


SOMERSET COUNTY PROSECUTOR'S OFFICE		
GENERAL ORDER		
LAW ENFORCEMENT DRUG TESTING		
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PURPOSE: This general order has been established in accordance with the New Jersey Attorney General's Law Enforcement Drug Testing Policy, revised February 2023, and New Jersey Attorney General's Law Enforcement Directive No. 2018-2. This general order shall serve as notification to all employees of the Somerset County Prosecutor's Office's Drug Testing policy.

The purpose of this policy is to deter illegal drug use, including unregulated marijuana, by law enforcement officers. The policy provides a mechanism to identify and remove those law enforcement officers engaged in the illegal use of drugs. Because illegal drug use is inconsistent with the duties, obligations and responsibilities of sworn law enforcement officers, the policy mandates that officers who test positive shall be terminated from employment.

The critical mission of law enforcement justifies maintenance of an illegal drug free work environment through the use of a reasonable employee drug-testing program.

The law enforcement profession has several uniquely compelling interests that justify the use of officer drug-testing. The public has a right to expect that those who are tasked with the responsibility to protect them and provide critical mission support for all Somerset County Law Enforcement Agencies are at all times both physically and mentally prepared to assume these duties. There is sufficient evidence to conclude that the use of illegal controlled substances and other forms of illegal drug abuse will seriously impair a sworn law enforcement officer's physical and mental health, and thus, their job performance.

Where law enforcement officers participate in illegal drug use and drug activity, the integrity of the law enforcement profession and public confidence in it are destroyed. This confidence is further eroded by the potential for corruption created by illegal drug use.

POLICY: It shall be the policy of the Somerset County Prosecutor's Office (SCPO) to conduct reasonable suspicion and random drug testing of applicable employees contained in Section I of this general order.

This general order is considered an annex to the Rules and Regulations of the Somerset County Prosecutor's Office (SCPO)

PROCEDURES:

I. APPLICABILITY

A. This general order applies to:

1. Applicants for a position as a law enforcement officer who, if appointed, will be responsible for the enforcement of the criminal laws of this State and will be authorized to carry a firearm under N.J.S.A. 2C:39-6;
2. Law enforcement officer trainees subject to the Police Training Act while they attend a mandatory basic training course; and
3. Sworn law enforcement officers who are responsible for the enforcement of the criminal laws of this State, come under the jurisdiction of the Police Training Act and are authorized to carry a firearm under N.J.S.A. 2C:39-6.

II. TYPES OF DRUG TESTING

A. Applicants for a Position as a Law Enforcement Officer

1. This general order recognizes that drug testing is an important component of a pre-employment background investigation. Thus, prospective employees shall be drug tested as a condition of employment. Applicants may be required to submit a urine specimen at any time prior to appointment.
2. In addition, applicants for employment may be tested as many times as the SCPO deems necessary to ensure that the applicants are not engaged in the illegal use of drugs. For example, applicants who have been drug tested as part of the application process may be tested again if a significant amount of time has elapsed since the previous step in the employment process.
3. During the pre-employment process, the SCPO must ensure that it complies with the provisions of the Americans with Disabilities Act (ADA) by refraining from making any medical inquiries. Therefore, the medication information form should not be used at the applicant stage, unless a positive test result requires an explanation by the prospective employee.

B. Law Enforcement Trainees

1. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with rules and regulations established by the Police Training Commission.
2. Individual trainees may also be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work/training hours. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor and the Academy Director.

C. Sworn Law Enforcement Officers

1. Urine specimens shall be ordered from sworn law enforcement officers when there exists reasonable suspicion to believe that the officer is

illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work/training hours. Urine specimens shall not be ordered from a sworn law enforcement officer without the approval of the County Prosecutor.

2. Urine specimens shall be collected from law enforcement officers who have been randomly selected to submit to a drug test. Random selection shall be defined as a method of selection in which each and every sworn member of the SCPO, regardless of rank or assignment, has an equal chance to be selected for drug testing each and every time a selection is conducted.
3. Urine specimens may be collected from law enforcement officers during a regularly scheduled and announced medical examination or a fitness for duty examination. However, the collection and analysis of these specimens are not governed by this general order.

