

## Custodial Operations Policy and Procedures

# 18.1 Testing inmates for drug use

### Policy summary

Corrective Services NSW (CSNSW) identifies drug misuse by inmates through targeted, random and program drug testing.

Target testing occurs where an authorised officer orders an inmate to be tested due to suspicion that an inmate is under the influence of drugs or has used drugs.

Random testing applies to all correctional centres (except private correctional centres and those excluded in the Scope of this document) and requires five percent of inmates to be randomly tested at a correctional centre on a quarterly basis.

Program testing (which includes periodic testing) occurs where inmates are participants in external leave and therapeutic programs or the compulsory drug treatment program.

CSNSW uses pre-screen testing which provides a preliminary drug test result negating the need to send every sample for laboratory analysis. Pre-screen samples with positive indications for drug use are sent for laboratory analysis to confirm whether the inmate has failed the prescribed drug test.

Inmates may be subject to disciplinary action, external leave cancellation or program based sanctions if they:

- fail a prescribed drug test
- fail to supply a drug test sample
- refuse to supply a drug test sample

### Management of Public Correctional Centres Service Specifications

Service specifications	Safety and security Decency and respect
------------------------	--

## Scope

This policy applies to all correctional centres with the exception of the following facilities:

**Amber Laurel Correctional Centre:** Operates as a court cell complex.

**Drug Court Sanction Units:** Inmates are managed under the *Drug Court Act 1998*.

**Compulsory Drug Treatment Correctional Centre (CDTCC):** Inmates on stages 1 and 2 are exempt from clauses 153, 159 and 160 of the *Crimes (Administration of Sentences) Regulation 2014* (the Regulation) and are tested pursuant to clauses 197 and 198. CDTCC drug testing may be conducted according to program requirements. However, the procedures in this policy for the collection of drug test samples, and other measures designed to ensure the integrity of those samples, must be adhered to.

**Intensive Drug & Alcohol Treatment Program (IDAPT):** Action to be taken regarding program participants' contraventions of clauses 153, 159, 160 of the Regulation may be determined by the program director. IDAPT drug testing may be conducted according to program requirements. However, the procedures in this policy for the collection of drug test samples, and other measures designed to ensure the integrity of those samples, must be adhered to.

**Kariong Intake & Transit Centre:** Operates as a court cell complex.

**Surry Hills Police Centre:** Operates as a court cell complex.

**Transitional Centres:** The centre manager may revoke or vary a resident's local leave permit for a contravention of clauses 153, 159, 160 of the Regulation. Transitional centre drug testing may be conducted according to local procedures using this policy as a guide.

For the purposes of this policy, all references to Justice Health & Forensic Mental Health Network (JHNSW) includes St Vincent Hospital (where St Vincent Hospital provide medical services at Parklea Correctional Centre).

# Table of contents

<b>1</b>	<b>CSNSW drug testing program</b>	<b>5</b>
1.1	Drug related correctional centre offences	5
1.2	Authority to conduct drug tests	5
1.3	Facilitating drug testing in correctional centres	5
1.4	External leave testing	5
1.5	Random testing	6
<b>2</b>	<b>Drug testing administration</b>	<b>6</b>
2.1	Drug Testing Coordinator (correctional centres)	6
2.2	Urinalysis Administration Coordinator, Urinalysis Unit	6
2.3	Cancellation of a drug test	7
2.4	Forensic & Analytical Science Service	7
2.5	Correctional centre audit reports	7
2.6	Referral of inmates for drug intervention / addiction programs	7
<b>3</b>	<b>Logistics</b>	<b>8</b>
3.1	Testing officers	8
3.2	Testing equipment	8
3.3	Documentation	8
3.4	Pre-screen testing cups	8
3.5	Urinalysis Test and Data Capture Sheet	10
3.6	FASS Chain of Custody Form	10
<b>4</b>	<b>Collecting drug test samples</b>	<b>10</b>
4.1	Testing controls and conditions	10
4.2	Amount of urine required for analysis	10
4.3	Directions to be given to inmates	11
4.4	Preparation procedures	11
4.5	Collection procedures	11
<b>5</b>	<b>Drug test results</b>	<b>12</b>
5.1	Pre-screen results	12
5.2	Pre-screen results procedures	12

