
    5. an outside work detail.

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5. Random Urinalysis. Inmates shall be subject to random urinalysis at any time. A Shift Commander or higher authority may, as the situation warrants, order urinalysis on a case-by-case basis.
6. Testing of Inmates in Programming. A random sample of 20 percent of inmates participating in a facility Addiction Services Tier 2, 3 and 4 programs shall be tested each month, where such programming exists. An inmate shall be required to submit a urine specimen no less than 30 days prior to any scheduled discretionary release. Inmates on community supervision status shall be tested as specified in the Parole and Community Services Field Operations Manual.
7. Unit Administrator Responsibilities. The Unit Administrator shall be responsible for the urine-testing program in each respective unit. The Unit Administrator shall, at a minimum:
  - A. Ensure that unit procedures for on-site urinalysis are maintained in accordance with the provisions of collection and storage outlined in Sections 8 and 10 of this Directive;
  - B. Ensure a chain-of-custody record is maintained in accordance with CN 6801, Urinalysis Custody and Access Record;
  - C. Ensure that properly trained personnel are available to conduct urinalysis; and,
  - D. Ensure that urine samples subject to confirmation are packaged and shipped in accordance with Department transport standards.
8. Urine Collection. The urine collection procedure shall be as follows:
  - A. Prior to collection, the staff member responsible for collecting the specimen shall:
    1. Ensure that the collection site is clean, contains ample lighting and affords the inmate reasonable privacy;
    2. Ensure that all objects that could be used to adulterate the sample are removed from the collection site;
    3. Ensure that all testing materials are available;
    4. Confirm the inmate's identity by inspecting the photo identification card;
    5. Ensure that the inmate removes all unnecessary garments prior to entering the collection area;
    6. Strip search the inmate, in accordance with Administrative Directive 6.7, Searches Conducted in Correctional Facilities;
    7. Ensure that the inmate's hands are washed and dried prior to providing the sample; and,
    8. Conduct a visual inspection under the inmate's fingernails for any foreign material.
  - B. The urine specimen shall be collected in a container that shall be non-reusable and specifically designated for this purpose. The container shall be securely labeled with inmate's name and number, the date, and the name of the staff person observing the urine collection process. The container shall have a secure lid without any markings identifying the inmate whatsoever.
  - C. The collection and testing of a urine specimen shall normally be conducted by a staff member of the same gender as the inmate being tested. The staff member shall:

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1. Ensure that the collection of a urine specimen be conducted in private and outside the presence of other inmates and non-participating staff;
  2. Continuously observe the production of the urine specimen into the pre-labeled container;
  3. Keep the specimen in full view of the inmate at all times prior to it being sealed and labeled;
  4. Close up the bottle containing the specimen; and,
  5. Perform the initial test on the sample according to vendor specifications.
- D. If the initial test is negative, the staff member performing the test shall dispose of the urine in a toilet and the container in a waste receptacle.
- E. If the initial test is positive and the inmate admits guilt, the staff member conducting the test shall complete CN 6802, Use of Prohibited Substance Voluntary Admission and the inmate shall sign the form admitting the use of a prohibited substance. The inmate shall be charged with intoxication in accordance with Administrative Directive 9.5, Code of Penal Discipline, and CN 6802, Use of Prohibited Substance Voluntary Admission shall be attached to the disciplinary report. After the disciplinary report is adjudicated the sample shall be disposed of in a toilet and the container in a waste receptacle.
- F. If the initial test is positive and the inmate does not admit guilt, the staff member shall record the personal observation of the specimen collection and the subsequent test result on CN 6801, Urinalysis Custody and Access Record. After the positive urine sample is collected, sealed and labeled, the sample shall be placed in a designated, secured refrigerator or freezer until it is transported to an outside laboratory for confirmatory testing within five (5) business days.
9. Refusal to Provide Specimen. An inmate who refuses to submit a urine specimen as ordered shall be charged with Refusal to Give a Specimen in accordance with Administrative Directive 9.5, Code of Penal Discipline. An inmate who claims to be unable to provide a urine specimen immediately shall be detained until able to do so. An inmate who claims inability to provide a urine specimen three (3) hours after being ordered to do so shall be considered to be refusing to submit the specimen.
10. Storage, Chain of Custody and Access Record. A secured refrigerator or freezer shall be utilized for storage of positive urine specimens awaiting transportation to an outside laboratory for confirmatory testing. Such refrigerator or freezer, and any containers used for the transportation and shipping of urine specimens shall be clearly labeled with inmate name, number and facility. A log of all access to the secured refrigerator or freezer shall be maintained in accordance with Administrative Directive 6.2, Facility Post Orders and Logs. The log shall contain the following information: date and time of access, staff member gaining access, reason (placement or removal) and inmate name and number associated with specimen accessed. Every positive urine sample shall be documented on a separate CN 6801, Urinalysis Custody and Access Record, which shall document all activity with respect to a particular specimen. The Unit Administrator shall ensure that all completed chains of custody and access records shall be maintained in a secure file for no less than three (3) years.

