



DEPARTMENT OF THE NAVY
NAVY RECRUITING DISTRICT, PORTLAND
702E N.E. 79TH COURT
PORTLAND, OREGON 97218-2813

NAVCRUITDISTPORTLANDINST 5350.1K

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2 Jul 13

NAVCRUITDIST PORTLAND INSTRUCTION 5350.1K

Subj: COMMAND URINALYSIS TESTING PROGRAM

Ref: (a) Manual for Courts Martial, United States, 2012
(b) SECNAVINST 5300.28E
(c) OPNAVINST 5350.4D
(d) COMNAVCRUITCOMINST 1131.2E

Encl: (1) Permissive Authorization for Search and Seizure
(OPNAV 5580/16)
(2) Urinalysis Observer Briefing Sheet
(3) Urine Sample Mailing Procedures

1. Purpose. To establish and promulgate Navy Recruiting District Portland's Command Urinalysis Testing Program in accordance with references (a) through (d).
2. Cancellation. NAVCRUITDIST Portland Instruction 5350.1K.
3. Policy. A "zero tolerance" policy toward substance abuse is required to maintain the Navy's high standards of performance, military discipline, readiness, and professionalism. The major element underlying the Navy's approach to drug abuse is enhanced detection and deterrence.
4. Discussion
 - a. An effective urinalysis testing program is essential to identifying and deterring drug abuse. This approach emphasizes the firm, constructive use of discipline, the rehabilitation of responsive members (per reference (c)), and processing for separation those members clearly possessing no potential for future Navy service.
 - b. The Command Urinalysis Program Coordinator (UPC) works with the Commanding Officer (CO) via the Executive Officer (XO) to conduct command urinalysis testing.

5. Procedures/Action

a. Monthly random-sample urinalysis testing shall be conducted, testing at least 15% of assigned personnel. Additionally, the command must conduct an end-of-fiscal-year unit sweep for members not tested through the course of the year to ensure 100% of assigned personnel are tested annually. All personnel will be tested upon check-in at the command.

(1) In accordance with reference (c), the CO will randomly select personnel for testing through a method based purely on chance. The Navy Drug Screening Program (NDSP) is the method of selecting personnel for testing by sub-units. Sub-units are as follows: Headquarters/Military Entrance Processing Station (MEPS) Portland, Division 1, Division 2, Division 3/MEPS Boise, Division 4, Division 5, Division 6, and Division 7. Personnel in sub-units HQ/MEPS Portland, Division 1, 2, and 7 will be tested by UPC at HQ. The Division Leading Chief Petty Officers (LCPOs) for Division 3, 4, 5, and 6 have been identified as Assistant UPCs and will conduct testing for their respective divisions.

(2) The Command UPC will coordinate all urinalysis testing throughout the command. Assistant UPCs may be assigned to assist in the administration of testing for sub-units and shall report to the UPC.

(3) A designated random sample or sub-unit of people will be sequestered in a secure location. Each individual will only be released after a sample is provided, or upon specific direction from the CO. The UPC and Assistant UPCs will maintain Two-Person Integrity (TPI) of all samples, bottles, and boxes at all times.

b. When a sample has been identified as positive, the UPC will notify the Command Master Chief (CMC), XO and CO. The UPC will then forward copies of the original paperwork to the Legal Officer for appropriate legal or administrative action. The DAPA will ensure an OPNAV 5350/7 (Drug and Alcohol Abuse Report) has been completed and forwarded to PERS-6.

c. In the event a division does not have more than one female the division Assistant UPC will coordinate with a sister service or the local Navy Operational Support Center (NOSC) to assist. It is imperative that the female observer from the sister service reads, understands and signs enclosure (2). If no other female is available, then the female Sailor shall be excused from providing a sample.

d. Only those personnel that are on leave, TAD, or restricted by the non-availability of a female observer shall be excused from providing a sample. Only the CO can excuse a Sailor.

6. Testing Types and Authority. Mandatory urine testing of all officers and enlisted personnel for controlled substances is authorized in accordance with reference (a) under the following circumstances:

a. Inspection. Periodic inspections, including unit sweeps (IU), random sampling (IR), and other inspections (generic) (IO), under Military Rules of Evidence 313 (found in reference (a)).

(1) Random Sampling (IR). As directed by the CO, the Urinalysis Coordinator will conduct routine and frequent random urinalysis testing per reference (c).