5.3	Sample not required for laboratory analysis procedures	13
5.4	Sample required for laboratory analysis procedures	13
5.5	Inmates who appear affected by drugs during testing	14
<b>6</b>	<b>Refusal or failure to supply a sample</b>	<b>14</b>
6.1	Failure to supply a sample	14
6.2	Refusal to supply a sample	15
<b>7</b>	<b>Laboratory analysis</b>	<b>16</b>
7.1	Confirmation analysis of pre-screen samples	16
7.2	Suspected diversion of medication	16
7.3	Expiry period and disposal of expired samples	16
7.4	Sending samples for laboratory analysis procedures	17
7.5	Cannabis concentration levels	17
7.6	Drug analysis report procedures	17
<b>8</b>	<b>Faulty pre-screen cups</b>	<b>18</b>
8.1	Faults and reimbursement	18
8.2	Procedures for returning faulty pre-screen cups	18
<b>9</b>	<b>Quick links</b>	<b>18</b>
<b>10</b>	<b>Definitions</b>	<b>18</b>
<b>11</b>	<b>Document information</b>	<b>20</b>

# 1 CSNSW drug testing program

## 1.1 Drug related correctional centre offences

Under clause 153 of the *Crimes (Administration of Sentences) Regulation 2014* (the Regulation) it is a correctional centre offence for an inmate to have drugs present in their body or urine consistent with drug use whilst in custody. This includes medication that is not lawfully administered to an inmate.

It is also a correctional centre offence under clauses 159(3) and 160(3) of the Regulation for inmates to refuse or fail to supply drug test samples (Refer to **COPP section 14.4 Drug test offences** for more information).

## 1.2 Authority to conduct drug tests

Drug tests are ordered pursuant to clauses 159(1) and 160(1) of the Regulation.

A drug test may only be authorised by an officer of the rank of Senior Assistant Superintendent (SAS) or above. This will be a Functional Manager or an officer acting in that role. The authorising officer may require an inmate to supply a drug test sample:

- if he or she reasonably suspects that the inmate has been administered with a drug or is under the influence of a drug (clause 159), or
- at any time (clause 160).

## 1.3 Facilitating drug testing in correctional centres

CSNSW Security and Custody currently conducts urinalysis for drug tests. A Governor must:

- authorise an officer(s) to perform the role of the Drug Testing Coordinator for their correctional centre
- ensure sufficient numbers of staff are trained to conduct drug testing and to perform the role of Drug Testing Coordinator
- designate an appropriate area(s) for urine sample collection near facilities for holding and observing inmates during testing.

## 1.4 External leave testing

All inmates on unescorted leave for educational and vocational programs (e.g. TAFE and work release) must be subject to an unscheduled drug test once a month without notice.

All inmates returning from day leave or weekend leave must provide a drug test sample on return to the centre, except at Dawn De Loas Correctional Centre (DDL) and Emu Plains Correctional centre (EPCC). Due to the high number of inmates returning from day and weekend leave at DDL and EPCC, a minimum of 10 inmates per day, or specified number of inmates per week or month (as determined by the Governor of DDL and MOS of EPCC for their respective centres) must be required to provide a sample.

## 1.5 Random testing

Five per cent of all correctional centre's eligible inmate population must be drug tested every quarter. The delivery of random testing is to be determined locally by the Governor within the 7 days of receiving the list of identified inmates, taking into consideration staff demands and time constraints. A minimum of 10 inmates must be tested each quarter at every correctional centre. Gazetted court cell locations and transitional centres are exempt from the requirement. Private correctional centres have their own requirements and this subsection does not apply to them.

An OIMS *Random Selection of Inmates* report will be sent to each centre by the Urinalysis Unit. The listed inmates must be tested within seven days of the report being received. The Urinalysis Administration Coordinator will send the report to the Governor and/or Manager of Security, and any other staff nominated by the correctional centre e.g. the FM responsible for urinalysis at the correctional centre. The Urinalysis Administration Coordinator must ensure reports are sent to centres so that each centre complete quarterly random drug testing. Timing of reports sent to correctional centres and periods for completion will be decided by the Urinalysis Administration Coordinator.

A compliance review is conducted by the Urinalysis Administration Coordinator, Urinalysis Unit each quarter for public correctional centres.

## 2 Drug testing administration

### 2.1 Drug Testing Coordinator (correctional centres)

The Drug Testing Coordinator is the correctional officer responsible for coordinating drug testing at the correctional centre (this includes the transitional centre officer responsible for that function at a transitional centre).

