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# State of Alabama Department of Corrections

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June 30, 2023

ADMINISTRATIVE REGULATION  
NUMBER 440

OPR: MEN'S AND WOMEN'S  
SERVICES

## INMATE DRUG SCREENING

### I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures for verifying inmate compliance with a drug free environment.

### II. POLICY

It is the policy of the ADOC to conduct non-discriminatory drug and alcohol testing of inmates via urinalysis to detect and deter the abuse of contraband and illicit substances.

### III. DEFINITIONS AND ACRONYMS

- A. **Confirmed positive**: A positive urinalysis test conducted by an independent off-site laboratory.
- B. **Screened positive**: A positive urinalysis test conducted by an ADOC on-site laboratory.

### IV. RESPONSIBILITIES

- A. The Deputy Commissioner(s) of Men's and Women's Services are responsible for:
  - 1. Ensuring that this AR is in compliance with applicable state and industry standards.
  - 2. Procuring and distributing drug testing equipment and supplies to facilities.

3. Developing and implementing a curriculum of appropriate training for drug and alcohol testing.
- B. The Drug Testing Officer/Designee will ensure that all tests are completed according to standards of the *College of American Pathologists* and that proper chain of custody is maintained to ensure the integrity of the testing program. Employees will receive training on applicable equipment associated with the substance abuse testing program.

## V. PROCEDURES

### A. Testing for Drugs and Alcohol:

1. Testing equipment should be capable of screening for the following groups of substances: alcohol, amphetamines, methamphetamines, MDMA (ecstasy), oxycodone, barbiturates, benzodiazepines, methadone, cannabinoids (marijuana), cocaine, opiates/opioids, and phencyclidine (PCP).
2. The majority of testing should be for frequently abused drugs, such as cocaine, opiates/opioids, methadone, marijuana and alcohol. Random screening will be done for all drugs.
3. Each facility will test for drugs most frequently used in that locale.
4. The inmate's institutional and medical records may be reviewed to determine the inmate's type of drug(s) used prior to incarceration.

### B. The following criteria will be used for the selection of inmates tested for substance abuse:

1. Inmates will be tested on a random, unannounced basis at a frequency that will assist the Warden/Designee in assessing if the inmate is drug free.
  - a. Inmates who have contact with the general public may be screened at a greater frequency than random testing, such as those inmates whose job assignments include, but are not limited to, outside work squads, the healthcare unit, trade school, and inmate runners.
  - b. The computer-generated list will be distributed to the Warden/designee so that specimens can be collected at different days and times during the month.
2. Inmates assigned to a community-based facility or community work center institution will be tested at a greater frequency than those assigned to a major institution.

3. Inmates who appear or who are reported being under the influence of drugs or alcohol may be tested.
4. Testing an inmate for any reason other than the ones listed above must be approved by the Warden/Designee.
5. Inmates that test positive for a specific drug may be re-tested for that same drug, but disciplinary action in accordance with AR 403, Procedures for Inmate Rule Violations, shall not be initiated against the inmate for retesting positive any earlier than the time specified in the following chart:

<b>Substance Detection Periods</b>	
<b>Test Positive for:</b>	<b>Test after:</b>
Amphetamines	5 days
Barbiturates	3 days
Benzodiazepines	10 days
THC	45 days
Cocaine	5 days
MDMA	7 days
Methadone	7 days
Methamphetamine	5 days
Methaqualone	10 days
Opiates	7 days
Oxycodone	7 days
PCP	8 days
Propoxyphene	7 days
Hydrocodone	7 days
LSD	10 days
Alcohol	1 days

6. Calculation of testing time should be based on the date the specimen was collected and not on the screening or confirmation date.