(2) Unit Sweeps (IU). Unit sweeps are the urinalysis testing of an entire unit, or the selection, random or otherwise, and testing of an entire sub-unit or identifiable segment of a command. Examples of a sub-unit for NRD Portland include: an entire department, an entire division, a MEPS staff, all headquarters, or watch section; all personnel who surrender or are apprehended after an unauthorized absence of greater than 24 hours; or anyone involved in a motor vehicle accident during the performance of his/her duties. A unit or sub-unit urinalysis inspection should not be conducted as a subterfuge to search a specific service member.

b. Search or Seizure. During a search or seizure action, as in Consent Testing (VO) and Probable Cause (PO) under Military Rules of Evidence 311, 312 and 316 through 319 (found in reference (a)).

(1) Consent Testing (VO). Personnel may be requested to consent to urinalysis testing. Prior to requesting consent, the member will be advised that they may decline to provide the sample. Whenever possible, consent will be obtained in writing using enclosure (1).

(2) Probable Cause (PO). If a member declines to provide a urine sample, and there is probable cause to believe that the member has committed a drug offense and that a urinalysis test will produce evidence of that offense, testing under this premise will be conducted. Authorization for testing under the premise of probable cause must be granted by the CO using enclosure (1) and OPNAV 5527/10 (Affidavit for Search Authorization). COMNAVCRUITCOM 00J or servicing Trial Service Office should be consulted prior to the CO signing these forms. If probable cause does not exist, a command-directed test may be ordered as outlined in paragraph 6c.

c. Fitness for Duty. Categories of fitness-for-duty urinalysis testing are Command-Directed (CO), Mishap Investigation (AO) and Rehabilitation (RO) examination.

(1) Command-Directed Tests (CO). If a Consensual or Probable Cause test has not taken place, a urinalysis test should be ordered whenever a member's behavior, conduct, or involvement in an accident or other incident gives rise to a reasonable suspicion of drug abuse. Command-directed tests may only be ordered by the CO. Reasonable suspicion will frequently be generated by a member's involvement in:

(a) Any person returned to the command by authorities for any reason shall report to the UPC to provide a urine sample.

(b) A serious accident or incident where safety precautions may have been violated or unusually careless acts may have been committed.

(c) A motor vehicle offense involving excessive speed, loss of control of vehicle, reckless driving and/or driving under the influence.

(d) Fights, assaults, disorderly conduct, disrespect to superiors, willful disobedience of orders, and similar incidents of misconduct.

(e) Bizarre, unusual, or erratic behavior.

(f) Unusual tardiness or unauthorized absence.

(2) Safety Investigations. An officially appointed investigation board, convened in connection with any formally convened mishap/safety investigation, may order urinalysis testing under the premise of Mishap Investigation (AO).

d. Active Duty Paid Collegiates. Per reference (d), collegiates in the Nuclear Propulsion Officer Candidate (NUPOC) program, Civil Engineer Corps (CEC) collegiate program, Baccalaureate Degree Completion Program (BDCP) and Health Services Collegiate Program (HSCP) are active duty members and members of the command population pool and, as such, shall participate in the Command Urinalysis Program. Individual Ready Reserve collegiates shall not take part in the command urinalysis program. Collegiates shall receive a briefing regarding the requirement to participate in the Command Urinalysis Program prior to their enlistment into NUPOC, BDCP, CEC Collegiate, or HSCP. Due to the remote location of many collegiates, and busy class schedules, it is not required that they be tested on the day of random urinalysis. Instead, those collegiates randomly selected shall be tested at the next scheduled command-required collegiate activity (e.g., monthly collegiate meeting, semi-annual command PRT). Collegiates shall not receive prior notice of urinalysis testing.

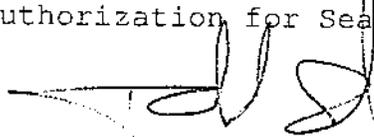
7. Sample Collection. Urinalysis sample collection will be conducted with the understanding that positive samples could result in administrative or disciplinary action. Reference (c) delineates procedures for sample collection. Observers shall be trained in accordance with reference (c) and enclosure (2) shall be signed prior to urine sample collection. UPC or Assistant UPC will ensure TPI at all times.

8. Sample Transportation. Procedures for the mailing of urine samples are outlined in enclosure (3). UPC or Assistant UPC will ensure TPI at all times.