D. Reasonable Suspicion

1. Reasonable suspicion "requires objective facts which, with inferences, would lead a reasonable person to conclude that drug-related activity is taking or has taken place and that a particular individual is involved in that drug activity."
2. The reasonable suspicion standard is "less demanding" than the probable cause standard in two ways. First, the amount of evidence needed to satisfy the reasonable suspicion standard is less than that needed to satisfy the probable cause standard. Second, the type of information used to satisfy the reasonable suspicion standard may be "less reliable than that required to show probable cause." The following factors should be evaluated to determine the quality and relevance of the information acquired by the law enforcement agency:
 - a. The nature and source of the information;
 - b. Whether the information constitutes direct evidence or is hearsay in nature;
 - c. The reliability of the informant or source;
 - d. Whether corroborating information exists and the degree to which it corroborates the accusation; and
 - e. Whether and to what extent the information may be stale.
3. Reasonable Suspicion Testing for Cannabis Use - Consuming or being under the influence of cannabis while at work or during work/training hours is strictly prohibited. Officers/Trainee shall be tested for cannabis in the following situations:
 - a. Upon reasonable suspicion of the officer's/trainee's use of a cannabis item while engaged in the performance of the officer's/trainee's duties, or

- b. Upon a finding of observable signs of intoxication related to the use of a cannabis item while engaged in the performance of the officer's/trainee's duties.
- c. In the above situations, the drug test shall include a physical evaluation by a Workplace Impairment Recognition Expert (WIRE) to determine the officer's/trainee's state of impairment and a urinalysis.

III. NOTIFICATION OF DRUG TESTING PROCEDURES

A. Applicants

- 1. Applicants for law enforcement positions must be notified that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will: (a) result in the applicant being dropped from consideration for employment; (b) cause the applicant's name to be reported to the Central Drug Registry maintained by the Division of State Police; and (c) preclude the applicant from being considered for future law enforcement for a period of two years from the date of the drug test. In addition, the notification will indicate that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for illegal drug use, the officer's employing agency will be notified of the test results and the officer will be terminated from employment and permanently barred from future law enforcement employment in New Jersey.

B. Trainees

- 1. All newly appointed law enforcement officers shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will result in: (a) the officer's termination from employment; and (b) inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police; and (c) the officer being permanently barred from future law enforcement employment in New Jersey.
- 2. Newly appointed officers shall be further informed that the refusal to submit to a drug test shall result in their dismissal from employment and a permanent ban from future law enforcement employment in New Jersey.

C. Sworn Law Enforcement Officers: Reasonable Suspicion Testing

- 1. All sworn law enforcement officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe that the officer is illegally using drugs or is under the influence of a controlled dangerous substance or cannabis during work/training hours.
- 2. Before a sworn law enforcement officer may be ordered to submit to a drug test based on reasonable suspicion, the Internal Affairs Commander shall prepare a written report which documents the basis for the

reasonable suspicion. The report shall be reviewed by the County Prosecutor before a reasonable suspicion test may be ordered. Under emergent circumstances, approval may be given for a reasonable suspicion test on the basis of a verbal report.

3. A negative result is a condition of employment as a sworn law enforcement officer and a positive result will result in: (a) the officer's termination from employment; (b) inclusion of the officer's name in the Central Drug Registry maintained by the Division of State Police; and (c) the officer being permanently barred from future law enforcement employment in New Jersey.
4. Officers who refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so are subject to the same penalties as those officers who test positive for the illegal drugs. A sworn law enforcement who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

