



OREGON YOUTH AUTHORITY

Policy Statement

Part III – Youth Services (Community)



Subject

Drug Testing – Youth [Field]

Section – Policy Number:

D: Case Management – 3.3

Supersedes:

None

Effective Date:

06/23/2008

Date of Last

Review:

08/07/2015

Related Standards and References:

- [ORS 420A.010](#) (Oregon Youth Authority, creation and duties)
- [ORS 420A.125](#) (Youth offenders; intake assessments; reformation plan; placement)
- Office of Juvenile Justice and Delinquency Prevention: *American Probation and Parole Association’s Drug Testing Guidelines and Practices for Juvenile Probation and Parole Agencies* (April 1992)
- [OYA policy:](#)
 - I-C-8.1 (Bloodborne Pathogens)
 - I-E-2.1 (Public Information Requests)
 - I-E-2.3 (Requests for Youth Records, Reports, and Other Materials)
 - II-D-2.1 (Drug Testing – Youth)
 - III-A-4.0 (Searches of Youth and Areas; Processing of Contraband or Evidence in Community Placements)
- [OYA form:](#) YA 4407 (Chain of Custody-Urinalysis Testing)

Related Procedures:

- None

Policy Owner:

Community Services Assistant Director

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy provides guidelines for drug testing OYA youth on community supervision.

Refer to OYA policy II-D-2.1 (Drug Testing – Youth) for drug testing of youth in OYA close-custody facilities.

II. POLICY DEFINITIONS:

None.

III. POLICY:

OYA's responsibilities include holding youth accountable and providing opportunities for reformation in safe environments. Detection of illegal drug use by youth is an important tool as staff work to fulfill the agency mission.

The purpose of drug testing is to:

- Assess, monitor and treat a youth's drug or alcohol use;
- Assist in case planning through identification of youth in need of substance abuse treatment services or other interventions due to drug or alcohol use;
- Deter a youth's use of alcohol and other drugs;
- Monitor and maintain compliance with court orders, parole/probation agreements, case plans, and drug treatment programs.

IV. GENERAL STANDARDS:

A. Youth must be notified of drug testing procedures that will be used and the consequences that may occur should a youth refuse to participate in such testing.

1. Random or scheduled drug testing of youth is allowed in the following instances:
 - a) As authorized in a case plan, court order, or parole/probation agreement;
 - b) In conjunction with a youth's treatment plan; and
 - c) When staff have reasonable suspicion that a youth is using illegal substances. This includes when a youth has been away from a program and may have had access to illegal substances, or when behavior or other evidence suggests a youth may have used illegal substances.
2. Drug testing procedures must ensure the reliability of the test, accuracy of the results, and the safety of persons involved.
 - a) Chain of custody procedures must be followed 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.

Staff must use OYA form YA 4407 (Chain of Custody-Urinalysis Testing) to document the chain of evidence.

- b) Persons conducting such tests will receive instruction in testing methods and procedures prior to administering such tests.

Persons will follow the manufacturer's recommendations when using testing products.

- c) Following a positive screening, a second test may be necessary to confirm results, especially if the sanction includes loss of liberty or the results will be used as evidence in court.

Local court requirements differ regarding confirmation tests. OYA staff will be aware of their local court's policy related to evidence of positive drug tests.

- d) Testing procedures will 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 opportunities for tampering.
- e) Staff will use universal precautions when conducting tests.

B. Staff must ensure confidential information regarding testing and results is protected and appropriate information is disclosed in compliance with OYA policy and procedures.

C. Youth must be notified of test results as soon as practicable.

Behavior reinforcement will be applied at the discretion of the youth's assigned Juvenile Parole/Probation Officer (JPPO) and treatment team.

D. Staff must review this policy and related procedures prior to their initial drug testing of youth.

V. OYA GENERAL PROCEDURE REQUIRED: NO

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO