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COMMISSIONER'S DIRECTIVE 566-10

In Effect: 2015-06-18
Last Review: 2012-06-13
Due for Review: 2017-06-18

Urinalysis Testing

PROGRAM ALIGNMENT	Custody
OFFICE(S) OF PRIMARY INTEREST	Correctional Operations and Programs Sector
ONLINE @	<ul style="list-style-type: none"> • http://infonet/cds/cds/566-10-cd-eng.pdf • http://infonet/cds/cds/566-10-cd-fra.pdf • http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-10-cd-eng.shtml • http://www.csc-scc.gc.ca/text/plcy/cdshtm/566-10-cd-fra.shtml
AUTHORITIES	<ul style="list-style-type: none"> • Corrections and Conditional Release Act (CCRA), sections 3, 3.1, 4, 54, 55, 56 and 57 • Corrections and Conditional Release Regulations (CCRR), sections 60-72
PURPOSE	<ul style="list-style-type: none"> • To establish the procedures for the collection, storage, shipment, and testing of urine samples • To identify and deter the use of illicit substances within institutions and among the offender population
APPLICATION	Applies to staff involved in the Urinalysis Program

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RESPONSIBILITIES

1. The Director General, Security, will ensure:
 - a. a National Urinalysis Program Manager is identified
 - b. training needs for Urinalysis Program Coordinators and [Collectors](#) are identified and supported
 - c. a framework for the institutional random selection program is developed and maintained
 - d. the list of randomly selected inmates is provided to the institutions.

2. The National Urinalysis Program Manager will:
 - a. ensure laboratories are accredited
 - b. ensure authorized toxicologists are contracted to provide expert advice
 - c. generate a random list of names of inmates, monthly, for each institution based on a minimum of 10% of the total incarcerated population.
3. The Assistant Deputy Commissioner, Integrated Services, will identify a Regional Urinalysis Coordinator.
4. The Regional Urinalysis Coordinator will:
 - a. ensure urinalysis coordinators at sites are trained
 - b. provide oversight to the operational units for urinalysis collection.
5. The Institutional Head/District Director will:
 - a. implement and maintain a Urinalysis Program
 - b. designate a Urinalysis Program Coordinator at or above the level of Correctional Manager or Parole Officer Supervisor
 - c. authorize collection pursuant to [paragraph 54\(a\)](#) of the CCRA when a staff member believes on [reasonable grounds](#) that an inmate has committed or is committing a disciplinary offence under [paragraph 40\(k\)](#) of the CCRA and that a urine sample is necessary to provide evidence of the offence. Pursuant to [subsection 61\(1\)](#) of the CCRR, the Urinalysis Coordinator can exercise this function on behalf of the Institutional Head
 - d. ensure an appropriate number of Collectors are available
 - e. ensure Urinalysis Program Coordinators and Collectors are trained prior to authorizing collection.
6. The Urinalysis Program Coordinator at each site will:
 - a. review and authorize urinalysis testing in one or more of the following situations:
 - i. where it is a requirement for participation in a prescribed program or activity involving contact with the community or a prescribed substance abuse program pursuant to [paragraph 54\(c\)](#) of the CCRA

- ii. when he/she has reasonable grounds to suspect that an offender has breached an abstinence condition of his/her conditional release or long-term supervision order, and the authorized person has made a demand that the offender submit to urinalysis pursuant to [paragraph 55\(a\)](#) of the CCRA
 - iii. at regular intervals for monitoring compliance with any abstinence condition of a conditional release or long-term supervision order pursuant to [paragraph 55\(b\)](#) of the CCRA
- b. when [urine samples](#) are collected at regular intervals, develop and maintain a monitoring process to ensure that collections are not predictable
 - c. provide training to staff as required
 - d. ensure each operational unit has a process in place to:
 - i. share results with the Parole Officer, the Case Management Team, and others as appropriate
 - ii. enter results in the Offender Management System (OMS) as follows:
 - positive results, refusals to provide and tampered samples within three working days
 - negative results or other technical reasons the sample could not be used, within 15 days
 - e. authorize demands for urinalysis as required.