**C. Inmate Specimen Collection:**

1. Prior to collecting the urine specimen:
  - a. The collection process will be conducted by staff member(s) of the same sex in private and outside the presence of other inmates or other non-involved staff.
  - b. The inmate will:
    - (1) Leave bags, containers, and outer garments outside the restroom.
    - (2) Wash his/her hands prior to urination.
  - c. The collecting officer will:

- (1) Receive on-the-job training on urine collection procedures.
- (2) Secure and search the area where the urine specimen is collected, making sure the area is free from anything that could be used to contaminate the urine specimen.
- (3) Place bluing dye/color in the toilet prior to testing.
- (4) Positively identify the inmate by picture, name, and AIS number using the inmate identification card.
- (5) Search the inmate to ensure the inmate cannot contaminate the urine specimen.
- (6) Enter the following information on ADOC Form 440-A, *Chain of Custody*: inmate's name, AIS number, race, sex, and if any medications were taken during the last month (yes or no).

2. Collecting the urine specimen:

- a. ADOC on-site laboratory Drug-Testing Officers will not collect urine specimens.
- b. The collecting officer will:
  - (1) Write the corresponding line number from ADOC Form 440-A, *Chain of Custody*, on the specimen cup label and the tamper-proof seal/evidence tape on the cap and provide the specimen cup to the inmate to collect the specimen.
  - (2) Observe the inmate giving the urine specimen during the entire process to ensure the inmate does not contaminate the urine specimen.
  - (3) Collect at least one-half of a specimen cup of urine for testing, but not less than 30 ml.
  - (4) Remain with the inmate in the secure urine collection area until the urine specimen is adequately produced.
  - (5) If the inmate is unable to produce an adequate specimen:
    - i. Permit the inmate to drink eight (8) ounces of water every thirty (30) minutes, not to exceed 24 ounces.
    - ii. The sound of running water may be used as encouragement.

- iii. A new specimen cup will be provided on each attempt and relabeled with 444-A information.
- (6) If an inmate who is unable to provide a urine specimen within three (3) hours of being ordered to do so:
  - i. The test will be documented as a refusal to submit a urine specimen.
  - ii. The inmate will be charged with disciplinary action referencing AR 403, *Procedures for Inmate Rule Violations*. The sanctions shall be the same as or similar to a positive urine test.
- 3. After collecting the urine specimen, the collecting officer will:
  - a. Secure the cap on the specimen cup.
  - b. Secure cap with tamper-proof seal/evidence tape with the inmate's name, AIS number, race, and date the urine specimen was collected written on it, to avoid tampering or contamination.
  - c. The inmate will observe the collection process.

D. Specimen Storage and Transportation:

- 1. The ADOC Form 440-A, *Chain of Custody*, must always be maintained with each urine specimen collected. The chain of custody begins with the inmate providing the urine specimen, then the collecting officer, and finally the transporting officer or officer operating the drug testing equipment. This chain of custody should be kept to a minimum amount of people to prevent possible contamination.
- 2. A locked container will be used to hold specimens at the collection point and during transportation to the testing site. The locked container will be in a secure area. Only the collection site shift commander and laboratory testing officer will have access to the key to the specimen container. The ADOC Form 440-A, *Chain of Custody*, will reflect when the specimen is placed into and removed from secure storage.
- 3. If the urine specimen is not tested within twenty-four (24) hours after collection, the container holding the urine specimen must be placed in a locked and secure refrigeration unit. Only the shift commander and laboratory testing officer will have access to the key locking the refrigeration unit.

4. All ADOC on-site laboratory tests must be completed within seven (7) days of collection.

E. Inmate Specimen Testing:

1. Only ADOC on-site laboratory Drug-Testing Officers will have access to urine specimens stored in the laboratory or be present in the laboratory while drug tests are conducted.
2. All testing of urine specimens using test sticks, strips, and/or panels will be conducted in accordance with the manufacturer's instructions.
3. All testing of urine specimens using the analyzer will be conducted in accordance with the operating instructions for the equipment.
4. Laboratory Drug-Testing Officers will:
  - a. Ensure that all information recorded on the urine specimen cup corresponds to the information recorded on the ADOC Form 440-A, *Chain of Custody*.
  - b. Ensure that all specimens collected are sealed and the proper chain of custody has been maintained. On-site laboratory Drug-Testing Officers will not test specimens if the chain of custody has been broken or the specimen submitted appears compromised.
  - c. Create an incident report in accordance with AR 302, *Incident Reporting*, anytime a urine specimen is declined and not tested.
5. A positive screen will be re-tested for verification using a new specimen of urine from the original specimen container.
6. The Drug-Testing Officer will consult the contracted medical provider to determine if prescribed medications the inmate may have taken prior to testing could cause a positive result. If the Drug-Testing Officer determines that it is possible that prescribed medication caused the positive result, then no disciplinary action will be taken against the inmate, and the Drug-Testing Officer will create an incident report in accordance with AR 302, *Incident Reporting*.
7. Verified positive results will be sent to an outside independent laboratory for confirmation testing.
8. Each institution will promptly be notified of any inmate screened positive at an on-site drug testing laboratory. Specimen verification reports will not be