IV. DRUG TESTING PROCEDURES AND RESULTS

- A. All sworn law enforcement officers shall adhere to the following enhanced procedures.
 1. **Random Selection Process** - The date and time of a random test shall not be made known to the sworn law enforcement officers in the SCPO until immediately prior to the test. There shall be no advanced notification that would allow a sworn law enforcement officer to be absent from or create the ability to defraud the administration of the test. See the A.G. Policy, Section II.C.1.
 - a. A method of random selection has been established, which ensures that every probationary or sworn law enforcement officer of the SCPO has an equal chance to be selected for a testing each and every time a selection takes place, regardless of rank, and regardless of the fact that one or more sworn law enforcement officers were randomly selected for testing at a prior selection process during the same calendar year.
 - b. Number of Personnel to be Tested - Ten percent (10%) of the SCPO's strength of sworn law enforcement officers shall be randomly tested each time. At a minimum, random drug testing shall be conducted at least twice every calendar year. The 10% shall be based on the SCPO's staffing of sworn law enforcement officers on the first day of January each year.
 - c. Individual Selected for Random Drug Testing Not Available - In the event that an individual is randomly selected for drug testing and they are not available, vacation, sick or other short term excused absence), they will provide a specimen to be tested to the monitor on their next working day. If the individual who has been randomly selected is on extended sick or medical leave then an alternate individual will be randomly selected in their place.

- d. Monitoring the Process - The process (random selection of names) shall be monitored and witnessed by up to two (2) representatives from the SCPO's bargaining units, the County Prosecutor or his/her designee in their absence and a superior officer from the SCPO. The County Prosecutor or his/her designee may also include another member of the agency of his/her choosing. After the random selections have been made, and prior to the names of the sworn law enforcement officers selected revealed, all observers to the process will leave the room with the exception of two (2) individuals, those being the chief executive officer and one (1) person of his/her choosing. These individuals are required to adhere to the provisions of this policy concerning confidentiality of the officers selected to be tested.
- e. Confidentiality of Those to be Tested - Any member of the SCPO who discloses the identity of a sworn law enforcement officer selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to discipline.
- f. Refusal to Participate in Random Drug Testing - Sworn law enforcement officers who refuse to submit to a random drug test when randomly selected are subject to the same penalties as those officers who test positive for illegal drug use. A sworn law enforcement officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.
- g. Employment Status - Testing of sworn law enforcement officers is the responsibility of the employing agency and shall include any officers who are temporarily assigned to other agencies, task forces, teams or the like. Said temporarily assigned officers shall therefore be included with every other officer employed by the testing agency as a potential officer to be randomly tested. It is not the responsibility of the agency to which the officer is temporarily assigned to include that assigned officer in its pool of sworn law enforcement officers subject to random testing. It is the responsibility of the agency to which the officer is temporarily assigned to make that officer available to his/her agency if the assigned officer is randomly chosen by his/her agency to be drug tested. It is also the responsibility of the agency to which the officer is temporarily assigned to report any behavior or other facts to the assigned officer's agency that could result in reasonable suspicion to believe that the assigned officer is engaged in the illegal use of controlled substances.

2. Specimen Collection

- a. Throughout the test process, the identity of the individual applicants, trainees and sworn law enforcement officers shall remain confidential.

- 1) Unless otherwise noted, all steps must be completed by the donor in the presence of the monitor.
- 2) The monitor completes the agency information, donor identification, and test information sections of the Custody and Submission Form (CSF).
- 3) The monitor allows the donor to select one NJ Medical Examiner State Toxicology Laboratory issued sealed split specimen collection kit.
- 4) The donor unseals the split specimen collection kit, removes the specimen bag and specimen containers from the specimen collection container, and places all items on a clean surface.
 - a) The specimen containers shall be kept closed/unsealed at this time.
 - b) The specimen collection container and specimen containers should be kept within view of both the donor and the monitor.
- 5) The monitor instructs the donor to void a specimen of at least 45 mL into the specimen collection container, to not flush the toilet, and return with the specimen container immediately after the specimen is produced.
- 6) The monitor checks the specimen for adequate volume and the temperature indicator strip on the specimen container within 4 minutes.
 - a) A color change between 90° and 100°F indicates an acceptable specimen temperature. The monitor indicates if the temperature is acceptable by marking either the “Yes” or “No” box in the specimen collection section of the CSF. If a temperature strip does not indicate the acceptable temperature, the monitor must consider the possibility that the officer attempted to tamper with the collection.
 - b) The monitor must follow the “shy bladder” procedure for donors that initially are unable to produce an adequate amount of urine (See “Shy Bladder” Procedure below)
- 7) The monitor instructs the donor to split the collected specimen into the specimen containers.
 - a) The donor opens both specimen containers and pours at least 30 mL of urine from the collection container in the primary specimen container and at

