	KANSAS CITY MISSOURI POLICE DEPARTMENT	DATE OF ISSUE	EFFECTIVE DATE	NO.
	PERSONNEL POLICY	11/14/2024	11/14/2024	203-3
SUBJECT			AMENDS	
Policy Series 200: Employee Guidelines 203 – Drug Abuse Testing				
REFERENCE		RESCINDS		
PPBM: Code of Ethics and Rules of Conduct; Grievance Review Process Drug-Free Workplace Act of 1988 – U.S.C. 701-707		PPBM: 203-2 T.B .23-02 Drug-Free Workplace Training– Opioid Misuse		

I. INTRODUCTION

Police management is responsible for ensuring that all members are physically, mentally, and emotionally capable of fulfilling and carrying out assigned duties, as well as for providing a safe work environment. Members have a personal responsibility as employees to perform at the highest levels of which they are capable. Drug abuse has been shown to negatively impair judgment, impact productivity, and increase absenteeism. These personal responsibilities are most critical during life-threatening and other emergency situations, when it becomes necessary for a citizen or department member to depend upon another member.

- * Marijuana and its various analogues, derivatives, and precursors, in whatever form, even if prescribed under a state marijuana law, remains illegal under federal law and is prohibited under the Department’s policy.

The Department is committed to maintaining a drug-free workforce and providing a drug-free workplace for all employees. The abuse of illegal drugs and the misuse of prescription/non-prescription drugs, either on-duty or off-duty, is prohibited. This policy is in compliance with the Drug-Free Workplace Act of 1988.

II. TERMINOLOGY

- A. **Anabolic Steroids** - Artificially produced hormones that are the same as, or similar to, androgens, the male-type hormones in the body; can be taken in the form of pills, powders, or injections.
- B. **Department-Authorized Testing Facilities** - A location where chemical testing, in accordance with Department approved procedures, occurs.
- *C. **Drug Abuse** - The use of illegal drugs and the misuse of prescription/non-prescription drugs.
- D. **Illegal Drugs** - Any substance for which the possession, sale, distribution, manufacture, or use by unlicensed persons is prohibited by law.

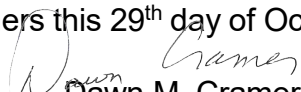
- E. **Non-Prescription Drugs** - Substances which are not legally controlled and are available without a medical prescription, but which, when improperly or inappropriately used, may hamper the ability to perform assigned duties or impair judgment, alertness, and any other physical, emotional, and mental capacities.
- F. **Prescription Drugs** - Controlled and non-controlled substances for which possession and use are legal when prescribed by licensed medical personnel.
- G. **Prescription/Non-prescription Misuse** - The overuse or inappropriate use of any prescription or non-prescription medication; also includes the ingestion of substances prescribed specifically for another individual.
- *H. **Reasonable Suspicion** - Suspicion of alcohol use and/or drug abuse that includes specific facts which warrant the belief that a member is under the influence. Reasonable suspicion is based on articulable and observable characteristics (i.e., the odor of alcohol, red blood shot and/or watery eyes, slurred speech, dilated pupils etc.) and/or behavioral and performance factors which include, but are not limited to, decreases in work performance level, willful misconduct, excessive absenteeism, tardiness, excessive use of sick leave, negligent injuries or accidents, poor traffic safety record, and other documentable reasons.
- *I. **Under The Influence** – When a person is in an intoxicated condition due to alcohol, a controlled substance, or drug, or any combination thereof.

III. TABLE OF ANNEXES

Annex A	Department Policy
Annex B	Reasonable Suspicion Testing
Annex C	Random Testing


 Stacey Graves
 Chief of Police

Adopted by the Board of Police Commissioners this 29th day of October, 2024.


 Dawn M. Cramer
 Board President

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DEPARTMENT POLICY

- A. The use of illegal drugs and the misuse of prescription/non-prescription drugs, either on-duty or off-duty, is prohibited. A confirmed positive test result will be deemed misconduct and subject the member to an investigation, suspension, and/or termination.

- B. The unlawful manufacture, distribution, dispensing, or possession of an illegal drug is prohibited. Members who have been found to have violated this policy are subject to an investigation, suspension, and/or termination.

