

UNIT: \_\_\_\_\_

% Unit Tested: \_\_\_\_\_

UPL Name: \_\_\_\_\_

Card Expiration Date: \_\_\_\_\_

UPL Name: \_\_\_\_\_

Card Expiration Date: \_\_\_\_\_

UPL Name: \_\_\_\_\_

Card Expiration Date: \_\_\_\_\_

MEMORANDUM FOR OBSERVER(S):

SUBJECT: Responsibilities of Observer(s) 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 tests 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 Observer(s).
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 may result in the soldier being 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.
  - a. Article 92: Knowingly failing to obey a lawful general order or regulation by not maintaining direct line of sight of the urine into the bottle.
  - b. Article 107: Making a false official statement in signing the UPL's urinalysis ledger acknowledging the urination process was directly observed and no tampering occurred.
  - c. Article 134: False swearing by authenticating that no substitution or tampering of the urine sample occurred.

**Criteria for Observer(s):**

1. Be an Officer or NCO in the rank of E-5 or above.
2. Be of the same gender as the Soldier being tested.
3. Possess sufficient maturity and integrity to preserve the dignity of the Soldier being observed.
4. Not be currently enrolled within the ASAP 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 specific Soldier:**

1. The observer(s) control the urine collection process at all times.
2. Maintain visual contact with the bottle at all times.

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3. Ensures the Soldier washes his/her hands with water only, no soap, prior to providing a specimen.
4. Ensures that the specimen provided is not contaminated or altered.
5. Directly observes the Soldier (one Soldier at a time per observer) voiding urine into the specimen bottle. (When the optional wide mouth specimen collection container is used, immediately after the collection and while still under direct observation of the observer, the urine must be poured into the currently approved urine specimen bottle and tightly capped by the Soldier providing the specimen.)
6. Ensures direct observation of the flow of urine from the Soldier's body into the bottle
7. Ensures the Soldier tightly capping the bottle.
8. Ensures the bottle is not reopened after the cap is tightened.
9. Escort the Soldier back to the UPL station/table with the bottle in full view.
10. Observes the UPL placing tamper-evident tape over the top of the bottle, and across the label.
11. Observes the UPL place the specimen in the collection box.
12. The observer will sign the unit ledger in front of the UPL and the Soldier verifying the collection process and direct observation was conducted.

**OBSERVER'S AFFIDAVIT: I have read and understand this document. I will comply with the responsibilities as stated above and will report anything out of the ordinary immediately to the UPL or Commander.**

_____	_____	_____	_____
Rank	Observer's Printed Name	Observer's Signature	Date

_____	_____	_____	_____
Rank	Observer's Printed Name	Observer's Signature	Date

_____	_____	_____	_____
Rank	Observer's Printed Name	Observer's Signature	Date

_____	_____	_____	_____
Rank	Observer's Printed Name	Observer's Signature	Date

_____	_____	_____	_____
Rank	Observer's Printed Name	Observer's Signature	Date

_____	_____	_____
Cdr's Printed Name	Cdr's Signature	Date

**OR**

_____	_____	_____
UPL's Printed Name	UPL's Signature	Date