The Drug Testing Coordinator is responsible for:

- ordering pre-screen cups and other drug testing consumables
- entering preliminary drug testing data into OIMS
- sending drug test samples out for analysis
- liaising with the Urinalysis Administration Coordinator (UAC) regarding random drug testing and laboratory analysis reports
- auditing the correctional centre's test data each fortnight and updating missing data

### 2.2 Urinalysis Administration Coordinator, Urinalysis Unit

The Urinalysis Unit at Corrections Intelligence Group (CIG) manages the state-wide custodial drug testing program and reporting of CSNSW urinalysis results. The UAC is responsible for:

- providing advice and assistance to Governors and staff on inmate drug testing
- coordinating staff training with the Corrective Services NSW Academy
- supplying centres with drug testing consumables (except pre-screen cups)

- ordering cannabis concentration level checks
- generating an OIMS *Random Selection of Inmates Report* for relevant centres (quarterly)
- entering drug test analysis results and management recommendations into OIMS *Urinalysis* module
- cancelling drug tests on OIMS
- performing audits for correctional centre's compliance with random drug testing requirements

**Note:** The Special Purpose Centre (SPC) Drug Testing Coordinator is responsible for performing the duties of the UAC for SPC drug testing, except for the purchase of drug testing consumables.

See the [Security & Intelligence Branch](#) webpage for drug test information, forms and user manuals.

### 2.3 Cancellation of a drug test

The UAC may cancel a particular inmate's drug test which was produced in OIMS if:

- the wrong inmate was selected
- incorrect MIN was entered
- the drug test was ordered twice
- laboratory analysis is not required.

An OIMS *Random Selection of Inmates* list cannot be cancelled. If an inmate could not be tested, a reason must be provided (e.g. inmate due to be discharged, inmate temporarily absent).

### 2.4 Forensic & Analytical Science Service

The NSW Health [Forensic & Analytical Science Service \(FASS\)](#) conducts the laboratory analysis of drug test samples for CSNSW.

### 2.5 Correctional centre audit reports

The Drug Testing Coordinator is responsible for generating a *Urinalysis Audit Check Report* each fortnight. This report details any missing data from the OIMS *Urinalysis* screens. The Drug Testing Coordinator should update the screens with the missing data where possible, otherwise the data should be sent to the UAC who will complete the update.

### 2.6 Referral of inmates for drug intervention / addiction programs

The Drug Testing Coordinator must ensure that a referral to 00 Support Services is made for all inmates who:

- refuse or fail to supply a drug test sample
- fail a prescribed drug test

This referral can be placed through OIMS in the Programs and Services screen > Accredited Programs > Offender Programs and Evaluation Measures and will require SAPO staff to action this appropriately. All referrals must include a comment which identifies the specific reason for the referral. The Service and programs eligibility referral table outlines what comments should be included for each referral type.

## 3 Logistics

### 3.1 Testing officers

A minimum of two correctional officers are required to conduct a drug test subject to:

- one officer must be trained in drug test procedures
- both officers should be of the same sex as the inmate being tested if possible
- at least one officer must be of the same sex as the inmate
- only an officer of the same sex as the inmate is permitted to view the inmate supply the sample.

### 3.2 Testing equipment

The following equipment is required to conduct drug testing:

- disposable gloves and biohazard bags
- unopened packs of pre-screen testing cups
- *Adulteration Colour Comparison Chart*
- cup labels and security seals
- timer

### 3.3 Documentation

The following documentation is required to conduct drug testing:

- *Urinalysis Test & Data Capture Sheet* for each inmate
- *FASS Chain of Custody Form – Request for Urinalysis*
- *Misconduct report: Positive urine sample*
- *Misconduct report: Fail to supply urine sample*
- *Misconduct report: Refuse to supply a urine sample.*


### 3.4 Pre-screen testing cups

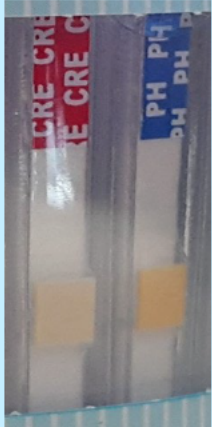

Pre-screen testing is conducted by requiring an inmate to supply a urine sample into a pre-screen cup. A pre-screen cup contains indicator strips to indicate adulteration of the sample and the presence of drugs.

An *Adulteration Colour Comparison Chart* is also supplied so testing officers can determine whether the sample is in the normal or abnormal range.



The cup also has a temperature indicator to indicate whether the sample is in the body temperature range (see table below – note private correctional centres may use a different brand of pre-screen cup and the instructions below may not apply to them).

