

Policy

It is the policy of the Cecil County Sheriff's Office that all employees are obligated to remain Drug and Alcohol abuse free during their tenure with the Cecil County Sheriff's Office. The use of any substance (narcotic and non-narcotic) regulated under the Maryland Uniform Controlled Dangerous Substances Act and/or the Annotated Code of MD, is prohibited and this Administration will have zero tolerance for such use.

Prescription drugs may only be used when prescribed to an employee by a licensed medical practitioner. It is the employee's responsibility to inform the practitioner of his or her medical history, employment assignments, and duties. It is the employee's responsibility to inquire as to whether the prescription substance or drug will adversely affect the employee's ability to operate a motor vehicle or hinder his or her performance of duty. If the employee ingests medication prescribed by a physician, or ingests over the counter medication that may adversely affect the employee's ability to operate a motor vehicle or hinder his or her performance of duty, the employee will immediately notify their supervisor. The notification shall be made by a written document identifying the drug and detailing its possible affects. The Supervisor will forward the document to Administration for inclusion in the employee's personnel file. The following elements shall underscore the Sheriff's Office firm commitment to this policy:

- Pre-employment Urinalysis Drug Screening
- Random Urinalysis Drug and/or Breath Alcohol testing
- Reasonable cause for Drug and/or Alcohol testing
- Post-accident testing, Urinalysis Drug and Breath or Blood Alcohol testing

Objectives

The objectives of the testing program are to detect and deter the use of Controlled Dangerous Substances (CDS) and Intoxicants (Alcohol and other Intoxicants) by employees of the Sheriff's Office, either on or off duty, and to detect related illegal or prohibited activities, either on or off duty that would adversely affect any employee's job performance.

Definitions, Rules and Prohibitions

- A. Controlled Dangerous Substance (CDS) – Use of any substance (narcotic or non-narcotic) subject to enforcement under the Maryland Uniform Controlled Dangerous Substance Act, and those regulated substances under Annotated Code of MD are prohibited.
- B. Non-Prescription Drugs – Use that may impair the employee's job performance is prohibited.

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- C. Prescription Drugs – Use other than prescribed by a licensed health care provider to the employee is prohibited. It is a violation of this policy to use or misuse any medication prescribed by a licensed health care provider to another.
- D. Consumption of Intoxicants – Employees may not consume intoxicants while off duty to the extent that evidence of such consumption is detectable when reporting for duty. Employees may not consume intoxicants within eight (8) hours prior to their scheduled shift. Employees may not consume intoxicants while on duty (Exception: by approval of the Director of Law Enforcement in an official capacity.)
- E. Chemical Compounds – Employees may not illegally use any chemical or chemical compound, such as, but not limited to, inhaling paint, glue, butane, gasoline, Freon, white out, computer keyboard cleaner or other chemical or chemical compound.
- F. Accidental Ingestion or Contact – An employee shall immediately notify his or her Supervisor in the event that accidental ingestion or contact occurs of any controlled dangerous substance, intoxicant, or chemical/chemical compound. (This could occur when the member is on duty or off duty when necessary policy functions are performed. Testing and analysis shall be completed within twenty-four (24) hours. Follow up testing will be completed.)
- G. Employees – All deputies and all other employees of the Sheriff’s Office including, but not limited to, employees, hired staff, volunteers, temporary hires and any other Sheriff’s Office position which the Sheriff deems necessary to test in the interest of public safety shall be subject to these provisions.
- H. Exemptions – Exemptions may be granted by a Director with approval of the Chief Deputy (i.e. out of state travel, hospitalized, in extended training.)

Procedure

- A. The Cecil County Sheriff’s Office will be responsible for the cost of drug and/or alcohol testing.
- B. Pre-employment Drug Screening
 - 1. Sheriff’s Office applicants for employment will submit to a drug screen test.
 - 2. The Chief Deputy shall review all tests.

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C. Random Drug and/or Alcohol Testing

1. Annually, 20% of the Cecil County Sheriff's employees shall submit to random drug testing, with 5% of the 20% being tested for alcohol. Quarterly, 5% of members as reflected on the official employee directory shall be selected through an automated random sampling using a third party administrator.
2. Random selections and random testing may occur anytime.
3. Since testing is done on a random basis, some employees may be selected more than once. Employees will be required to test each time their name is selected.
4. The County Human Resource Director will provide the Chief Deputy or designee a computer printout of selected individuals.
5. The Chief Deputy or designee shall notify the Director of Law Enforcement of employees required to submit to random testing. The Director of Law Enforcement or designee will use CCSO Form SO-135 to notify the employee.
6. Employees selected for random drug and/or alcohol testing shall be notified immediately, if on duty, or when they report for duty. Upon notification, the employees have two (2) hours to report for testing. Upon notification, employees selected for testing procedures will sign the Random Drug/Alcohol Testing Notification Form, CCSO Form SO-135.
7. Notification of a drug and/or alcohol test will be considered a direct order from the Sheriff. Refusal to submit to an ordered test will be treated as a failure to obey a direct order as outlined in the Cecil County Sheriff's Office Policy and Procedures Manual.
8. An employee who fails to report to the designated testing location in the allotted time frame will have been deemed to have refused to test.
9. An employee who fails to complete random drug and/or alcohol testing will be subject to disciplinary action including termination of employment.

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- D. Reasonable Cause and Post Accident Testing
 - 1. Under this section, employees will be tested for alcohol and drug use pursuant to Cecil County Personnel Policy and Procedures.
 - 2. An employee who fails to successfully complete testing as required for reasonable cause and/or post accident will be subject to disciplinary actions including termination.

- E. Testing
 - 1. The drug and/or alcohol test shall occur at a facility designated by the County.
 - 2. All test results shall be communicated in writing to the Chief Deputy. The Chief Deputy will notify the respective Director of any positive results.

- F. Positive Test Results/Action Plan
 - 1. Following confirmation of a positive drug and/or alcohol test result, the employee will be:
 - a. Provided a copy of the laboratory test indicating the test result.
 - b. Provided a statement permitting the employee to request independent testing of the same sample for verification of the test result by a laboratory that holds a certification permit as outlined in Annotated Code of Maryland, Health-General Section 17-241.1. The employee shall pay the cost of an independent test. CCSO Form SO-136 will be used.
 - 2. The information required to be provided to the employee under Section F.1. of the policy, shall be delivered to the employee either in person or by certified mail, within 30 calendar days from the date the test was performed.
 - 3. The employee will be immediately suspended from duty, with pay. Sworn law enforcement personnel, upon completion of probation, will be subject to disciplinary action under the Law Enforcement Officer's Bill of Rights (LEOBR). All other employees are subject to appropriate action by the Sheriff.

G. Education/Employee Assistance

1. The Cecil County Sheriff's Office shall encourage its employees to use the Employee Assistance Program (EAP) for help with alcohol or drug problems, however, it is the employee's responsibility to seek assistance from the EAP before the problems affect judgment, performance, or behavior.