PROCEDURES

7. Demands for urinalysis will be authorized by a trained Correctional Manager/Parole Officer Supervisor, except a demand under [paragraph 54\(a\)](#) of the CCRA which requires authorization by the Institutional Head.
8. When the demand for urinalysis is related to monitoring abstinence conditions, the Correctional Manager/Parole Officer Supervisor will ensure the demand targets only those substances identified in the condition(s).

Institution

Reasonable Grounds to Believe ([Paragraph 54\(a\)](#) of the CCRA)

9. A staff member may demand an inmate submit to urinalysis when he/she believes on reasonable grounds that the inmate has committed or is committing a disciplinary offence under

[paragraph 40\(k\)](#) of the CCRA and that a urine sample is necessary to provide evidence of the offence, and the staff member obtains the prior authorization of the Institutional Head.

10. In the case of a demand based on reasonable grounds, the inmate will be provided up to two hours to submit any objection concerning the sample requirement, from the time of completion of [Notification to Provide a Urine Sample – Institution](#) (CSC/SCC 1064).

Random Selection ([Paragraph 54\(b\)](#) of the CCRA)

11. The National Urinalysis Program Manager will forward the random selection list to each Institutional Urinalysis Program Coordinator.
12. The Institutional Urinalysis Program Coordinator will normally follow the rank order of the list. However, where a listed offender is scheduled for transfer or release during the time period covered by the random list, a request for a urine sample may be made prior to reaching the inmate's name on the list.
13. Where an inmate is out of the institution (e.g. temporary absence, work release, outside court, outside hospital, etc.) or cannot provide a sample due to injury or illness, the inmate's name may be skipped until he/she returns or becomes able to provide a sample.
14. Alternate arrangements can be made where an inmate's religious obligations (such as fasting) would impede his/her ability to provide a sample. The inmate's name may be skipped until he/she becomes able to provide a sample.
15. Demands under [paragraph 54\(b\)](#) of the CCRA are independent from other demands under [paragraph 54\(a\)](#) or [\(c\)](#) of the CCRA. Therefore, even if an offender has been requested to provide a urine sample under [paragraph 54\(a\)](#) or [\(c\)](#) in a month and the inmate's name is also on the monthly random list, an additional request will also be conducted on the inmate based on the random list that is generated.
16. The random selection list is valid only for the month and the institution in which it is issued.

Required for Program or Activity Involving Community Contact ([Paragraph 54\(c\)](#) of the CCRA)

17. A staff member may demand an inmate submit to urinalysis where it is a prescribed requirement, in accordance with [section 64](#) of the CCRR, for participation in a program or activity involving contact with the community or a prescribed substance abuse program.
18. A required program or activity involving community contact must meet the following:
 - a. any program or activity that requires that an inmate have access to the community or contact with a person from the community, where such access or contact could reasonably be expected

to provide the inmate with an opportunity to have access to an intoxicant, is a prescribed program or activity

- b. any treatment program that is designed to assist in the rehabilitation of an inmate who has a problem of substance abuse is a prescribed substance abuse treatment program, and where urinalysis is a requirement for participation the inmate requests authorization to participate in the program and urinalysis is an integral part of the program.

19. Urinalysis is a requirement for participation in a program or activity where an inmate requests authorization to participate in the program or activity and must meet the following:

- a. has a record of substance abuse, or
- b. has been convicted of a disciplinary offence under of the CCRA within two years of the request.

Community

Reasonable Grounds to Suspect ([Paragraph 55\(a\)](#) of the CCRA)

- 20. When an authorized person has reasonable grounds to suspect that an offender has breached an abstinence condition for the use of alcohol or drugs of his/her conditional release or long-term supervision order, the authorized person may demand that the offender submit to urinalysis.
- 21. An offender required to submit to urinalysis under [paragraph 55\(a\)](#) of the CCRA does not have the right to make representations in respect to the demand.