Test (Result time)	Indicator panel	
Temperature (30-60 seconds)	32°C to 38°C Green colour for a 1°C increment Tan colour for 0.5°C increment  No colour = outside range	

Test (Result time)	Indicator strips																																								
Adulteration (3-5 minutes)	<table border="1"> <thead> <tr> <th colspan="9">Adulteration Colour Comparison Chart</th> </tr> <tr> <th>Test</th> <th colspan="2">Abnormal (Low)</th> <th colspan="4">Normal</th> <th colspan="2">Abnormal (High)</th> </tr> </thead> <tbody> <tr> <td>Cre</td> <td></td> <td></td> <td>&lt;10</td> <td>10</td> <td>20</td> <td>50</td> <td>100</td> <td></td> </tr> <tr> <td>pH</td> <td>2.0</td> <td>3.0</td> <td colspan="2">4.0</td> <td colspan="2">7.0</td> <td>9.0</td> <td>10</td> <td>11</td> <td>12</td> </tr> </tbody> </table>		Adulteration Colour Comparison Chart									Test	Abnormal (Low)		Normal				Abnormal (High)		Cre			<10	10	20	50	100		pH	2.0	3.0	4.0		7.0		9.0	10	11	12	
Adulteration Colour Comparison Chart																																									
Test	Abnormal (Low)		Normal				Abnormal (High)																																		
Cre			<10	10	20	50	100																																		
pH	2.0	3.0	4.0		7.0		9.0	10	11	12																															
Drug screen (5-10 minutes)	<p>Morphine (MOP) Cocaine (COC) Methamphetamine (MET) Benzodiazepines (BZO) Barbiturates (BAR) Cannabis (THC) Methadone (MTD) Amphetamine (AMP) Tricyclic antidepressants (TCA) Buprenorphine (BUP) Tramadol (TRA) Fentanyl (FYL) Oxycodone (OXY)</p>																																								

### 3.5 Urinalysis Test and Data Capture Sheet

The OIMS *Urinalysis Test and Data Capture Sheet* (T&DCS) is used to record the testing process, pre-screen test results and the inmate's consent to disclose their medical records for urinalysis purposes. Refer to subsection **5.2 Pre-screen results procedures** of this policy.

### 3.6 FASS Chain of Custody Form

The FASS *Chain of Custody Form – Request for Urinalysis* is required for any samples that will be sent for laboratory analysis.

The testing officer will complete the collector's details section and the pre-screen test results. The inmate will be asked to sign the declaration.

JHNSW will complete the 'Current medications' section, where an inmate has consented to disclosure, within 48 hours. This will include all medications an inmate has been administered in the previous seven days, and any depot buprenorphine administered in the last 12 weeks.

## 4 Collecting drug test samples

### 4.1 Testing controls and conditions

The controls and conditions for drug testing inmates are:

- inmates must not be forewarned of a requirement to supply a drug test sample
- expired pre-screen cups must not be used
- all urine collection areas must have clear lines of sight into the toilet to allow the inmate to be observed at all times while providing a sample
- a fresh pair of disposable gloves must be used by testing officers to prevent cross contamination of samples
- there must be a lockable fridge located in or near the testing area to allow samples to be refrigerated as soon as possible after supply by inmates
- all samples sent for confirmation analysis must be forwarded to FASS within seven days of the date of supply.

### 4.2 Amount of urine required for analysis

FASS require a minimum of 30ml of urine for laboratory analysis. However, a lesser amount might be sufficient to obtain a result from pre-screen test strips.

If an inmate provides less than 30ml but enough to activate the test strips, then the sample may be accepted if there is a negative result for drugs and no indication of adulteration. In those cases, a negative pre-screen drug result may be recorded.

However, if a sample of less than 30ml indicates a positive result for drugs or adulteration, then procedures for a fail to supply must be followed and the inmate will be required to supply a minimum 30ml.

### 4.3 Directions to be given to inmates

The testing officer must give the relevant direction to an inmate when conducting a drug test.

#### Drug use suspected (clause 159)

- We suspect you *may have taken / are under the influence of* a drug. You are required under clause 159 of the Crimes (Administration of Sentences) Regulation to supply a sample of your urine for drug testing.
- If you refuse or fail to supply a sample, you will be subject to the same penalties that apply for a failing a drug test.
- You must fill this cup to at least the 30ml line but not past the halfway mark. Do you understand that?

