

MEMORANDUM FOR RECORD FOR THE OBSERVERS

SUBJECT: Responsibilities of Observers During Drug Testing

General:

1. Observers, are a critical link in the process of collecting urine specimens to be tested for substance abuse. Instances have occurred in the past where observers did not follow proper collection procedures and positive drug test were not usable in legal and/or administrative actions. In order to prevent similar occurrences in the future, the observer will read and sign this Memorandum for Record.

2. The testing procedures do not violate a soldier’s Fourth or Fifth Amendment rights, nor does the observation procedure violate the right to privacy. A refusal to produce a specimen is a violation of a direct order and will be processed for separation.

3. The results of tests may be used in legal proceedings and consequently the urine sample may be considered as evidence. A valid chain of custody is mandatory for a successful prosecution. As an observer, you may be asked to provide testimony at legal or administrative proceedings. You may be subject to UCMJ or administrative action if it is discovered that the specimen was altered in any way while it was under your control.

Criteria for Observer:

- 1. Be in the rank of NCO (Sergeant E-5) or above.
- 2. Be of the same gender as the soldier being tested.
- 3. Posses sufficient maturity and integrity to preserve the dignity of the soldier being observed.
- 4. Not be currently enrolled within the ADAPCP Rehabilitation program or currently be under investigation for any substance abuse related offenses.

RESPONSIBILITIES:

As outlined in AR 600-85, an observer must follow protocol during urinalysis collection procedures. Once assigned to a soldier:

- 1. Observer controls the urine collection process at all times.
- 2. Maintains visual contact with the bottle at all times.
- 3. Ensure that the specimen provided is not contaminated or altered.
- 4. Directly observes the soldier (one soldier at a time per observer) voiding urine into the specimen bottle.
- 5. Observer must have full, frontal view of the soldier providing the sample.
- 6. Supervises the soldier tightly capping the bottle.
- 7. Ensures the bottle is not reopened after the cap is tightened.
- 8. Escorts soldier back to the processing station/table with bottle in full view of the soldier.
- 9. Observes the UPL placing tamper resistant tape over the top of the bottle.
- 10. Signs the Unit Urinalysis Ledger verifying that direct observation was conducted.

OBSERVER AFFIDAVIT: I have read and understand this document, I will comply with the responsibilities and as stated above, and will report anything out of the ordinary to the UPL.

Observer’s Printed Name

Observer’s Signature

Date

UPL’S Printed Name

UPL’s Signature

Date