- C. Mandatory Testing
 - 1. All prospective employees will be given a chemical test as part of the pre-employment physical examination.
 - 2. All members will be required to submit to random chemical testing.
 - 3. Members required to respond for chemical testing outside of normal duty hours will be compensated in accordance with the current overtime policy.
 - 4. Members who refuse to submit to and cooperate with the mandatory chemical test will be subject to disciplinary action, up to and including termination.

- D. Use of intoxicating substances (i.e., alcohol, glue, etc.)
 - *1. Under no circumstances will a member be under the influence of an intoxicant while at work even if the intoxication level is under the legal limits prescribed by law except in the performance of duty.
 - 2. Members will not report for duty under the influence of intoxicants or with the odor of intoxicants on their breath. Either condition will cause them to be considered unfit for duty.
 - 3. Members will not have intoxicants in their possession while on-duty, or in any Police Department building/vehicle, except for evidentiary purpose.

E. Federal contracts or grants

1. Department members will notify a commander/supervisor within five (5) calendar days, if they are convicted of a criminal drug violation in the workplace.
2. The Chief of Police, or designee, will notify the contracting or granting agency within ten (10) days, after receiving the notice that a member has been convicted of a criminal drug violation in the workplace.

F. Members will ensure that the medical confidentiality of all Department members is protected.

REASONABLE SUSPICION TESTING

- *A. If reasonable suspicion exists that a member is under the influence of alcohol, illegal drugs or has misused prescription/non-prescription drugs, the member will be required to submit to a chemical test to determine the use of the drugs and/or alcohol when ordered to do so by a commander/supervisor, acting upon approval from the Chief of Police.

- B. Members
 - 1. Report for and submit to a chemical test when ordered to do so by a supervisor, commander, or the Chief of Police.
 - 2. Notify the supervisor immediately when there is evidence or reasonable suspicion of illegal drug use or prescription/non-prescription misuse by another member.
 - *3. Notify the Employee Benefits Unit Commander when taking prescription/non-prescription drugs which may hamper job performance.

- C. Supervisors/Commanders
 - *1. If a member appears to be in an unfit condition due to the legitimate use of prescription drugs, the Supervisor/Commander will immediately relieve that member from their current assignment and notify the EBU Commander. In most instances, the member will be placed on sick leave.
 - *2. The Supervisor's reasonable suspicion of a member's use of alcohol or drugs will be confirmed by at least two (2) command level staff, if a member appears to be under the influence of alcohol or drugs, or unfit due to prescription/non-prescription misuse.
 - *3. After being notified, the member's Division Commander will immediately contact the HRD or EBU Commander.
 - *4. Human Resources Division (HRD) will contact the Chief of Police or designee for verbal approval to send the member for testing.
 - *5. HRD will notify the member's chain of command of the approval to test and will provide testing arrangements.
 - *6. After a member takes a chemical test, the EBU Commander will be contacted to determine whether or not the member can continue his/her hours of assignment on that day.

- *7. The EBU Commander will endorse and forward to the Chief of Police or designee for written approval to test the member.
- *8. The member will be transported to the testing facility as directed by HRD.
- *9. The Commander will document the interaction and forward to the Employee Benefits Unit (EBU) Commander.
- *10. The EBU Commander will receive the test results.
- *11. If the test is positive, the member will immediately be suspended with pay pending the outcome of further investigation.
- *12. The EBU Commander will submit the results with a recommendation in writing to the Chief of Police.

D. Chief of Police

1. The Chief of Police will forward a letter notifying the member of the date, time, and location of the chemical test. A copy of the notification will be sent to the Employee Benefits Section Supervisor and the member's division commander. Under exigent circumstances, oral approval from the Chief of Police may be obtained in place of written notification; however, in these instances, written documentation will be submitted as soon as possible.
2. Upon the Chief of Police receiving receipt of the chemical test results from the Administration Bureau Commander, a determination will be made as to what the next phase of the investigation (e.g., polygraph examination, Internal Affairs Unit investigation, suspension, no further action, etc.) will be.
3. The Chief of Police will review the results and recommendation and determine the next phase of investigation.
4. The Chief of Police will notify the member, in writing, of the results of the chemical test within ten (10) working days and the next phase of the investigation, if applicable.
5. When a member requests re-testing of a sample by an independent laboratory, the Chief of Police or designee will notify the Human Resources Division Commander, or designee, to coordinate the procedure.