#### Test for any other purpose (clause 160)

- You are required under clause 160 of the Crimes (Administration of Sentences) Regulation to supply a sample of your urine for drug testing.
- If you refuse or fail to supply a sample, you will be subject to the same penalties that apply for a failing a drug test.
- You must fill this cup to at least the 30ml line but not past the halfway mark. Do you understand that?

### 4.4 Preparation procedures

	Procedure	Responsibility
1.	Ensure all testing equipment and documentation is prepared at the testing site (refer to subsections <b>3.2 Testing equipment</b> and <b>3.3 Documentation</b> of this policy).	Testing officer
2.	Check the inmate's identity against photographic identification.	Testing officer
3.	Strip search the inmate and allow them to re-dress	Testing officer
4.	Instruct the inmate to wash their hands and put on a pair of disposable gloves.	Testing officer

### 4.5 Collection procedures

	Procedure	Responsibility
1.	Complete all relevant fields on the first part of the <i>Urinalysis Test and Data Capture Sheet</i> (T&DCS) including initial test demand date and time.	Testing officer
2.	Check expiry date and open the pre-screen cup packaging in view of the inmate.	Testing officer
3.	Check that the cup is not cracked or damaged.	Testing officer
4.	Direct the inmate to keep the cup and their hands in full view of the testing officer at all times.	Testing officer

	Procedure	Responsibility
5.	Hand the cup to the inmate with the lid on and direct the inmate to remove the lid.	Testing officer
6.	Give the relevant direction to the inmate.	Testing officer
7.	Observe the urine coming from the inmate's body until he/she has finished supplying a sample.	Testing officer
8.	Instruct the inmate to: <ul style="list-style-type: none"> <li>• place the cup on a stable surface</li> <li>• replace the lid and close it tightly</li> <li>• hand the cup to the testing officer.</li> </ul>	Testing officer
9.	Check the sample volume is sufficient.	Testing officer
10.	Commence timing and direct the inmate to remain in the testing area for five minutes for completion of the pre-screen test process.	Testing officer

## 5 Drug test results

### 5.1 Pre-screen results

**Drug screen indications:** A pre-screen detected drug indication is only a presumptive result. The sample must be sent to the laboratory for confirmation analysis to be accepted as evidence of drug presence (see clause 161 of the Regulation).

A sample should be sent for laboratory analysis if it is difficult to interpret the test line due to indistinct colouration.

**Adulteration indications:** A sample must be sent for analysis if an adulteration test result is in the abnormal range.

**Temperature panel:** The temperature panel is not a reliable indicator of the sample temperature. Therefore a sample should not be sent for analysis on that result alone unless there is doubt as to whether the urine came from the inmate's body.

### 5.2 Pre-screen results procedures

	Procedure	Responsibility
1.	Check the temperature indicator between 30-60 seconds from the time of supply and record result on the T&DCS.	Testing officer
2.	Peel off the cup label three minutes after time of supply. Compare the adulteration strip results against the <i>Adulteration Colour Comparison Chart</i> and record results on the T&DCS.	Testing officer



	Procedure	Responsibility
3.	Check the drug test indicator strips and record the results on the T&DCS.  <b>Note:</b> If a control line fails to activate then ask the inmate to transfer the sample to another pre-screen cup for re-testing.	Testing officer
4.	Show the inmate the test results on the pre-screen cup.	Testing officer
5.	Follow relevant procedures below at subsections <b>5.3 Samples <u>not</u> required for laboratory analysis</b> , or <b>5.4 Samples required for laboratory analysis</b> .	Testing officer

### 5.3 Sample not required for laboratory analysis procedures

	Procedure	Responsibility
1.	Direct the inmate to: <ul style="list-style-type: none"> <li>empty the cup in the toilet and flush</li> <li>reseal the cup and tighten lid to avoid leakage</li> <li>place the cup and their gloves in the biohazard bag and then into the medical waste bin.</li> </ul>	Testing officer
2.	Submit the T&DCS to the Drug Testing Coordinator.	Testing officer
3.	Enter the pre-screen test results into the OIMS <i>Urinalysis Testing</i> module within 48hrs.	Drug Testing Coordinator

