



LINCOLN POLICE DEPARTMENT GENERAL ORDERS

NUMBER: 1270
TOPIC: DRUG FREE WORKPLACE
ISSUED BY: TERESA EWINS, CHIEF OF POLICE
DATE: 1-1-2022
SUPERSEDES: G.O. 1270, 2016
REFERENCE: EXECUTIVE ORDER 51018

I. POLICY

The Lincoln Police Department is committed to providing a safe and healthful workplace for employees. This commitment includes an environment free of drug and alcohol use by members. This General Order follows the major requirements of Executive Order 51018 issued by the mayor.

II. PROCEDURE

A. Alcohol and Drug Awareness

1. The Department will provide employees with information concerning:
 - a. Dangers of drug and alcohol use in the workplace;
 - b. The City's antidrug policy and alcohol misuse prevention plan;
 - c. Availability of treatment and counseling for employees;
 - d. Penalties for violations of Executive Order 51018 and this General Order.
2. All supervisors will complete training for detecting signs and symptoms of drug and alcohol use on the job. Supervisors are obligated to document behavior and observations constituting reasonable suspicion for violation of this General Order.

B. Violation of any of the following guidelines is subject to disciplinary action up to and including termination, unless the conduct falls within the exceptions contained in this General Order.

1. No employee shall use, be under the influence of, store or possess unauthorized controlled substances.
2. No employee shall use or be under the influence of a legal drug (such as over the counter or prescription drugs) while performing department business, or while in or about a department facility or worksite, to the extent such use affects the safety of any employee or others.

- a. Employees shall inform their supervisor of any such potential situation.
- b. Employees using such substances may be required to submit a physician's release for duty.

3. No employee shall unlawfully manufacture, distribute, or dispense controlled substances.
4. Employees shall not report for duty or remain on duty:
 - a. with the odor of alcoholic beverage about their persons; or
 - b. with an alcohol concentration of .02% or greater; or
 - c. within four hours after consuming alcoholic beverages.
5. No employee shall use or have in their possession any alcoholic beverage while on duty, nor purchase or consume alcoholic beverages while wearing any item of uniform apparel.
6. Employees shall not store or bring alcoholic beverages into any Department facility or vehicle.
7. No employee shall refuse to submit to an alcohol or drug test as provided for in this General Order, or Executive Order 51018, nor tamper with any drug or alcohol test specimens, nor attempt to invalidate or interfere with the test and results in any manner.
8. The use of marijuana is strictly prohibited.

C. Exceptions

1. Property and Evidence
 - a. The possession of alcoholic beverages or controlled substances as evidence or seized property is permitted.
 - b. Alcoholic beverages and controlled substances taken into custody by employees shall be tagged into the Property and Evidence Unit or otherwise properly disposed of prior to the end of the employee's tour of duty.

2. Training
 - a. Alcoholic beverages may be consumed by employees who are subjects in controlled drinking experiments approved by a command officer as part of official department training programs or demonstrations.
 - b. Instructors may check controlled substances out from the Property and Evidence Unit for demonstration and field testing as part of official training courses approved by a command officer.
3. Investigations
 - a. Alcoholic beverages may be purchased, possessed, and consumed in moderation when necessary for an undercover investigation, and approved in advance by a command officer.
 - b. Employees shall adhere to guidelines set forth in Criminal Investigations SOP – Undercover Operations in Liquor Establishments.
 - c. Other deviations from this General Order may be made, when necessary, in the course of an investigation, and approved in advance by a command officer.

D. Employee Drug and Alcohol Testing (26.3.6)

1. Employees may be required to submit to drug or alcohol testing under the following circumstances:
 - a. Pre-employment Screening: Testing to determine drug use as a condition of employment as a police officer.
 - b. Reasonable Suspicion: Testing to determine drug or alcohol use when a supervisor has reasonable suspicion that an employee is under the influence, based upon specific, contemporaneous, and articulable observations.
 - c. Return to Duty: Testing required prior to the return to duty following a positive test.
 - d. Follow-up: Testing at unannounced intervals for at least 12, but no more than 60 months following a positive test and return to duty.
2. When a reasonable suspicion test is required, the Department will follow the guidelines contained in Executive Order 51018 regarding relief from duty and use of leave.
3. Employee drug and alcohol testing procedures are contained in Executive Order 51018.
4. Records of testing and results will be confidential.