Regular Intervals ([Paragraph 55\(b\)](#) of the CCRA)

- 22. When the Parole Officer, in consultation with the Parole Officer Supervisor/Urinalysis Program Coordinator, considers establishing regular interval testing for offenders with a condition to abstain from alcohol or drugs, the following factors pursuant to [subsection 65\(2\)](#) of the CCRR will be considered:
 - a. the offender's record of substance abuse (as defined in [section 60](#) of the CCRR as an inmate's record of conviction of the disciplinary offence of taking an intoxicant referred to in CCRA [paragraph 40\(k\)](#))
 - b. offences committed by the offender that were linked to substance abuse and for which the offender has been found guilty
 - c. the ability of the offender to rehabilitate and reintegrate into the community, taking into account the offender's behavioural and emotional stability
 - d. the program and treatment needs of the offender.

23. The Parole Officer will advise the offender of the interval established and the right to make representation in relation to the frequency of testing using the [Notification to Provide a Urine Sample – Community](#) (CSC/SCC 1064-01).
24. If an offender makes a representation respecting frequency of testing, the Urinalysis Program Coordinator will provide a written response containing the reasons for confirming or varying the frequency, within three working days. If the offender is supervised by a Parole Officer Supervisor, the Area Director will provide the response.
25. The frequency of urinalysis testing will be reviewed every 90 days to confirm that the testing intervals are consistent with the offender's level of assessed risk and progress against the Correctional Plan.
26. This review will include an assessment of the offender's progress and address the following:
 - a. whether the current frequency is still required based on the offender's progress
 - b. whether other supervision tools could be used instead of urinalysis (e.g. reliable collaterals).
27. When frequency of interval testing is reviewed, a new [Notification to Provide a Urine Sample – Community](#) (CSC/SCC 1064-01) will be completed.
28. Unless a review has been completed, including the completion of a new [Notification to Provide a Urine Sample – Community](#) (CSC/SCC 1064-01), the frequency of testing previously established must be adhered to.

Provincial Offenders

29. Provincial offenders held in a penitentiary can be required to submit to urinalysis under [section 54](#) of the CCRA.
30. Provincial offenders on parole can only be required to submit to urinalysis under [section 55](#) of the CCRA if they had been sentenced, committed or transferred to a penitentiary. Any other provincial offenders on parole can only be required to submit to urinalysis if a special condition requiring them to submit to urinalysis has been imposed by the Parole Board of Canada.

Collection of Samples – Institution and Community

31. When a demand for urinalysis is made under [section 54](#) or [55](#) of the CCRA, the offender will be informed of the consequences of non-compliance.
32. The Collector will be of the same sex as the offender.

33. The date and time of demands for samples will be irregular. Offenders will not be informed of the date and time when they will be required to provide a urine sample. If notice for offenders in the community is necessary, it will not exceed 24 hours.
34. Each demand for urinalysis, except those taken at regular intervals, will require a [Notification to Provide a Urine Sample – Institution](#) (CSC/SCC 1064) or [Notification to Provide a Urine Sample – Community](#) (CSC/SCC 1064-01). The form will include the reason for the test and the time and date of notification.
35. When urinalysis is done at a regular frequency, the [Notification to Provide a Urine Sample – Community](#) (CSC/SCC 1064-01) will be completed when establishing, confirming and/or modifying the frequency interval.
36. The Collector will verify the identity of the offender prior to demanding each sample.
37. The Collector will present the [Urinalysis Testing Chain of Custody](#) (CSC/SCC 1065) to the offender and obtain the offender's signature prior to each sample being taken.
38. Offenders will be provided a maximum of two hours to provide a sample. The time will commence from the point of notification or from the scheduled time of the test in cases where prior notification has been provided.
39. During the same two hours, the offender may drink fluids. The amount of water allowed is 250 ml per hour or a maximum of 300 ml over two hours.
40. The collection area will be searched by the Collector prior to the offender's arrival.
41. Access to the collection area will be controlled while the urine collection is in progress.
42. The Collector will escort the offender to the collection area and will conduct a routine non-intrusive search or a routine frisk search of the offender.
43. The Collector will require that the offender remove any bulky clothing, such as a coat or loose fitting outer garments, in order to reduce the possibility of an attempt to alter or falsify the urine sample.
44. [Urine samples](#) will be provided under [direct observation](#) of the Collector. Mirrors may be used to facilitate the continuous observation process.
45. At an institution, if an inmate is unable to provide a urine sample under direct observation, the process outlined in [Annex D](#) will be followed.
46. Collection and storage of [urine samples](#) will be conducted according to [laboratory](#) procedures.