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9. Forms and Reports. The following forms are available through the Supply department:

OPNAV 5350/7 Drug and Alcohol Abuse Report
OPNAV 5527/10 Affidavit for Search Authorization
OPNAV 5580/16 Permissive Authorization for Search and Seizure



T. D. BODE

Distribution:
NAVCUITDISTPORTLANDINST 5216.1U
Lists A, B, C, and D

DEPARTMENT OF THE NAVY

PERMISSIVE AUTHORIZATION FOR SEARCH AND SEIZURE

1. ADVISORY

I, (full name) _____

after being advised by _____

that the _____

is conducting an investigation into the offense(s) of _____

have been requested to permit a search of my _____

2. CONSTITUTIONAL RIGHT

I have been informed of my constitutional right to refuse to permit this search in the absence of a search warrant. In full understanding of this right, I have nevertheless decided to permit this search to be made.

3. PERMISSION

This search may be conducted on (date) _____

by _____

and I hereby give him/her/them my permission to remove and retain any property or papers found during the search which are desired for investigative purposes.

4. FREE DECISION

I make this decision freely and voluntarily and it is made with no threats having been made or promises extended to me.

a. Date

b. Signature

5. WITNESSES

a. Signature

b. Signature

6. TIMES OF SEARCH

a. Start

b. End

URINALYSIS OBSERVER BRIEFING SHEET

Urinalysis Observer responsibilities are set forth in OPNAVINST 5350.4E and reemphasized below to ensure every urinalysis sample is provided under the direct observation of a member of the same gender.

The observer will:

- Never lose sight of the sample bottle once the member takes possession of the sample bottle;
- Never take possession of the sample bottle;
- Watch the urine leave the body and enter the bottle;
- For male observers, stand at a 90 degree angle;
- For female observers, stand at the front of an open stall door;
- Female observer must observe members transferring urine from wide-mouth bottle into standard urine sample bottle;
- Observe member tightening bottle cap;
- Ensure a minimum 45 ml is provided
- Document in the comments section if the member has trouble providing a sample, is combative, or shows any sign of reluctance, abnormality, or disagreement.

_____ date _____
Observer signature

_____ date _____
Urinalysis Program Coordinator signature

PACKAGING AND TRANSPORTING OF URINE SAMPLES

This outlines the general procedures for packaging of urine samples. The U. S. Postal Service has the right to refuse as unmailable any urine samples not properly prepared for shipment. The UPC or Assistant UPC should refer to OPNAVINST 5350.4E for additional guidance in packaging and mailing of urine samples. The UPC and Assistant UPC will maintain TPI of samples throughout the collection, packaging, and mailing process.

1. Urine specimens are to be mailed in the same shipping container that the bottles came in.

2. Ensure that the required blocks on DD-2624 are completed. The UPC should complete and sign Block 12 (Chain of Custody). Make two copies of DD-2624 (one copy to place in the sample box, the original to affix to the sample box, and the third to mail to the UPC).

3. Place the filled urine sample bottles inside a waterproof bag, between the separators. If less than 12 bottles are to be shipped, sufficient packing material should be placed outside of the waterproof bag to prevent the contents from shifting.

4. Line the inside of the box with absorbent material to absorb any leakage and comply with postal regulations.

5. Place one copy of DD-2624 in a waterproof mailer and insert the mailer on top of the sealed samples, in the shipping container.

6. Seal the box using packaging tape. All sides, edges and flaps of the box must be sealed. The UPC or designated assistant must sign and date the box on both the top and bottom of the box.

7. Place the original DD-2624 in a waterproof mailer and affix to either the top or the bottom of the box.

8. Place the box in a second waterproof bag and seal.

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9. Place labels with the sender's address, the NDSL address and **"CLINICAL SPECIMEN - URINE SAMPLE"** on the top of the box (bottles upright inside of the box).

10. Mail samples via First Class U. S. Mail to the following address:

COMMANDING OFFICER
NAVY DRUG SCREENING LABORATORY
34425 FARENHOLT AVE SUITE 40
SAN DIEGO, CA 92134-5298

11. Mail the following documents to the UPC at NRD headquarters:

- Original personnel to be tested (working copy)
- Original Drug Testing Program Testing Register
- Copy of Specimen Custody Document - Drug Testing (DD Form 2624)
- Original Urinalysis Observer Briefing Sheet