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11. Laboratory Confirmation Test Results. Confirmatory tests shall be conducted in an outside laboratory. The outside laboratory shall use the gas chromatography/mass spectroscopy methodology to perform the confirmatory tests. The Unit Administrator shall ensure the following action is taken upon receipt of the outside medical laboratory report:
  - A. Positive Results. The Unit Administrator shall ensure that any positive confirmation test result conducted by the outside laboratory was received no later than 30 business days from collection of the specimen and/or on-site testing. Confirmation of a positive on-site urinalysis test shall be cause for disciplinary action against the inmate. A staff member shall lodge the disciplinary charge of intoxication against the inmate within 15 business days of the on-site urinalysis test. A copy of the laboratory report shall be attached to the disciplinary report.
  - B. Negative Results. When the outside laboratory urinalysis results are negative, and/or the facility's on-site urinalysis is not confirmed within 30 business days, the inmate's status prior to any administrative action taken shall be restored. The restoration to status shall not preclude any additional administrative action taken against the inmate for reasons other than the urinalysis results.
12. Disciplinary Action. Each positive urine test will be met with an appropriate disciplinary response in accordance with Administrative Directive 9.5, Code of Penal Discipline. Subsequent positive tests shall result in increased disciplinary sanctions in accordance with Administrative Directive 9.5, Code of Penal Discipline, and may result in increased security classification and denial of discretionary community release in accordance with Administrative Directive 9.2, Offender Classification.
13. Reclassification. One (1) or more positive urine tests may result in a reclassification of inmate substance abuse treatment needs score in accordance with Administrative Directive 9.2, Offender Classification. As the result of such classification, inmates may be classified to addiction service counseling in accordance with Administrative Directive 10.13, Offender Programs.
14. Training. Only those staff members who are appropriately trained in urinalysis protocols shall perform collection of urine specimens and initial tests.
15. Fee. In accordance with Administrative Directive 3.12, Fees for Programs and Services, the cost of laboratory tests taken to detect the use of prohibited substances shall be assessed to a sentenced inmate when the test is positive. Attachment A, Inmate Fees Form shall be completed and forwarded to the Fiscal Services Unit. In the event an inmate does not have sufficient funds to cover the cost of the test, the inmate's account shall be encumbered.
16. Urine Tests for Medical Purposes. Generally, urine tests for medical purposes shall not be governed by this Directive. However, when an inmate undergoes a medical procedure during which it is determined that the inmate has been using a controlled substance, the information relative to the use of the controlled substance shall be forwarded to the Shift Commander for review and appropriate action.

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17. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
  - A. CN 6801, Urinalysis Custody and Access Record;
  - B. CN 6802, Use of Prohibited Substance Voluntary Admission; and,
  - C. Attachment A, Inmate Fees Form.
  
18. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner of Correction.