### 5.4 Sample required for laboratory analysis procedures

	Procedure	Responsibility
1.	For a sample requiring further analysis: <ul style="list-style-type: none"> <li>ensure the pre-screen cup lid is securely tightened</li> <li>place the label on the pre-screen cup</li> <li>place the security seal on the pre-screen cup (do not cover the cup label)</li> <li>record the security seal number on the T&amp;DCS.</li> </ul>	Testing officer
2.	Inform the inmate the sample will be sent to the laboratory for confirmation analysis.	Testing officer
3.	Complete the FASS <i>Chain of Custody Form</i> and ask the inmate to sign the form.  <b>Note:</b> If the inmate refuses to sign, then note their refusal on the form and continue the process to send the test for laboratory analysis.	Testing officer

	Procedure	Responsibility
4.	<p>Complete the T&amp;DCS and ask the inmate to sign the form to:</p> <ul style="list-style-type: none"> <li>confirm the cup was sealed in their presence and all information recorded is correct</li> <li>consent to disclosure of his/her medical records to CSNSW for urinalysis purposes</li> </ul> <p><b>Note:</b> If the inmate refuses to sign the form, then note their refusal on the T&amp;DCS and continue the process to send the test for laboratory analysis.</p>	Testing officer
5.	<p>Place the drug test sample in a biohazard bag and:</p> <ul style="list-style-type: none"> <li>secure the sample in the urinalysis refrigerator</li> <li>enter the results of the sample on the T&amp;DCS.</li> </ul>	Testing officer
6.	Submit the completed T&DCS and <i>FASS Chain of Custody Form</i> to the Drug Testing Coordinator.	Testing officer

## 5.5 Inmates who appear affected by drugs during testing

If an inmate appears affected by drugs during the testing process, then the inmate must be taken immediately to the clinic for medical assessment by JHNSW staff. For JHNSW notifications and medical advice after-hours refer to **COPP section 6.1 JHNSW notifications**.

# 6 Refusal or failure to supply a sample

## 6.1 Failure to supply a sample

An inmate fails to comply with a direction to supply a drug test sample if they cannot supply the minimum amount of 30mls of urine within two hours (see exception to this rule at subsection **4.2 Amount of urine required for analysis** of this policy).

It is a correctional centre offence for an inmate to fail to comply with a direction to supply a drug test sample. For more information refer to **COPP section 14.4 Drug test offences**.

An inmate who fails an initial demand to supply a sample must be:

- placed in an appropriate holding area with no access to water, e.g. an interview room or dry cell
- kept under regular observation
- supplied with 150mls of water at a time (maximum 500mls) for rehydration
- given two hours to supply a sample.

	<b>Procedure</b>	<b>Responsibility</b>
1.	<p>Give the following direction to the inmate:</p> <ul style="list-style-type: none"> <li>• You have failed to supply a sample of urine as directed.</li> <li>• You will be placed in a dry cell/yard/room.</li> <li>• You will be required to supply a sample of your urine at the expiration of two hours unless you are able to supply a sample sooner.</li> <li>• I will provide you with 150mls of water at any one time to help you hydrate, but no more than 500mls in two hours.</li> <li>• Do you understand that?</li> </ul>	Testing officer
2.	Move the inmate to the appropriate holding area and observe regularly.	Testing officer
3.	Provide the inmate with 150mls of water at a time but no more than 500mls within the two hour period.	Testing officer
4.	<p><b>After two hours:</b> Give the relevant direction to the inmate: This is my final direction to you to supply a urine sample for drug testing. You must fill this cup to at least the 30ml line but not past the halfway mark. Do you understand that?</p>	Testing officer
5.	<p><b>Inmate supplies a sample:</b> Recommence procedures for collecting a urine sample (refer to subsection <b>4.5 Collection procedures</b> of this policy).</p>	Testing officer
6.	<p><b>Inmate fails to supply a sample:</b> Complete all relevant fields on the T&amp;DCS including final demand time and commence the inmate disciplinary process (<b>refer to COPP section 14.4 Drug test offences</b>).</p>	Testing officer
7.	Inform the inmate that they will be reported to the Governor for failing to comply with a direction to supply a drug test sample.	Testing officer

## 6.2 Refusal to supply a sample

It is a correctional centre offence for an inmate to refuse to comply with a direction to supply a drug test sample.

An inmate's refusal to comply with a direction to supply a drug test sample includes a refusal to comply with directions as to how a sample is to be supplied (e.g. the inmate disobeyed a direction to keep his or her hands in sight while passing urine). For more information refer to **COPP section 14.4 Drug test offences**.