- least 15 mL of urine from the collection container in the secondary specimen container.
- b) The donor secures both specimen containers by placing and securing the lids/caps on the specimen containers.
- 8) The monitor instructs the donor to seal the specimen containers with tamper evidence seals from the CSF.
- a) The donor carefully removes the Bottle A Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the primary specimen container with the greater volume of urine (30 mL).
 - b) The donor carefully removes the Bottle B (SPLIT) Specimen Container Security Seal from the CSF and places it over the lid/cap and down the sides of the secondary specimen container with the lesser volume of urine (15 mL).
 - c) After the seals are placed on the specimen containers, the donor writes the collection date and his or her initials in the space provided on the security seals to certify that the specimen containers contain the specimen that he or she provided.
- 9) The monitor prints his/her name, signs and dates the monitor/agency acknowledgement section of the CSF.
- 10) The monitor instructs the donor to place both specimens in the front pouch of the specimen bag that contains the absorbent pad.
- 11) The monitor separates the white laboratory copy of the CSF, folds it, and places it in the rear pouch of the specimen bag along with the sealed medication information sheet, if provided.
- 12) The monitor seals the specimen bag by removing the release liner from the flap and folding the blue adhesive flap to cover the cross hatch slit opening.
- 13) Any remaining urine and the specimen collection container may be discarded.
- 14) The monitor will take possession of the sealed specimen bag and ensure that it is delivered to the NJ State Medical Examiner Toxicology Laboratory in a timely manner (See Submission of Specimens to the Laboratory below).

b. "Shy Bladder" Procedure

- 1) When a donor initially produces an inadequate amount of urine, the monitor must take the following steps:
 - a) Advise the donor to remain on the premises and under the supervision of the test monitor until the monitor is satisfied that the donor cannot produce a specimen.
 - b) While the donor is under supervision, allow the donor to drink up to 40 ounces of fluids distributed reasonably over a period of up to three hours in an attempt to induce the production of a specimen.
 - c) Under no circumstances, should multiple voids be combined to produce an adequate sample volume.
- 2) If the donor remains unable to provide a specimen after a reasonable period of time, the monitor may have the donor examined by a doctor to determine whether the inability to produce a specimen was the result of a medical or physical infirmity or constituted a refusal to cooperate with the drug testing process.

c. Split Specimen

- 1) A donor whose specimen tested positive may only challenge the positive test result by having the split specimen independently tested by an accredited laboratory. The first specimen will not be retested.
- 2) The split specimen will be maintained at the Laboratory for a minimum of one (1) year following the receipt of a positive drug test result from the Laboratory by the submitting agency.
- 3) The split specimen will be released by the Laboratory under the following circumstances:
 - a) The agency is notified by the Laboratory that the first specimen tested positive for a controlled substance;
 - b) The agency notifies the donor that the first specimen tested positive for a controlled substance; and
 - c) The agency is informed by the donor whose specimen tested positive that he/she wishes to challenge the positive test result.

- 4) A representative of the second test laboratory may, in person, take possession of the second sample in accordance with accepted chain of custody procedures or the sample may be sent to the second test laboratory by commercial courier also following accepted chain of custody procedures.
- 5) Following testing of the split specimen, the independent laboratory will report the result of the split specimen drug test to the donor, to the SCPO, and to the NJ State Medical Examiner Toxicology Laboratory medical review officer.

3. Submission of Specimens to the Laboratory

- a. The New Jersey State Toxicology Laboratory within the Division of Criminal Justice will constitute the sole facility for the analysis of law enforcement drug tests. No other facility or laboratory shall be used for purposes of analyzing urine specimens as outlined in this directive.
- b. Urine specimens should be submitted to the Laboratory within one (1) working day of their collection. In the event that a specimen cannot be submitted to the laboratory within one working day of its collection, the SCPO shall store the specimen in a controlled access refrigerated storage area until submission to the Laboratory.
- c. Submissions to the State Toxicology Laboratory shall be accomplished by SCPO personnel designated by the County Prosecutor. (appointments only)

