



The In-Practice Tip Sheets are resources for juvenile drug court teams and are meant to provide operational steps to implementing the *16 Strategies in Practice*. This is not an exhaustive list of practice tips. Juvenile drug court teams are encouraged to use these Tip Sheets as a starting point as they strive to make program enhancements or operationalize the *16 Strategies*.

Drug Testing

CASE STUDY: Lee County’s juvenile drug court judge attended a statewide Juvenile Drug Court Conference. One of the breakout sessions was about drug testing. After the session, two questions formed in the judge’s mind. When he returned to his court he wanted to know how urine collection was conducted by the JDC and if the team was potentially abusing detention for positive urine screen results. The coordinator said that the procedure had changed once the program’s grant had ended, and they were now following the same protocol as regular probation. The coordinator said they were no longer able to afford the previous phone system (that clients used daily to find out if they were required to drop) after the program’s grant ended. She also indicated that participants received regular weekly urine drops either before or after group or individual sessions with treatment. The coordinator said she also had concerns about the number of days clients were spending in detention due to positive screens.

Solution-focused Tips to developing a drug testing policy:

- 1 Tip No. 1:** The JDC should disseminate policy and procedure regarding drug testing among team members and participants.
 - As the leader and convener of the juvenile drug court, it is important for the judge to know and understand the JDC’s drug testing protocols - all team members need to know how collections occur.
 - Using detention or placements for positive urine screens is not recommended – the team is encouraged to develop alternative responses for positive UAs (responses from treatment and the court).
 - Making changes in drug testing protocol without informing the team and families may lead to confusion and negatively affect the family’s willingness to support the treatment plan.
 - Procedures should always be in writing for the team and participants.
- 2 Tip No. 2:** The JDC team should have a clear understanding of random drug testing.
 - Ask the question, “does our random urine collection procedure give substance abusing youth the opportunity to be better prepared for a drop?”; if a client has treatment three times a week and he or she *KNOWS* treatment collects urine for a drug test before or after, is that really random?
 - Randomness offers fewer opportunities for youth to mask or alter a positive urine sample.
 - A drug testing protocol is not random just because the client doesn’t know if he or she is being dropped before or after treatment. The fact that the youth *KNOWS* there will be a drop that day indicates the drug test is *NOT RANDOM*.
 - The following is an example of an affordable random process:
 - Use a wipe board to keep track of the day’s urine samples that were collected.
 - Purchase a cheap bingo game. Every week assign a client to a number on a ball. Pull the number of balls to equal the drops you wish to do for each day.
 - Chart a week’s worth.
 - Keep track for a month to ensure the court is not testing the same client on the same days each week.
 - Random also means the *TIME* of day isn’t consistently the same. You may meet the standard of random in reference to different days. However if the client *KNOWS* you collect urine only in the morning, the court has failed to meet the standard of random once again.
 - To be truly random, the team should discuss ways in which collection can occur after 5pm on weekdays and on the weekends, especially if the targeted youth have alcohol abuse or other

substances that flush through the system within 72 hours.

- Diversify drug testing (e.g., use of cotton swabs) – it doesn't always have to be urine collection.

3 Tip No. 3: The JDC team should understand that a treatment response is important for each positive sample.

- Positive test sanctions shouldn't always equal detention, if ever – if detention was the answer to recovery, would there be a need for JDC's?
- The purpose of drug testing is to monitor and support the treatment plan; it shouldn't be about catching clients.
- Challenge the team to answer the following question: "What if we didn't have detention available in our county?"

4 Tip No. 4: The JDC team should analyze their drug testing policy and monitor sanctions closely.

- Ask, "Are we testing enough – do we have an accurate picture, (through screening) as to the drug of choice for each client?"
 - Recommended practice for drug testing frequency is 2-3 times per week and keeping drug testing levels consistent throughout the entire length of the program.
- Is our testing really random - considerations: Location of collection? Days of the week? After hours? Weekends? Various testing instruments?
- Make it a goal to reduce detention days – if this isn't a goal, the team won't consider it important.
- Consider implementing a privilege reduction model (i.e., contingency management) to respond to positive and negative UAs.

CHECK FOR UNDERSTANDING: *What steps should the Lee County JDC incorporate into the drug testing procedures?*

ANSWER: Lee County JDC should make sure that all of the team members are educated as to the team's drug testing protocol. Allow for feedback and discussion if necessary. A part of Lee County JDC team's quality assurance plan should be reviewing these procedures, at a minimum, on an annual basis. Many counties don't have the finances to afford expensive highly technological sound devices to assure randomness for urine screens. The team shouldn't be discouraged from providing a random procedure for their JDC. Having a system in place that allows those who collect samples to view how tests are taken is a good first step. It doesn't matter if Lee County JDC has an expensive system or a creative innovation a team member has developed. The criterion is the same for being random: *be unpredictable*. Lee County JDC can accomplish this by administering random drug tests at various times, days, locations and using various testing instruments. Lastly the team should place an importance on the role of treatment for long term success for sobriety, and one of the best areas to utilize this approach is after a positive urine screen. Remember, drug testing is a tool to assist with the treatment plan. Treating positives with court-only sanctions is drifting away from the JDC model and closer to traditional probationary standards. Having the JDC team buy into detention reduction could help with sustainability from stakeholders and community leaders.

ADDITIONAL RESOURCE(S):

- NCJFCJ's Juvenile Drug Court Information Center - <http://www.ncjfcj.org/drug-testing>
- *Juvenile Drug Courts: Strategies in Practice* – Page 49
- Random Drug Testing as a component of addiction treatment - <http://www.asam.org/advocacy/find-a-policy-statement/view-policy-statement/public-policy-statements/2011/12/15/drug-testing-as-a-component-of-addiction-treatment-and-monitoring-programs-and-in-other-clinical-settings>

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