47. The number of persons involved in handling samples will be kept at a minimum. Normally only the Collector and the offender will have contact with the sample container prior to it being secured.
48. The appropriate portion of the completed copy of the form [Urinalysis Testing Chain of Custody](#) (CSC/SCC 1065) will be enclosed in a sealed, waterproof bag and inserted into the shipping container.
49. Each sample bottle will be sealed, signed and dated by the Collector and the offender or the Urinalysis Program Coordinator across a tamper-resistant tape affixed on the top of the shipping container. The tape will overlap the top and go down on both sides of the container.
50. The sample bottle will be transported to the laboratory by a designated governmental or private courier service. The container should be received by the laboratory within eight days. All specimens not received within the eight days are considered cancelled.

Collection in a Private Residence – Community

51. If the offender meets the criteria for tandem supervision, collection in a private residence will not take place unless the Collector is accompanied.
52. The Collector will obtain the consent of the offender or occupant prior to searching the collection area.

Testing of Samples

53. After testing, the urinalysis results will be transmitted by the laboratory to the specific responsibility centre, in accordance with the contractual requirements.

Reporting of Test Results

54. [Positive test results](#), refusals or tampered samples will be forwarded to the Parole Officer immediately and recorded in OMS within three working days.
55. [Negative test results](#) as well as any technical reasons the sample could not be used will be communicated to the Parole Officer as soon as possible and recorded in OMS within 15 days.
56. If an offender disputes a positive test result and wishes to have a [retest](#) of the same sample, the offender must submit a written request within 30 calendar days to the Urinalysis Program Coordinator who will contact the laboratory to process the request.
57. Payment for a retest is the responsibility of the offender and will be paid in advance.

Consequences of Positive Test Results or Refusal to Provide

58. In the institution, further to administrative consequences, the inmate will be subject to the disciplinary process.
59. In cases where an inmate provides a positive test result, refuses or fails to provide a sample, and has been granted parole but has not yet been released, the Parole Officer will follow procedures pursuant to [CD 712-1 – Pre-Release Decision-Making](#).
60. In the community, the Parole Officer will follow procedures pursuant to [CD 715-2 – Post-Release Decision Process](#).

ENQUIRIES

61. Strategic Policy Division
National Headquarters
Email: Gen-NHQPolicy-Politi@CSC-SCC.gc.ca

Commissioner,

Original Signed by:
Don Head

ANNEX A

CROSS-REFERENCES AND DEFINITIONS

CROSS-REFERENCES

[CD 566 – Framework for the Prevention of Security Incidents](#)

[CD 585 – National Drug Strategy](#)

[CD 710-1 – Progress Against the Correctional Plan](#)

[CD 712-1 – Pre-Release Decision-Making](#)

[CD 712-5 – Pre-Release Case Preparation for Provincial/Territorial Offenders and Federal Offenders Incarcerated in Provincial/Territorial Facilities](#)

[CD 715-1 – Community Supervision](#)

[CD 715-2 – Post-Release Decision Process](#)

[CD 719 – Long-Term Supervision Orders](#)

DEFINITIONS

Collector: any person authorized to collect a urine sample, who has completed CSC related urinalysis training.

Cut-off level: the concentration of a drug in the urine that determines if the test will be considered positive or negative in accordance with [Annexes B](#) and [C](#).

Diluted sample: when the creatinine concentration or specific gravity in the urine sample is below the range of normal human urine.

Direct observation: a manner that allows for the sample and container to be seen at all times by the Collector.

Laboratory: a laboratory contracted by CSC to analyze samples is an authorized laboratory for the purposes of [section 60](#) of the CCRR.

Negative test results: a urine sample containing concentrations that are below cut-off levels.

Positive test results: a urine sample containing concentrations that are equal to or above cut-off levels.

Reasonable grounds: reasonable grounds are required to support a suspicion or belief. In order to be reasonable, the grounds must be:

- a. objective (e.g. what other staff members with similar training and experience consider reasonable)

- b. clear (e.g. based on verifiable facts or factors rather than a subjective feeling, hunch or intuition)
- c. related to and supporting a conclusion of suspicion or belief.

