

**The Bill Blackwood
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Drug Testing

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ABSTRACT

Today, the wide spread use of illegal drugs in our nation has reached an alarming rate. The use of drugs has affected almost every segment of society throughout the nation. No one is exempt from drug usage including law enforcement. The methodology used in this research was to look at the history of drug use, current drug abuse in law enforcement, examine methods of testing for drugs, and survey various law enforcement agencies to determine benefits of implementing a drug-testing program. The findings of the research concluded that drug testing organizations can benefit in many ways from encouraging compliance of Policies and Law, to public support and trust, and to prevent potential drug usage among staff. Police officers have the responsibility and commitment to properly protect and serve the public. They do not have the luxury of exemption from the drug problem.

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INTRODUCTION

Today, the wide spread use of illegal drugs in our nation has reached an alarming rate. It is estimated by the National Institute of Drug Abuse that 65 percent of the adult population between the ages of 18-25 years old have used illicit drugs. According to the Federal Bureau of Investigation Uniform Crime Records Reports it was estimated that there were 1,538,800 state local arrests from drug abuse violations in the United States from 1987 through 2002. The use of drugs has affected almost every segment of society throughout the nation. No one is exempt from drug usage including law enforcement.

There have been many police officers involved with drugs throughout the country. In the state of California the worst drug related corruption case in America occurred after an officer was caught stealing eight pounds of cocaine from the police department's evidence locker and turned on his fellow officers to get a reduced sentence. Known as the 'Rampart' scandal, over one hundred convictions were overturned as police misconduct, ranging from planting evidence, to obtaining confessions through violence. The scandal resulted in officers being prosecuted on police corruption charges, including torture, murder, and drug dealing. According to the website Police drug testing for police departments (2004) Commissioner Paul F. Evans from the Boston Police Department (1999) stated that after 23 of his officers tested positive for drug use and mentions that "Drugs are probably the single biggest threat to the integrity of officers and this department. Officers under the influence of drugs are something that can't be tolerated" (p.1). Our society considers it very important that law enforcement officers be drug-free.

According to a FBI Chronicle poll, 85 percent of those polled believed that testing police officers for drug use was a good idea. According to FBI (1999), a poll did not suggest that there was a widespread problem of drug use among officers, but rather that citizens understand the large responsibility for life and safety with which police officers are entrusted.

The purpose of this research will look at the history of drug use, current drug abuse in law enforcement, and examine methods of testing for drugs. The research question that will guide this study is: What are the benefits of the implementation of a drug-testing program for a police agency?

The methods of inquiring will be accomplished through surveys. Surveys will be administered to obtain opinions about police officers feelings on drug testing, and examine how drug testing can benefit the department. Other inquiries will be made through obtaining information from various publications and the news media.

The intended outcome of the research is to present the benefit of early detection and intervention of problems through drug testing in the law enforcement community. To prevent the use of illicit drugs is essential in providing quality service to any community. Developing and implementing a sound drug testing program for use in law enforcement agency is not an easy task. Today's society is overwhelmed with illegal drugs and drug abuse. The law enforcement professional must face the reality that drug use is not confined solely to those abusers on the streets. It affects all occupations, even law enforcement, although to what extent is unknown and still remains to be seen. To prevent problems that arise in the future with drug use, it is evident that positive steps must be taken to control the problem. The implications of the

research will benefit the public, the police, and all who come into contact with them through the implementation of a standardized drug testing policy and procedure.

REVIEW OF LITERATURE

The drug usage by humans has been around for thousands of years beginning with the usage of wine by the Egyptians. The medical use of marijuana has been dated to 2737 B.C. in China. In the 19th century, techniques were developed to extract active substances in drugs, which opened the discovery of morphine, laudanum, and cocaine. These drugs were completely unregulated and prescribed freely by physicians for a wide variety of sicknesses. During the American Civil War, morphine was used freely for wounded soldiers and veterans having to deal with pain from their injuries. By the early 1900s there were an estimated 250,000 addicts in the United States.