forwarded to the sending institution until a confirmation report has been received from the outside independent toxicology laboratory.

9. A specimen determined to be adulterated by the inmate from whom the specimen was collected will be referred back to the collecting officer or shift commander for appropriate disciplinary action to be initiated against the inmate, in accordance with AR 403, *Procedures for Inmate Rule Violations*.
10. An inmate testing positive (hard positive) at a Level I or II facility is to be placed in a holding unit until confirmation test results are received. Once confirmation is received, the inmate is to be transferred to a Level IV facility.

F. Independent Laboratory Confirmation Testing:

1. An off-site laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) or accredited through the College of American Pathologists (CAPS) will conduct confirmation testing.
2. The ADOC on-site laboratory Drug-Testing Officer will send a portion of the specimen and a signed specimen control form requesting confirmation of the suspected controlled substance utilizing gas chromatography/mass spectrometry (GC/MS) testing.
  - a. The off-site independent laboratory will supply materials for packaging and mailing the specimen.
  - b. The appropriate identification items from the ADOC Form 440-A, *Chain of Custody*, and the inmate's specimen container with the chain of custody form will be sent to the off-site independent laboratory with the supplied specimen package.
3. If the specimen is confirmed positive, the cost of the independent laboratory confirmation testing will be charged to the inmate's account. The cost to the inmate is determined by the current fees set by the independent laboratory. The Accounting Division will notify wardens and business managers of the current cost for confirmation testing.
4. If the specimen is confirmed negative by the off-site independent laboratory, the cost of the independent analysis will be paid from the Institutional Contingency Fund (ICF) and not by the inmate.

G. Confirmed Positive Urinalysis:



1. The ADOC Drug Testing Officer will forward the ADOC Form 440-B, *Individual Specimen Report*, for each inmate confirmed positive to the inmate's institution.
2. The collecting officer or shift commander will create an incident report in accordance with AR 302, *Incident Reporting*, when a confirmed positive result is received.
3. Disciplinary action will only be initiated when a positive confirmation specimen report has been received from an outside independent laboratory.
4. Disciplinary action, in accordance with AR 403, *Disciplinary Hearing Procedures for Major Rule Violations*, will be initiated by the officer who collected the specimen or the shift commander.
5. All inmates with a confirmed positive drug test will be charged the current fee set by the outside toxicology laboratory.
6. Any problem with the drug testing equipment, data management system, or products **must** be immediately reported to the vendor. If the problem is not resolved within one (1) working day, the Director of Treatment will be contacted.
7. Inmates who test positive will be referred to their classification specialist to have his/her current custody status reviewed and referred to the mental health provider for referral to an appropriate substance abuse treatment program. These efforts will be noted in the inmate's institutional file. Volunteering for treatment is not a bar from disciplinary action.
8. Inmates who test positive will be closely monitored, escape potential re-evaluated, and security level reviewed for increased security, if necessary and/or appropriate.
9. Community custody inmates who test positive for drug use (other than alcohol or marijuana) will be returned to a major facility on the first offense for reclassification.

H. Treatment for Inmates Testing Positive:

1. Inmates assigned to Community Based Facilities that test positive for using alcohol or marijuana for the first time may remain at the facility and attend a drug treatment program. If a drug treatment program is not available at that facility, the inmate shall be transferred to the least-restrictive facility that has a drug treatment program.



