

# Alcohol and Drug Use Policy

## 1012.1 PURPOSE AND SCOPE

The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any Member or member of the public. The Orange County Sheriff-Coroner Department strives to achieve a work force free from the influence and impairment of any drugs and alcohol.

## 1012.2 POLICY

Reporting for Duty - Members who have consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect their senses or judgment shall not report for duty.

On-duty Members - Members shall not consume alcohol or other intoxicants during their scheduled shift hours including lunch and all breaks except during the course and scope of a specific duty or special assignment. Members who consume alcohol as part of a specific duty or special assignment shall not do so to the extent of impairing on-duty performance.

Evidence of Violation - The odor of an alcoholic beverage or marijuana on the breath or person will be considered presumptive evidence of a violation of this section.

### 1012.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON DUTY

Department Members shall not illegally manufacture any alcohol or drugs while on duty, on County property or at any other time.

Department Members shall not purchase or possess alcohol or other controlled substances on County property, at work, or while on duty except during the course and scope of a specific duty or assignment as described in Policy Manual § 1012.2.

Members, on or off duty, will not display uniform insignia or badges during the purchase of alcoholic beverages, marijuana, or THC-related products.

Alcoholic beverages, marijuana, and THC-related products shall not be brought onto Departmental premises except in furtherance of a law enforcement task or Department approved activity.

### 1012.2.2 USE OF PRESCRIBED OR LEGAL MEDICATIONS

Department Members who are medically required to take prescription medications during work hours shall not allow such medications to impair their ability to perform their work. Any Member who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of their position shall report the need for such medication to their immediate supervisor. No Member shall be permitted to work or drive a Department-owned or leased vehicle while taking such potentially impairing medication. For further details, see Department policy 1032.2.5.

### 1012.2.3 THC AND THC CONTAINING PRODUCTS (MARIJUANA)

The following is prohibited and may lead to disciplinary action up to and including termination:

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1. Possession of THC containing products, while on-duty, or off-duty and in possession of a Department firearm, or at any County workplace, property and vehicles, including those owned, leased, rented or otherwise used by, or assigned to, the Department.
2. Being impaired by marijuana or any THC containing products while on-duty, or any other use in violation of Policy 1011.8.

For the purposes of this section ingesting is defined as taking into the body by swallowing, inhaling, or absorbing it.

Exemption to the above: Members who are assisting with the caregiving of an individual who requires the use of marijuana or any THC containing product for medicinal purposes may possess the individual's marijuana and/or THC containing product while off duty.

#### 1012.2.4 FEDERAL AND STATE LAWS AND REGULATIONS

Members are required to follow all federal and state laws and regulations, including laws or regulations where the use of controlled substances might limit a Member's ability to lawfully possess a firearm (see for example 18 USC 922(g)(3)) or maintain federal clearances, licenses and/or certification required by to perform their job duties.

These federal clearances, licenses and/or certifications include, but are not limited to, FAA licensed pilots, USCG licensed boat captains, commercial vehicle driver's license, and assignment to a federal taskforce.

#### 1012.3 GENERAL GUIDELINES

There may be available a voluntary Employee Assistance Program to assist Members who wish to seek help for alcohol and drug problems. There is also available a variety of insurance coverage which provide treatment for drug and alcohol abuse. Members may contact the Professional Standards Bureau, their insurance provider, or the Employee Assistance Program for additional information.

Members who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Programs or their insurance provider. It is the responsibility of each Member to seek assistance before alcohol or drug problems lead to performance problems.

##### 1012.3.1 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due Members, and disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the expressed written consent of the Member involved or pursuant to lawful process.