Several laws were established by the United States beginning in 1875 to combat drug abuse. The laws began by outlawing opium dens, because of increased problems of addiction among society. In 1906 the first national drug law was established commonly known as the Pure Food and Drug Act. The act required labeling of patent medicines containing opium and certain other drugs. A few years later in 1914 the Harrison Narcotic Act came about restricting the sale of opiates or cocaine, and heroin except by licensed physicians. In 1930 states were required to have anti-drug education in the schools. As more years passed other laws were established restricting the sale and usage of drugs. The government also established organizations like the Drug Enforcement Administration to enforce drug laws through out the nations. According to the 6th edition of The Columbia Electronic Encyclopedia (2004), in addition

to the development of the Drug Enforcement Administration agency, the United States also developed many anti-drug organizations to combat drug addiction.

The drug problems continue into the 20th century with statistics developed by several government agencies showing increases of drug possession and use. According to the Substance Abuse and Mental Health Services Administration (SAMHSA) reported in 2001 a National Household Survey on Drug Abuse was conducted revealing that 15.9 Million Americans ages 12 and older (7.1%) reported using an illicit drug in the month before the survey was conducted. More than 12% reported illicit drug use during the past year and 41.7% reported some use of an illicit drug at least once during their lifetimes. The Centers for Disease Control and Prevention reported in the year 2000 that a total of 19,698 people died of drug-induced causes across the nation, which was up from 19,102 in 1999. The Federal Bureau of Investigation (FBI) reported a total of 1,586,902 state and local arrests were made for drug violations. The National Institute of Justice's Drug Abuse Monitoring (ADAM) reported in the year 2000 that, Americans spent an estimated \$36 billion on cocaine, \$11 billion on marijuana, \$10 billion on heroin, \$5.4 billion on methamphetamine, and \$2.4 billion on other illegal substances.

With a large number of Americans taking drugs today, it is no surprise that the law enforcement community has not been immune. Law enforcement is a very stressful career field and many officers have resorted to drug abuse to manage stress and depression. When an individual decides to become a police officer he or she generally has some knowledge of the dangers in the streets. Departments train officers to handle the physical and tangible dangers occurring everyday. However, they are not

trained to handle stress on the job. The new officers are often unaware of the high divorce rate, the high rate of physical illness, and the high rate of suicide in the profession. Also, the new officer is uninformed regarding the scrutiny that they may face everyday from the community and even from their peers. With these factors, it is not uncommon for individuals in the law enforcement profession to resort to using drugs. The use of drugs among officers is a wide spread problem throughout the nation. There has been in the last two years and recently an increased awareness of drug abuse by police officers.

Several articles from The Blues, illustrate police officers involved in drugs from possession to trafficking throughout the nation: Bardwell (2004) says, "A Houston police officer was arrested and accused of selling a large amount of cocaine and marijuana, while on duty and in uniform. The officer delivered 2.2 pounds of cocaine and 100 pounds of marijuana" (p. 18).

During a search of the internet an article was discovered out of Las Vegas by Puit (2002) advising, "Cocaine among drugs found in search of man's Henderson home A Las Vegas police officer is facing nine felony charges after his colleagues say they found narcotics in his home. Sean Curd, 29, is the third Las Vegas officer in less than a month to face felony charges" (p.1).

A continued search of the internet revealed three other articles involving police officers being arrested for drugs. The first article out of Biloxi, Mississippi by The Associated Press (2005) advised, "Biloxi police officer Darrell Cvitanovich Jr., the son of a former police chief, has been charged with selling Ectasy and having the illegal drug in his beachfront home" (p.1). The second article out of Miami, Florida by De Valle

(2004) advised, "A Miami police officer was arrested early Sunday after he allegedly purchased five Ecstasy pills while his colleagues watched. The officer was charged with two felonies: one count each of purchasing and possession of Ecstasy" (p.1). The third article out of Honolulu, Hawaii by Boylan (2005) advised, "Federal agents arrested a 22-year veteran police officer Monday after he allegedly sold methamphetamine to a confidential informant, and on another occasion did so while dressed in his Honolulu Police Department uniform, according to affidavits filed in U.S. District Court yesterday" (p. 1).