	Procedure	Responsibility
1.	Record the exact wording of the inmate's refusal on the <i>Misconduct report - refuse to supply a urine sample</i> and commence the inmate disciplinary process ( <b>refer to COPP section 14.4 Drug test offences</b> ).	Testing officer
2.	Inform the inmate that they will be reported to the Governor or OIC for refusing to comply with a direction to supply a drug test sample.	Testing officer

## 7 Laboratory analysis

### 7.1 Confirmation analysis of pre-screen samples

Pre-screen cup samples must be sent to the laboratory for analysis where non-prescribed or illicit drugs are detected and/or the creatinine (CRE) or pH is in the abnormal range.

If drugs are not detected, a cup may still be sent for analysis if:

- drug use is reasonably suspected
- diversion of prescribed medication is reasonably suspected (see below)
- the cup or sample appears to have been tampered with
- sample temperature is outside range and there is doubt as to whether the sample came from the inmate's body.

### 7.2 Suspected diversion of medication

A sample may be sent for analysis if an inmate who is prescribed methadone, buprenorphine or tramadol is suspected of diverting the medication. In such cases, the Drug Testing Coordinator should liaise with the UAC who will contact FASS for advice on drug levels in the sample.

### 7.3 Expiry period and disposal of expired samples

Samples must be sent to the laboratory for analysis no later than seven days from the date of supply. Samples that have not been sent to the laboratory within seven days must be disposed of as biohazard waste.

An *Officer report form* that has been approved by the Testing Officer's supervising officer (e.g. MOS or FM) must be sent to the UAC so that the confirmation test can be updated accordingly.

The UAC will then update OIMS noting that the sample has been disposed of.



## 7.4 Sending samples for laboratory analysis procedures

	Procedure	Responsibility
1.	If the inmate has provided consent, forward the following documents to JHNSW for medication advice on the day of the test or as soon as possible: <ul style="list-style-type: none"> <li>• a copy of the T&amp;DCS</li> <li>• <i>FASS Chain of Custody Form – Request for Urinalysis</i>.</li> </ul>	Drug Testing Coordinator
2.	Enter the T&DCS and JHNSW medication advice into the OIMS <i>Urinalysis</i> module.	Drug Testing Coordinator
3.	Ensure that the pre-screen cup label and <i>FASS Chain of Custody Form – Request for Urinalysis</i> have been filled out correctly.  <b>Note:</b> FASS may refuse to test a sample if details are omitted or incorrect.	Drug Testing Coordinator
4.	Retain a copy of the <i>FASS Chain of Custody Form – Request for Urinalysis</i> for correctional centre records.	Drug Testing Coordinator
5.	Follow the <a href="#">Urinalysis Unit packaging guidelines</a> for procedures on the packaging, storing, dispatching of the sample and related OIMS data entry.	Drug Testing Coordinator

## 7.5 Cannabis concentration levels

Cannabis can remain in the body for several weeks. Samples that test positive for cannabis may be subject to cannabis concentration level checks. The decision to charge an inmate with failing a prescribed drug test may depend on the cannabis concentration level. Refer to **COPP section 14.4 Drug test offences** for details.

## 7.6 Drug analysis report procedures

FASS *Drug Analysis Reports* are sent to the UAC. The following procedures are to occur after a report is received from FASS.

	Procedure	Responsibility
1.	Enter the <i>Drug Analysis Report</i> results into the OIMS <i>Urinalysis</i> module including any management recommendations.	UAC
2.	Order cannabis concentration level checks as required.	UAC
3.	Forward the <i>Drug Analysis Report</i> to the originating centre.	UAC
4.	Complete a misconduct report for every inmate who has failed a prescribed drug test ( <b>refer to COPP section 14.4 Drug test offences</b> ).	Drug Testing Coordinator

## 8 Faulty pre-screen cups

### 8.1 Faults and reimbursement

A pre-screen cup may be faulty for one or more of the following reasons:

- damaged packaging, lid or container
- label does not tear off
- drug detection or adulteration strips are missing or not drawing up liquid
- temperature strip is not reading
- a control line fails to appear on a strip

Faulty cups should be returned to the supplier with the original packaging for reimbursement.