RANDOM TESTING

A. Members

1. Report immediately to the Department-authorized testing facility and submit to the chemical test when notified. Comply with the approved testing procedures of the Department-authorized testing facility.
2. Provide a picture identification (i.e., the Department issued identification card or valid state driver's license) in order to establish positive identification for the testing facility.
3. If, for any reason, a member is unable to report for testing, their supervisor will notify the Employee Benefits Section Supervisor and submit either an electronic submission or an Interdepartment Communication, Form 191 P.D. The documentation must be submitted as soon as possible and outline the reasons why the member did not report for testing on the scheduled day.
4. If a member's random chemical test yields confirmed positive results, that member may elect to have their sample re-tested by a laboratory independent of the Department-authorized testing facility.
 - a. The independent laboratory must be certified by the Substance Abuse Mental Health Service Administration (SAMSHA).
 - b. A member who wishes to have their sample re-tested must indicate that wish in writing to the Chief of Police.
 - c. The re-test will be coordinated through the Human Resources Division at the member's expense.

B. Supervisors/Commanders

1. On days subordinate members are scheduled for chemical testing, ensure those members are released from assigned duties and they report to the Department-authorized testing facility.
2. When the chemical test occurs during duty hours, arrange for transportation of the member, whenever possible.
3. Notify the division commander of any members scheduled for chemical testing who are on a leave day, so they may be rescheduled for a future testing date.

4. Notify the division commander of any irregularities or inconsistencies on the part of any member.
5. Endorse and forward the electronic submission or Form 191 P.D. of a member who did not report for chemical testing on the scheduled date.
6. Respond to the Department-authorized testing facility, when notified, to witness the taking of a second sample from a member of the same gender. This procedure will only be necessary when medical evidence indicates that the first sample has been tampered with by the donor.

C. Division Commanders

1. Notify the bureau commander of any members scheduled for chemical testing who are on a leave day, so that they may be rescheduled for a future testing date.
2. Endorse and forward the electronic submission or Form 191 P.D. of a member who did not report for chemical testing on a scheduled date.

D. Bureau Commanders

1. Notify appropriate division commanders of members to be tested.
2. Notify the Employee Benefits Section Supervisor of any members scheduled, but are on a leave day, so they may be rescheduled for a future testing date.
3. Receive the electronic submission or Form 191 P.D. of a member who did not report for chemical testing on a scheduled date and forward a copy to the Employee Benefits Section Supervisor.

E. Human Resources Division

1. The Employee Benefits Section Supervisor will schedule members for chemical testing by means of a random computer program.
2. The Employee Benefits Section Supervisor will notify the appropriate bureau commander, or designee, of members scheduled for chemical testing within their bureau.
3. The Employee Benefits Section Supervisor will maintain a control roster of members who have been tested.
4. The Employee Benefits Section Supervisor will reschedule members who were selected previously but did not report for chemical testing.

- *5. The Human Resources Division Commander, or designee, will coordinate a member's request for re-testing of a sample by an independent laboratory. The independent laboratory must be certified by the Substance Abuse Mental Health Service Administration (SAMSHA).

F. Chief of Police

1. Upon the Chief of Police receiving receipt of the chemical test results from the Administration Bureau Commander, a determination will be made as to what the next phase of the investigation (e.g., polygraph examination, Internal Affairs Unit investigation, suspension, no further action, etc.) will be.
2. The Chief of Police will review the results and recommendation and determine the next phase of investigation.
3. The Chief of Police will notify the member, in writing, of the results of the chemical test within ten (10) working days and the next phase of the investigation, if applicable.
4. When a member requests re-testing of a sample by an independent laboratory, the Chief of Police or designee will notify the Human Resources Division Commander, or designee, to coordinate the procedure.

G. Information Services Division

1. Provide and maintain a computer program which will select members on a random basis to be scheduled for chemical testing.
2. Maintain security of the program and information to prevent tampering and unauthorized access.