Due to the continued awareness of drugs in the law enforcement field many police departments have incorporated a drug testing program. In drug testing there are four main ways to test whether someone has used illegal drugs: blood, urine, saliva or hair analysis. Urine, saliva and hair tests are simple and less invasive; however, testing urine is mainly used. Although the tests mentioned above are reasonably straightforward, the results can have such devastating effects on an individual's career that a huge number of steps need to be taken to ensure that there is no interference by the person being tested.

Urinalysis testing is the older testing method used. Urinalysis can normally detect drugs in the system within a 2 to 3 day period. Taking a urine sample can be a complex process beginning with checking of the person's identity. The seal on the test is then broken in the presence of the person to be tested so no tampering is possible by a third party. The person then is asked to empty his or her pockets and led to a bathroom to wash their hands. After washing hands the person is led into another area where there is no source of tap water that could be used to dilute the sample. The toilet bowl is

usually filled with strongly colored water to prevent it being used. Lastly, the person provides a urine sample while being supervised, and is then led to the collection point for testing.

The blood testing method is very effective in determining almost every type of drug within the body. However, the test needs to be pretty quickly administered within a few hours. Blood testing is not used as much in a standard random drug testing capacity, due to the methods that have to be used to obtain the specimen by breaking the skin with a needle. Another factor is the fear of catching some infectious disease.

Hair testing is done through taking a hair specimen from the person being tested. When drugs are taken they circulate in the bloodstream and are built by hair follicles into the structure of the hair. No amount of washing or hair care will remove these traces, which are different from outer environmental contamination. The traces of drugs remain in the hair for a few months. The simple process of hair testing has become a popular drug testing method.

Saliva testing is a one-stop test to determine for alcohol use as well as a range of illegal substances. The collection process and test results take approximately five minutes. Saliva testing is the least expensive and most effective method for determining drug use.

METHODOLOGY

The purpose of this research was to look at the history of drug use, current drug abuse in law enforcement, and examine methods of testing for drugs. The research question guiding this study is: What are the benefits of the implementation of a drug-testing program for a police agency? It is hypothesized that drug testing in the

law enforcement community can assist agencies in the early detection of a potential problem.

The method of inquiry utilizes a survey that was distributed to 23 different law enforcement agencies throughout the state of Texas asking for opinions on drug testing. The survey is comprised of seven questions addressing methods of testing, effectiveness of testing, and the benefits. One member of each department was asked to complete the survey.

Out of 23 agencies 22 responded to the survey. The information gathered from each survey will be reviewed to determine statistical data and the opinions of the officers from each department. The information will be compared among the different departments to determine similarities. The survey will also act as guide for analyzing benefits and methods of drug testing used by each agency.

FINDINGS

During this research it was presented that drug usage among the American public has increased in the recent years. The information was obtained from several Government agencies researching the drug issues. The research also provided some illustrations where officers have been arrested for drugs throughout the nation and consequently ended their careers in law enforcement. Required testing for all police departments throughout the nation will lower the incident rate of drug possession and usage.

Many departments throughout the United States have drug testing programs, where officers are tested prior to and during employment. Through the utilization of

drug testing organizations can benefit in many ways from encouraging compliance of Policies and Law, to public support and trust, and to prevent potential drug usage among staff.

The survey conducted in this research paper among several law enforcement agencies through out Texas supports the analysis of this research.

