



OREGON YOUTH AUTHORITY



Policy Statement

Part II – Youth Services (Facilities)

Subject:

Drug Testing – Youth [Facilities]

Section – Policy Number:

D: Health and Mental Health – 2.1

Supersedes:

**Revision (2/07)
II-D-2.1 (12/00)**

Effective Date:

10/31/2011

Date of Last

Review: *No change*
10/31/2015

Related Standards and References:

- [ORS 420.011](#) (Admissions to youth correction facilities; assignment of persons within custody of Department of Corrections; temporary assignment; return to Department of Corrections custody)
- [ORS 420A.010](#) (Oregon Youth Authority, creation and duties)
- [ORS 420A.125](#) (Youth offenders; intake assessments; reformation plan; placement)
- [OAR 416-470](#) (Prohibited Youth Behaviors and Processing Behavior Violations)
- Performance-based Standards (PbS), *Juvenile Correction and Detention Facilities*; Programming; Health and Mental Health
- American Correctional Association *Standards for Juvenile Correctional Facilities*; 4-JTS-4E-02 (Management of Chemical Dependency)
- **OYA policy:** [I-C-8.3 \(Infection Control\)](#)
I-E-2.1 (Public Records Requests)
I-E-2.3 (Requests for Youth Records, Reports, and Other Materials)
II-A-1.2 (Preserving Chain of Evidence)
[II-B-2.1](#) (Youth Accountability in OYA Facilities)
- OYA form: [YA 4407](#) (Chain of Custody-Urinalysis Testing)

Related Procedures:

- None

Policy Owner:

Facility Services Assistant Director

Approved:

Colette S. Peters, Director

I. PURPOSE:

This policy sets standards for staff to drug test youth in OYA facilities.

II. POLICY DEFINITIONS: None.

III. POLICY:

OYA's mission includes holding youth accountable and providing opportunities for reformation in safe environments. Detecting youth illegal drug use is one way staff work with youth to hold them accountable while also providing them opportunities to reform by following case plans and participating in treatment programs. Drug-and-alcohol-free facilities help provide safe and secure environments for staff and youth.

The purpose of drug testing youth is to:

- Assess, monitor and treat a youth's drug or alcohol use;
- Assist in case planning by identifying youth who need substance abuse treatment services or other interventions due to drug or alcohol use;
- Deter youth use of alcohol and other drugs;
- Monitor and maintain compliance with court orders, case plans, and drug treatment programs; and
- Eliminate the presence and use of illegal drugs in facilities.

IV. GENERAL STANDARDS:

- A. During a youth's facility intake process, staff must notify the youth of the facility's drug testing protocols and the consequences that may occur should the youth refuse to participate in such testing.
1. Random or scheduled youth drug testing is allowed in the following instances:
 - a) As authorized in a case plan or court order;
 - b) In conjunction with a youth's treatment plan;
 - c) Upon intake into a facility;
 - d) Based on safety and security risks to maintain a drug and alcohol-free facility; or
 - e) When a staff member has reasonable suspicion that a youth is using illegal substances. This includes when a youth has been away from a facility and may have had access to illegal substances, or when behavior or other evidence suggests the youth may have used an illegal substance.
 2. The drug testing process will ensure the reliability of the test, accuracy of the results, and the safety of persons involved.

- a) Staff must follow chain of custody procedures as the specimen is processed. The chain of custody requirement ensures the specimen obtained from the youth is the same that is tested, and the result of such test is what is presented as evidence in court.
- b) Staff must use OYA form YA 4407 (Chain of Custody – Urinalysis Testing) to document the chain of evidence.
- c) Staff who conduct drug tests will be instructed in testing methods and processes prior to administering such tests.
- d) Staff must follow the manufacturer’s recommendations when using testing products.
- e) Following a positive screening, staff may need to conduct a second test to confirm results, especially if the results will be used as evidence in court.
- f) Confirmation tests include:
 - 1) An admission from the youth acknowledging drug use;

Such admission will be in writing and based on informed consent.
 - 2) A second test using the same methodology; or
 - 3) A second test using a different methodology.

A specimen that screens positive on an initial screen but fails to be confirmed by laboratory testing will be declared negative and treated the same as a specimen that showed negative in the initial screen.
- g) Staff must be respectful of the youth while maintaining the test integrity.
 - 1) The collection of the sample will be monitored by a same-gender staff in a place and manner that will avoid undue embarrassment to the youth while safeguarding against sample tampering.
 - 2) Once the sample is provided, staff will keep it within their control to minimize tampering opportunities.
- h) Staff will use universal precautions when conducting tests. See OYA policy [I-C-8.3 \(Infection Control\)](#) for details.

- B. Staff will ensure confidential information about testing and results is protected and appropriate information is disclosed in compliance with OYA policy and procedures.
1. Staff must file the lab report in the youth's case file as documentation of the testing and the results.
 2. If test results are disclosed, staff must document the disclosure in the youth's case file, including the action taken and to whom and when disclosure was made.
- C. Testing process
1. Staff may expect youth to provide a urine specimen upon request.

If a youth states he/she is unable to provide a specimen, staff will permit the youth a reasonable timeframe within which to do so.
 2. Staff must document the following information at the time of the specimen collection:
 - a) The tested youth's name and JJIS number;
 - b) The type of substance(s) for which the test is administered;
 - c) A list of medications the youth is currently taking;
 - d) Date/time the specimen is collected; and
 - e) The name of the person collecting the specimen.
 3. Staff will document all transfers of specimens using the [YA 4407](#) (Chain of Custody – Urinalysis Testing) or comparable manufacturer's form.
 - a) Staff will review the specimen for evidence of tampering at each transfer of the specimen.
 - b) Staff will immediately report any evidence of tampering to the submitting office.
 4. Staff must present the youth with test results as soon as practicable, but no later than 72 hours after staff receive the test results.
 - a) Staff must use positive reinforcement for negative test results to encourage continued abstinence.
 - b) Staff must impose graduated sanctions for positive test results in compliance with OYA policy [II-B-2.1](#) (Youth Accountability in OYA Facilities).

The youth behavior violation may be for Medication Abuse or Misuse, or Possession of Contraband That Can Harm Self or Others.

- c) Such reinforcement will be imposed at the discretion of the facility staff and substance abuse treatment staff in conjunction with the youth's juvenile parole/probation officer (if applicable).

V. LOCAL OPERATING PROCEDURE REQUIRED: NO