2. Inmates assigned to Community Based Facilities who test positive a subsequent time may be transferred to a major facility for reclassification and participation in an appropriate drug treatment program.
3. Community/minimum-out custody inmates who test positive for drugs other than alcohol and marijuana shall be removed and transferred to a higher security level institution for drug treatment.
4. Inmates assigned to facilities other than Community Based Facilities who test positive for alcohol or drugs shall be assigned to the facility drug treatment program according to the ADOC Classification Manual procedures.
5. The drug treatment counselor will develop an individualized treatment plan that addresses the inmate's substance abuse issues. Treatment plans will include attendance at Alcoholics Anonymous (AA)/Narcotics Anonymous (NA) meetings, and structured study including drug abuse videos and pamphlets.
6. Community custody inmates who test positive for alcohol or marijuana after having completed a substance abuse program may be entered into a Relapse Prevention program.
7. An inmate can refuse to participate in a drug treatment program, and in such instances, the refusal will be recorded in the inmate's institutional file. Refusal may preclude participation in programs that the inmate otherwise would have been eligible to participate in.

I. Drug Testing Supplies:

1. Each ADOC drug-testing laboratory will order necessary drug testing supplies directly from the drug testing vendor. Immediately upon receipt of drug testing supplies, the shipment will be checked against the packing slip and any discrepancies resolved with the vendor. After any discrepancies have been resolved, a copy of the packing slip certifying that all items have been received will be e-mailed to the Accounting Division.
2. The drug testing devices (test sticks, strips, and/or panels) and specimen cups used by community-based institutions will be collected from the nearest ADOC drug-testing laboratory.
3. ADOC on-site drug testing laboratories will keep a copy of all receipts for drug testing supplies received for one (1) year.

**VI. DISPOSITION**

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

**VII. FORMS**

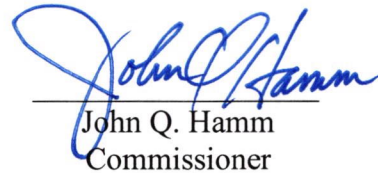
- A. ADOC Form 440-A, *Chain of Custody*.
- B. ADOC Form 440-B, *Individual Specimen Report*.

**VIII. SUPERSEDES**

This Administrative Regulation supersedes AR 440, *Inmate Drug Screening*, dated January 25, 007, and any changes.

**IX. PERFORMANCE**

- A. Code of Alabama 1975 § 14-1-1.1 *et seq.*
- B. National Commission on Correctional Health Care: Standards for Health Care in Prisons, 2003.
- C. Standards of the *College of American Pathologists*.
- D. Substance Abuse or Mental Health Services Administration (SAMHSA).

  
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John Q. Hamm  
Commissioner



Alabama Department of Corrections

CHAIN OF CUSTODY

FACILITY NAME	FACILITY CODE
DATE	TIME SPECIMEN DELIVERED

	First	Last	Time of Collection	AIS#	Race	Sex (M-F)	Medications (Yes or No)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							

OUR FACILITY REQUESTS THAT THE ABOVE-NAMED INMATES BE DRUG SCREENED  
AND THE RESULTS OF ALL POSITIVE TESTS BE REPORTED VIA PHONE CALL WITH PAPERWORK TO FOLLOW.

There are a total of \_\_\_\_\_ specimens to be tested.

From: (The above Inmates)	To:	Date:	Time:
From:	To:	Date:	Time:
From:	To:	Date:	Time:
From:	To:	Date:	Time:
From:	To:	Date:	Time:
From:	To:	Date:	Time:

ADOC Form 440-A  
06-2023

RETAIN THIS FORM FOR ONE YEAR



Alabama Department of Corrections

INDIVIDUAL SPECIMEN REPORT

NAME:	PRINTED:
ID:	SPECIMEN ID:
POSTED BY:	COLLECTION DATE/TIME:
DATE POSTED:	CHAIN OF CUSTODY:

TEST NAME

Drug Screen:

OUTCOME:

PASS:

FAIL:

Alcohol

ALC

Cannabinoid

THC

Cocaine

COC

Methadone

MTD

Opioids

OPI

OUTCOME

Reviewed By:

Print Date:

Signed:

Results Approved by:

Date:

Copy Received by Inmate:

AIS#

Date:

ADOC Form 440-B  
06-2023

RETAIN THIS FORM FOR ONE YEAR