

**MARIN COUNTY SHERIFF'S OFFICE
GENERAL ORDER**

**CHAPTER 5 - OPERATIONS
GO-02-07
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DATE: 8-7-12

EMPLOYEE USE OF ALCOHOL AND CONTROLLED SUBSTANCES

POLICY

It is the policy of the Marin County Sheriff's Office that employees will not unlawfully ingest alcoholic beverages or controlled substances, either on or off-duty, and that on-duty employees shall not be impaired by alcoholic beverages or controlled substances.

PROCEDURE

On-duty employees shall not drink any alcoholic beverages, except when in civilian attire and only as necessary to the performance of their duties. Employees shall not report for duty while under the influence of alcohol or emit an odor of alcohol from their persons.

While off-duty, employees shall not drink alcoholic beverages to an extent that results in behavior tending to bring discredit to themselves or the Department. Employees shall not use any legally restricted chemical substance unless prescribed by a physician for an illness or injury. When on duty, and where the chemical substance is prescribed by a physician, the employee shall not be under the influence of that chemical substance to the extent of presenting a hazard to themselves or others.

Permanent and probationary employee may be ordered to submit to an appropriate test at any time when a supervisor has reasonable suspicion to believe that the ability of the employee to perform his or her duties is impaired by alcohol or chemical substance. The supervisor ordering an employee to submit to a chemical test to determine if they are impaired by alcohol or a chemical substance shall immediately document the facts creating that reasonable suspicion and submit a report detailing all the circumstances leading to their decision to order a test to the Sheriff, via their established chain of command.

Should the test verify the presence of alcohol and/or a chemical substance that impairs the ability of an employee to perform his/her duties, the employee shall be placed on paid administrative leave and a Bureau Commander or higher authority shall be notified.

Should the test determine the absence of an impairing substance, an investigation into the "reasonable suspicion" leading to the decision to test the employee shall continue and the involved party may be placed on paid administrative leave pending resolution of that issue.

Any employee who refuses to submit to a chemical test as ordered shall be advised, by a supervisor, of the relevant Department Policy and Marin County Personnel Management Regulation and shall also be advised that such refusal may result in disciplinary action, up to including termination of employment.

A supervisor may order, and the employee shall submit to, an appropriate test, with or without reasonable suspicion to believe the employee's ability to perform their duties is impaired by alcohol or chemical substance under the following circumstances:

1. When an employee is involved in the shooting at another person
2. When an employee is on-duty and involved in a vehicle accident that results in serious injury, death, or severe damage to a vehicle or property

3. When an employee is on-duty and involved in any action causing great bodily harm or death to another person

In such cases, the employee shall submit to an appropriate test as soon as practical following the incident in question.

Any officer specifically assigned to a narcotics enforcement unit shall submit to an unannounced chemical test twice each year. When applicable, the process for submitting a sample for chemical analysis shall be witnessed by a person of the same sex, as designated by a supervisor. The supervisor will follow appropriate procedures to maintain the chain of custody of the sample obtained.

All potential employees of the Department may be required to submit to a chemical analysis as part of their pre-employment physical examination process.

RELATED STANDARDS

None

AFFECTED DIVISIONS:

All

REVISIONS

7-11-91

3-23-94

10-19-97

3-9-11

By order of:

ROBERT T. DOYLE
SHERIFF-CORONER