

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM:** Anthony Mata
Chief of Police

SUBJECT: MOBILE ONSITE DRUG AND **DATE:** January 31, 2024
ALCOHOL TESTING FOR SWORN
MEMBERS

APPROVED

Memo #2024-002

BACKGROUND

On September 22, 2022, a side letter agreement was signed between the San Jose Police Officers' Association (POA) and the City of San José, which subjects all sworn Department members, through the rank of captain, including recruits in the Police Academy, to random testing for controlled substances and/or alcohol and requires them to provide a urine and breath sample for testing when they are the driver in a work-related moving vehicle accident ([POA Side Letter Agreement on Drugs and Alcohol Testing](#)).

Random testing and post-accident testing were initiated in May of 2023 ([Memo# 2023-015](#)). Due to the limited operating hours of the testing sites, the City has contracted with another vendor to provide mobile onsite testing to the Department.

ANALYSIS

The City has contracted with Butterfield Testing Solutions to provide mobile onsite testing. Onsite testing follows DOT regulations for drug and alcohol testing. The Department will schedule random testing onsite at random times throughout the year.

Testing will occur at PAB, in the restrooms down the hall from the Witness Center on the bottom floor.

For Patrol, staff selected for testing will be notified by a command officer at the end of briefing. The selected Department member then will respond to the testing location at PAB. For other units in the Department, selected personnel will be notified during their normal shift and be directed to the testing location at PAB.

For post-accident testing, alcohol testing will be completed no later than eight hours following the accident using a Department-issued Preliminary Alcohol Screening (PAS) device and drug testing will be completed no later than 32 hours following the accident, unless testing cannot be completed due to a medical emergency.

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It shall be the responsibility of the on-duty captain to contact Butterfield Testing Solutions (primary phone #: 503-925-8428, [REDACTED]) to coordinate onsite testing within 32 hours following the accident. Post-accident drug testing will be completed onsite at PAB, unless testing cannot be completed due to a medical emergency.

In all cases, staff being tested will be directed to remove their outer jackets and empty both their front and back pockets but will be able to keep their vests, duty belts, and firearms on during testing.

In the event onsite services are not available, the Department reserves the option to send selected employees to a designated Concentra facility for testing.

ORDER

Beginning on February 1, 2024, all sworn Department personnel shall comply with the above procedures for random drug and alcohol testing and drug and alcohol testing pursuant to a work-related vehicle accident.



Anthony Mata
Chief of Police

Any additional questions should be referred to the Department's Health and Safety Officer, KC Moore, at kathryn.moore@sanjoseca.gov.

AM:PH:LP