4. Analysis of Specimens

- a. The analysis of the first specimen shall be done in accordance with currently accepted procedures adopted by the Laboratory. These procedures shall include but not be limited to security of the test specimens, chain of custody, initial screening and confirmation testing, parent drug and metabolite cut-off levels and the issuance of final reports. In addition to the controlled substances listed below, the County Prosecutor may request that specimens be analyzed for the presence of steroids. The steroid test shall be for an additional cost to the SCPO.
- b. The Laboratory's drug testing procedures will screen specimens for the following controlled substances:
 - 1) Amphetamines;
 - 2) Barbiturates;
 - 3) Benzodiazepine;
 - 4) Cocaine;

- 5) Methadone;
- 6) Opiates;
- 7) Oxycodone/Oxymorphone;
- 8) Phencyclidine;
- 9) Marijuana/Cannabis (only to be included in the testing process when: the officer is assigned to a federal task force; the officer holds a federally regulated license, which requires testing (e.g., pilot or commercial driver's license); the law enforcement agency is specifically required to test by the terms of a federal contract or federal grant; or as outlined in the reasonable suspicion section.

5. Drug Test Results

- a. The Laboratory shall notify the SCPO of any positive test results from the specimens submitted for analysis. All reports of positive test results shall be in writing and submitted to the County Prosecutor. The Laboratory will, upon request, provide the SCPO with written documentation that one or more specimens submitted for analysis tested negative.
- b. The Laboratory shall not report a specimen as having tested positive for a controlled substance until the specimen has undergone a confirmatory test and the medical review officer has reviewed the results of the test with the medical questionnaire pertinent to that specimen.
- c. The SCPO shall notify the applicant, trainee or sworn law enforcement officer of the results of a positive test result as soon as practical after receipt of the report from the Laboratory. Upon request, the individual may receive a copy of the laboratory report.
- d. Under no circumstances may the SCPO or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be re-tested.

6. Consequences of a Positive Test Result

- a. When an applicant tests positive for illegal drug use:
 - 1) The applicant shall be immediately removed from consideration for employment by the SCPO.
 - 2) The applicant shall be reported to the Central Drug Registry by the SCPO from which the individual applied; and
 - 3) The applicant shall be precluded from consideration for future law enforcement employment by any law

enforcement agency in New Jersey for a period of two years.

- 4) Where the applicant is currently employed by another agency as a sworn law enforcement officer, the officer's current employer shall be notified of the positive test result. Under these circumstances, the officer's employer is required to dismiss the officer from employment and also report his or her name to the Central Drug Registry maintained by the Division of State Police.
- b. When a trainee tests positive for illegal drug use or is found to have been consuming or being under the influence of cannabis or marijuana while at work/training or during work/training hours, subject to rules adopted by the Police Training Commission:
- 1) The trainee shall be immediately dismissed from basic training and suspended from employment by his or her appointing authority;
 - 2) The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the appointing authority;
 - 3) The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police; and
 - 4) The trainee shall be permanently barred from future law enforcement employment in New Jersey.
- c. When a sworn law enforcement officer tests positive for illegal drug use or is found to have been consuming or being under the influence of cannabis or marijuana while at work or during work/training hours:
- 1) The officer shall be immediately suspended from all duties;
 - 2) The officer shall be terminated from employment as a law enforcement officer, upon final disciplinary action.
 - 3) The officer shall be reported to the Central Drug Registry maintained by the Division of State Police by his or her employer; and
 - 4) The officer shall be permanently barred from future law enforcement employment in New Jersey.

7. Consequences of a Refusal to Submit to a Drug Test

- a. Applicants who refuse to submit to a drug test during the pre-employment process shall be immediately removed from consideration for law enforcement employment and barred from consideration for future law enforcement employment for a period of two years from the date of the refusal. In addition, the

applicant's name shall be forwarded to the Central Drug Registry and note that the individual refused to submit to a drug test.

- b. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon hearing that the trainee did in fact refuse to submit a sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the SCPO shall forward the trainee's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- c. Sworn law enforcement officers who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the officer did in fact refuse to submit a sample, the officer shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the SCPO shall forward the officer's name to the Central Drug Registry and note that the individual refused to submit to a drug test.
- d. A sworn law enforcement who tests positive for illegal drug use or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to completion of final disciplinary action, shall be reported by his or her employer to the Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.

8. **Record Keeping**

- a. The SCPO's Internal Affairs Unit shall maintain all records relating to the drug testing of applicants, trainees and law enforcement officers.
- b. The SCPO's drug testing records shall include:
 - 1) For all drug testing:
 - a) the identity of those ordered to submit urine samples;
 - b) the reason for that order;
 - c) the date the urine was collected;
 - d) the monitor of the collection process;
 - e) the chain of custody of the urine sample from the time it was collected until the time it was received by the Laboratory;
 - f) the results of the drug testing;

- g) copies of notifications to the subject; and
 - h) for any positive result or refusal, appropriate documentation of disciplinary action.
 - 2) For Random Drug Testing, the records will also include the following information:
 - a) a description of the process used to randomly select officers for drug testing;
 - b) the date the selection was made;
 - c) a copy of the document listing the identities of those selected for drug testing;
 - d) a list of those who were actually tested; and
 - e) the date(s) those officers were tested.
 - c. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures.

9. Central Drug Registry

- a. The SCPO shall notify the Central Drug Registry maintained by the Division of State Police of the identity of applicants, trainees and sworn law enforcement officers who test positive for the illegal use of drugs; are found to have been consuming or being under the influence of cannabis while at work/training or during work/training hours; or refuses an order to submit a urine sample.
- b. A sworn law enforcement officer who tests positive for illegal drug use; is found to have been consuming or being under the influence of cannabis or marijuana while at work or during work/training hours; or refuses to submit to a drug test, and who resigns or retires in lieu of disciplinary action or prior to the completion of final disciplinary action, shall be reported by his or her employer to Central Drug Registry and shall be permanently barred from future law enforcement employment in New Jersey.
- c. Notifications to the Central Drug Registry shall include the following information as to each individual:
 - 1) Name and address of the SCPO and contact person;
 - 2) Name of the individual who tested positive;
 - 3) Last known address of the individual;
 - 4) Date of birth;

- 5) Social security number;
 - 6) SBI number (if applicable);
 - 7) Gender;
 - 8) Race;
 - 9) Eye color;
 - 10) Substance the individual tested positive for, the circumstances of the officer being found to have been consuming or being under the influence of cannabis or marijuana while at work or during work/training hours, or circumstances of the refusal to submit a urine sample;
 - 11) Date of the drug test or refusal;
 - 12) Date of final dismissal or separation from the SCPO; and
 - 13) Whether the individual was an applicant, trainee or sworn law enforcement officer.
- d. The certification section of the notification form must be completed by the County Prosecutor and notarized with a raised seal.
- e. Notifications to the Central Registry shall be sent to:
- Division of State Police
State Bureau of Identification Central Drug Registry
P.O. Box 7068
West Trenton, New Jersey 08628-0068
- f. Information contained in the Central Drug Registry may be released by the Division of State Police only under the following circumstance:
- 1) In response to an inquiry from a criminal justice agency as part of a background investigation process for prospective or new personnel.
 - 2) In response to a court order.

V. NOTIFICATION TO COUNTY PROSECUTOR

- A. In the event of (1) a positive drug test by a sworn law enforcement officer, (2) a refusal by a sworn law enforcement officer to take the drug test, or (3) administration of a reasonable suspicion drug test to a sworn law enforcement officer, the Internal Affairs Commander or a designee shall provide a confidential written notice to the County Prosecutor or his/her designee within 10 days. Upon completion of any disciplinary action, the Internal Affairs Commander shall report the discipline to the County Prosecutor.

- B. By December 31st of each year, the Internal Affairs Commander shall provide written notice to the County Prosecutor of the dates of testing conducted during the prior year, the total number of sworn law enforcement officers employed by the SCPO, the total number of sworn law enforcement officers tested, and the total number of sworn law enforcement officers who tested positive.

VI. PUBLIC ACCESSIBILITY AND CONFIDENTIALITY

- A. The Somerset County Prosecutor's Office's Drug Testing general order shall be made available to the public upon request and shall be posted on the SCPO website. Annual reports from the County Prosecutors to the Attorney General, as required by Section V, also shall be made available to the public upon request and shall be posted on the SCPO website.
- B. All written reports created or submitted pursuant to this general order that identify specific officers are confidential and not subject to public disclosure.