Retest: a second confirmation test performed from the original urine sample.

Urine sample: a quantity of unadulterated urine of at least 30 ml for drug analysis and 4 ml (full vial) for alcohol testing, supplied at one time, sufficient to permit analysis by an authorized laboratory.

ANNEX B**CLASSES OF INTOXICANTS**

Class of intoxicants	<u>Cut-off levels</u> SCREENING TEST (ng/ml)	<u>Cut-off levels</u> CONFIRMATION TEST (ng/ml)
Group 1		
Amphetamines MDMA/MDEA	500 (d-methamphetamine equivalent)	250 (amphetamine and/or methamphetamine + 100 amphetamine)
Benzodiazepines Oxazepam Nordiazepam Temazepam Alprazolam Lorazepam Triazolam Bromazepam Flurazepam Clonazepam	100 (as nitrazepam equivalent)	50
Methadone	100 (methadone metabolite EDDP)	100 (methadone metabolite EDDP)
Cocaine (as benzoylecgonine)	150 (benzoylecgonine)	100 (benzoylecgonine)
Opiates Morphine Codeine (6-monoacetyl morphine) morphine Hydrocodone Hydromorphone Oxycodone (6-monoacetyl morphine)	300 (morphine equivalent) 10	300 (morphine and/or codeine) 10 ng/ml – cut-off value for 6-monoacetyl morphine 10 (6-monoacetyl morphine (MAM) cut-off value for 6-monoacetyl morphine
Phencyclidine	25	25
THC (cannabinoid)	50 (THC-COOH equivalent)	15 (THC-COOH)

Group 2 (samples tested on demand only)		
Alcohol	20	20
LSD	0.2 ng/ml	0.1 ng/ml
Volatile Substances	LOQ	LOQ

ANNEX C**ANALYSIS OF DILUTED/ADULTERATED SAMPLES**

1. If the creatinine concentration in the urine sample is less than 20 mg/dl and/or the specific gravity is less than or equal to 1.003, a comprehensive forensic toxicology drug screening of the urine specimen for Group 1 drugs will be completed.
2. The confirmatory cut-off value for each substance is shown in the table below.

**Cut-Off Levels for
Group 1 Substances**

**Screening – Confirmation LOQ*
(ng/ml)**

Amphetamine	100	100
Benzodiazepine	50	50
Cannabinoid (THC)	20	6
Cocaine	15	15
Methadone	50	50
Opiates	120	120
Phencyclidine	5	5

* The confirmation Limit of Quantification (LOQ) numbers are subject to change upon method revalidation.

ANNEX D

SHY BLADDER SYNDROME AND URINALYSIS COLLECTION

Shy bladder syndrome is a condition where someone is unable to provide a urine sample under direct observation.

In the case of shy bladder, the least restrictive option available is to have mirrors strategically placed so that the Urinalysis Collector can still observe the offender donating in order to ensure chain of custody.

Where mirrors cannot or are not being used or the use of mirrors does not resolve the shy bladder concern, the following steps will be followed:

- During a demand for a urine sample, where the offender states that he/she is unable to provide due to shy bladder, you proceed to informal resolution.
- In these cases only, informal resolution consists of the Urinalysis Collector offering the offender a strip search, in accordance with CSC policy, including protocols for transgender inmates.
- After the offender has been strip-searched, and the collection area has been thoroughly searched, the offender proceeds to the collection area unobserved and provides a sample. When the offender hands in the specimen bottle, the Urinalysis Collector then processes the sample in accordance with procedure.
- In the institution, if the inmate continues to claim that he/she is unable to provide and refuses to submit to a strip search, an [Inmate Offence Report and Notification of Charge](#) (CSC/SCC 0222) for refusing to provide a sample under [paragraph 40\(I\)](#) of the CCRA is completed indicating that informal resolution was sought by the Collector and was refused by the inmate.

Please note that attempts will be made by the Collector/Coordinator to validate initial offender claims of shy bladder syndrome through Health Care, family physicians and/or the Case Management Team. It is recommended that the Coordinator maintain a list of those offenders claiming shy bladder syndrome.