



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES FIRES CENTER OF EXCELLENCE AND FORT SILL
455 MCNAIR AVENUE, SUITE 100
FORT SILL, OKLAHOMA 73503

REPLY TO
ATTENTION OF

ATZR-C

15 August 2016

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Use or Possession of Prohibited Drug Paraphernalia and Drug Masking Agents, Command Policy Memo 16-11

1. References.

- a. Uniform Code of Military Justice (UCMJ)
- b. Manual for Courts-Martial (2012)
- c. Army Regulation 190-45, Law Enforcement Reporting, 30 March 2007
- d. AR 600-85, The Army Substance Abuse Program, 11 March 2014
- e. DoD Instruction 1010.04, Problematic Substance Use by DoD Personnel, 20 February 2014
- f. Oklahoma Stat. tit. 63, Section 2-405 (Unlawful Possession/Delivery/Sale of Drug Paraphernalia)

2. APPLICABILITY. This policy applies to all active duty and reserve component Service Members permanently or temporarily assigned to, attached to, or otherwise present on Fort Sill, Oklahoma, including service members assigned to tenant units located on Fort Sill, Oklahoma; to all civilians physically present within the limits of the Fort Sill military reservation; and to all service members assigned to any other location over which this Headquarters has jurisdiction under the UCMJ.

3. GENERAL.

- a. This command policy constitutes a lawful order and is punitive. Violations may result in punitive action against service members under Article 92 of the Uniform Code of Military Justice (UCMJ) and/or adverse administrative actions.
- b. This command policy serves two purposes: first, to prohibit the use, possession, and sale of drug paraphernalia; and second, to prohibit the use and possession of drug masking agents and drug masking paraphernalia.

4. POLICY AND PROCEDURES.

a. It is my policy to prevent and eliminate drug abuse and dependence. Such abuse and dependence is incompatible with readiness of our total Army and Joint Force, the maintenance of high standards of performance, and military discipline. Drug abuse and dependence also negatively affects our Families, our community and surrounding communities. Prohibiting drug paraphernalia will support this command's drug abuse prevention efforts by identifying suppliers, dealers, and users of dangerous drugs and by removing the equipment used to facilitate illegal drug use. Additionally, prohibiting the use and possession of drug masking agents and drug masking paraphernalia will support this command's drug abuse prevention efforts by ensuring the stability, reliability, and integrity of the U.S. Army's drug detection program.

b. Commanders and leaders at all levels will ensure that Soldiers will not possess, gift, share, purchase, offer or attempt to purchase, transfer, export, manufacture, accept shipment of, attempt to ship or distribute any item listed in paragraph 3(c).

c. Prohibited Items.

(1) Kits used, intended for use, or designed for use in the planting, propagating, cultivating, growing, or harvesting of any controlled or prohibited substances.

(2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing any controlled or prohibited substances.

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any controlled or prohibited substances.

(4) Testing equipment used, intended for use, or designed for use in identifying or analyzing the strength, effectiveness, or purity of any controlled or prohibited substances.

(5) Scales and balances used, intended for use, or designed for use in the weighing or measuring of any controlled or prohibited substances.

(6) Diluting agents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting any controlled or prohibited substances.

(7) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.

(8) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding any controlled or prohibited substances.

(9) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of any controlled or prohibited substances.

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing any controlled or prohibited substances.

(11) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in injecting any controlled or prohibited substances into the human body.

(12) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, or other controlled or prohibited substances into the human body, such as: metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls, water pipes, carburetion tubes and devices, smoking and carburetion masks, roach clips (e.g. objects used to hold burning material, such as marijuana cigarettes, that has become too small or too short to be held in the hand), miniature cocaine spoons and cocaine vials, chamber pipes, carburetor pipes, electric pipes, air-driven pipes, chillums, bongs, ice pipes, or chillers.

(13) Drug masking agents, including but not limited to any compounds that are taken with the purpose of hiding or "masking" the presence of controlled or prohibited substances that are screened during urinalysis testing.

(14) Drug masking paraphernalia, including but not limited to synthetic urine, synthetic or prosthetic genitalia, or any device or substance whose primary purpose is to mislead urinalysis observers or otherwise to alter, replace, or affect the drug testing procedures used by the U.S. Army or other military Services.

5. EXCEPTIONS. This policy does not prohibit the following:

a. The use of controlled substances by any person for whom they have been lawfully prescribed in accordance with applicable state and federal law, so long as such substances are used in a manner consistent with their intended medical purpose and the instructions of the prescribing physician.

b. The possession of otherwise lawful devices and substances intended for use for their intended lawful purpose (i.e., in a manner that does not violate paragraph 4-2p of AR 600-85).

ATZR-C

SUBJECT: Use or Possession of Prohibited Items, Command Policy Memo 16-11

6. This Fort Sill Policy Memorandum supersedes CG Policy Memorandum, Subject: Use or Possession of Prohibited Items, Command Policy Memo 15-01 (6 February 2015).

7. Point of contact is the Office of the Staff Judge Advocate, Chief of Military Justice, 442-1765.



BRIAN J. MCKIERNAN
Major General, USA
Commanding

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1. References:

- a. Uniform Code of Military Justice (UCMJ) (M.C.M. 2012).
- b. Army Regulation 190-45, Law Enforcement Reporting, 30 March 2007.
- c. AR 600-85, The Army Substance Abuse Program, 28 December 2012.
- d. DoD Instruction 1010.04, Problematic Substance Use by DoD Personnel, 20 February 2014.
- e. Oklahoma Stat. tit. 63, Section 2-405 (Unlawful Possession/Use of Drug Paraphernalia).

2. **APPLICABILITY.** This policy applies to all active duty and reserve component Service Members permanently or temporarily assigned to, attached to, or otherwise present on Fort Sill, Oklahoma, including Service Members assigned to tenant units located on Fort Sill, Oklahoma; to all Civilians physically present within the limits of the Fort Sill military reservation; and to all Service Members assigned to any other location over which this Headquarters has control/jurisdiction.

3. **GENERAL.**

a. This command policy constitutes a lawful order. Violations may result in punitive action against Service Members under Article 92 of the Uniform Code of Military Justice (UCMJ) and adverse administrative actions.

b. This command policy serves two purposes: first, to prohibit the use, possession, and sale of drug paraphernalia; and second, to prohibit the use and possession of drug masking agents and drug masking paraphernalia.

4. **POLICY AND PROCEDURES.**

a. It is Fort Sill's policy to prevent and eliminate drug abuse and dependence. Such abuse and dependence is incompatible with readiness, the maintenance of high standards of performance, and military discipline. It also negatively affects the

ATZR-A

SUBJECT: Fort Sill Installation Agreement Policy Memorandum, CG Policy Memo 16-11

5. This command policy will remain in effect until superseded or rescinded.
6. Point of contact is the Office of the Staff Judge Advocate, Chief of Military Justice, 442-3900.



BRIAN J. MCKIERNAN
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