

RESOLUTION NO. 173-2018
ADOPTING GUIDELINES FOR RANDOM DRUG SCREENING OF LAW ENFORCEMENT
BOROUGH OF SEA BRIGHT

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly:

WHEREAS, the New Jersey Attorney General has promulgated a series of comprehensive directives and guidelines, binding on local law enforcement agencies, identifying the types of drug testing that local law enforcement agencies are required to conduct, (testing of applicants, trainees and sworn regular and special officers currently employed), the procedures required to be utilized in conducting drug testing, and the required employment consequences of producing a positive drug test result or refusing to participate in drug testing; and

WHEREAS, pursuant to Attorney General Law Enforcement Directive No. 2018-2, promulgated on March 20, 2018, it is now mandatory for local law enforcement agencies to conduct random drug testing on no less than 10% of the agency's sworn regular and special officers once in 2018, and twice per year for every calendar year thereafter; and

WHEREAS, on November 17, 2018, the Sea Bright Police Department added a policy in the Sea Bright Police Department Standard Operating Procedures to conduct drug testing of sworn law enforcement officers, law enforcement officer trainees, and applicants for law enforcement office employment in accordance with the New Jersey Attorney General's directives and guidelines and the applicable directives of the Monmouth County Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

1. "The Sea Bright Police Department shall conduct random drug and alcohol testing of sworn regular and special police officers, applicants and trainees in accordance with all duly adopted directives and guidelines issued by the New Jersey Attorney General, the applicable directives of the Monmouth County Prosecutor, and the duly-adopted rules, regulations, policies and standard operating procedures of the Sea Bright Police Department, along with any subsequent amendments, modifications and supplements thereto. In case of any conflict between the terms of the directives/guidelines of the New Jersey Attorney General/Monmouth County Prosecutor and the rules, regulations, policies and standard operating procedures of the Sea Bright Police Department, the directives/guidelines of the New Jersey Attorney General and applicable directives of the Monmouth County Prosecutor shall control."
2. All ordinances or resolutions in conflict or inconsistent with the provisions of this Resolution are, to the extent of such conflict or inconsistency, hereby repealed.
3. In case, for any reason, any section or provision of this Resolution shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Resolution, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder of this Resolution.

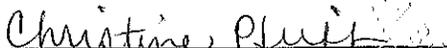
BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the following:

1. Sea Bright Police Captain
2. Borough Attorney

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
Yes Yes Yes Yes Yes Yes
December 18, 2018

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on December 18, 2018.


Christine Pfeiffer, Borough Clerk