### 8.2 Procedures for returning faulty pre-screen cups

	Procedure	Responsibility
1.	Place the faulty pre-screen cup in the original packaging and return to the Drug Testing Coordinator.	Testing officer
2.	Complete the <a href="#">Request for Faulty Pre-screen cup(s) reimbursement</a> form and send with faulty cups to the supplier.	Drug Testing Coordinator

## 9 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

## 10 Definitions

Authorised officer	The officer authorised by the Governor or OIC to perform the functions set out in this part of the Custodial Operations Policy and Procedures
Confirmation analysis	Laboratory analysis of a pre-screen test sample where: <ul style="list-style-type: none"><li>• drugs are detected in the pre-screen sample</li><li>• an adulteration test result is in the abnormal range</li></ul> Confirmation analysis will determine whether the sample is valid and whether drugs are present.
Control line	The line that appears on pre-screen cup test strips that indicates: <ul style="list-style-type: none"><li>• an individual test strip is functional</li></ul>
CIG	Corrections Intelligence Group
COPP	Custodial Operations Policy and Procedures

CSNSW	Corrective Services New South Wales
DDL	Dawn De Loas Correctional Centre
Drug test offence	An offence against clauses 153, 159(3) or 160(3) of the <i>Crimes (Administration of Sentences) Regulation 2014</i>
Drug test sample	A sample of the person's breath, urine or oral fluid. (See definition of 'drug test sample', clause 3 of the <i>Crimes (Administration of Sentences) Regulation 2014</i> .)
EPCC	Emu Plains Correctional Centre
Invalid result	A pre-screen test strip yields an invalid result when: <ul style="list-style-type: none"> <li>the control is completely blank</li> </ul>
FASS	Forensic and Analytics Science Service
Governor	Includes Manager of Security in charge of correctional centre
JHNSW	Justice Health & Forensic Mental Health Network
MOSP	Manager of Offender Services and Programs
OIC	Officer in Charge of the correctional centre
OIMS	Offender Integrated Management System
<i>OIMS Drug Testing Bulk Data Entry Report</i>	This is a summary report that lists inmates (in alphabetical order) who have had a program or target drug test ordered on a specific date at a specified correctional centre
<i>OIMS Urinalysis Test and Data Capture Sheet (T&amp;DCS)</i>	This sheet is generated for each inmate identified for testing. It is used to capture data at the testing site including collection details, inmate signature, dispatch details and officer statement
<i>OIMS Random Selection of Inmates Report</i>	A report generated by the Urinalysis Unit and distributed to correctional centres which contains a random list of inmates for drug testing
Preliminary drug test	A presumptive test for the presence of drugs using a pre-screen cup device
SPC	Special Purpose Centre
Supervising Officer	The superior officer that an officer reports to. For example, a Senior Correctional Officer may report to a Functional Manager
Test line	The line that appears on pre-screen cup test strips that indicates a negative reaction to a drug (only where the control line is also visible)
UAC	Urinalysis Administration Coordinator.

# 11 Document information

<b>Business centre:</b>	Statewide Operations
<b>Approver:</b>	Craig Smith (A/Deputy Commissioner Security and Custody)
<b>Date of effect:</b>	28 November 2018
<b>EDRMS container:</b>	18/7361

Version	Date	Reason for amendment
1.0		Initial publication ( <i>Replaces section 19 of the superseded Operations Procedures Manual</i> )
1.1	11/09/19	Minor update
1.2	24/10/19	Minor update to [7.3] Expiry period and disposal of expired samples
1.3	12/03/20	General formatting update and improvements
1.4	11/06/20	Temporary concurrent policy and procedures <b>section 18.1 Testing inmates for drug use (non pre-screen testing)</b> has been removed because all correctional centres are now pre-screen testing. 18.1 Testing inmates for drug use is now the only policy and procedure document in force for testing inmates for drug use.
1.5	25/06/20	Under Scope (pg. 2) Kariong Intake & Transit Centre and Surry Hills Police Centre included in the exemption list.
1.6	30/06/20	Amendment to <i>Scope</i> (pg. 2) clarifying extent of exceptions to policy and procedures for CDTCC and IDAPT
1.7	22/07/20	Addition at subsection 3.6 FASS <i>Chain of custody form</i> to include any depot buprenorphine in the last twelve weeks
1.8	06/03/23	Policy updated to require all correctional centre (besides private/excluded correctional centres) to test five percent of their inmate population each quarter. The Urinalysis Administration Coordinator is required to conduct reviews of correctional centre compliance with this requirement.
1.9	20/11/23	Amendment at subsection 2.6 <i>Referral of inmate for drug intervention/addiction programs</i> to align referral process to OS&P practices.
1.10	04/11/24	Amendment at subsection 1.4 <i>External leave testing</i> to include exemption to Emu Plains Correctional Centre.