Agency Name	Officers	Drug Testing	Type of drug Testing	Method Used	Method Effective	Drug Testing Effective
Potter County SO	242	Yes	Pre-employment/Random	Urinalysis	Unsure	Yes
Arlington PD	570	No				
Humble PD	63	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Rusk County SO	30	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Victoria PD	120	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Wichita County SO	60	Yes	Pre-employment/Random	Urinalysis/Blood	Yes	Yes
Round Rock PD	117	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Memorial Village PD	45	No				
Oak Ridge North PD	14	No				
TABC	220	No				
Cedar Park	55	No				
AI SD PD	64	No				
Alvin PD	86	Yes	Pre-employment/Accident	Urinalysis/Breath	Yes	Yes
Lancaster PD	46	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Beaumont PD	265	Yes	Pre-employment/Suspicion	Urinalysis/Blood/Breath	Unsure	Yes
Humble PD	65	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
TexarKana PD	95	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Corpus Christie PD	425	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Montgomery SO	300	Yes	Pre-employment/Random	Urinalysis	Limited	yes
Frisco Pd	84	Yes	Pre-employment/Accident	Urinalysis	Yes	Yes
Arlington PD	568	Yes	Pre-employment/Random	Urinalysis	Yes	Yes
Pflugerville	55	Yes	Pre-employment/Random	Urinalysis	Yes	Yes

The results of the survey revealed that approximately 80 percent of the agencies currently had a drug testing program within their organization. The drug testing utilized was for pre-employment testing and random testing. However two of the departments also used drug testing for investigation of incidences involving accidents and

assignments in special narcotics divisions. A urinalysis was the popular method used in testing all of the departments surveyed. Two of the departments reported that they also tested through using blood and breath samples. Thirteen officers surveyed from the various departments having a drug testing program advised that urinalysis was an effective testing method.

All the officers with current drug testing programs in their departments were asked if drug testing was an effective tool. All the officers responded positively explaining that drug testing was a major component in deterring potential usage problems.

The last question asked on the survey was, "What do you believe are some of the benefits to drug testing in your department?" This question prompted several comments. Some of the benefits officers advised were: balance privacy issues with public concerns, identify users or suspected users, keep officers in compliance and the department drug free, and keep the integrity of the men and women in the law enforcement career field in check.

DISCUSSION/CONCLUSIONS

The use of drugs has been a problem that we have faced in society for many centuries. Today drugs have become much more accessible and widespread. No one appears to be exempt as juveniles, athletes, and top level-executives are taken over by the drug use as fast as construction worker and housewives. Police officers have the responsibility and commitment to properly protect and serve the public. They do not have the luxury of exemption from the drug problem.

The purpose of this research was to look at the history of drug use, current drug use in law enforcement, and examine methods of testing for drugs. The research question that guided this study was: What are the benefits of the implementation of a drug testing program for a police agency?

It was hypothesized that drug testing in the law enforcement community can assist agencies in the early detection of potential problems. During the research many areas were discussed to understand the importance of why drug testing is vital in the law enforcement community. As a police officer we are expected to perform and behave at higher standards than your average citizen. With this expectation comes great responsibility, and police officers can't afford to lose that.

REFERENCES

- Boylan, P. (2005, March). *Veteran police officer arrested in meth case*. Honolulu Advertiser. Retrieved June 9, 2005, from <http://the.honoluluadvertiser.com>
- Columbia University Press (2004). *History*. The Columbia Electronic Encyclopedia. Retrieved July 21, 2004, from <http://www.factmonster.com>
- De Valle, E. (2004, March). *Miami police officer arrested in drug buy*. The Miami Herald. Retrieved June 9, 2005, from <http://www.miami.com>
- Dixon, P. (2003, April). *Why governments are scared of drugs prevention future*. Retrieved on July 22, 2004, from <http://www.globalchange.com/drugs>
- Erowid, L. (2003). *Drug testing basics*. The Vaults of Erowid. Retrieved July 21, 2004, from <http://www.erowid.org>
- Latour, F. (1999, October). *Twenty-three officers in Boston test positive for drug use*. The Boston Globe. Retrieved July 21, 2004, from <http://www.policedrugtesting.com/globe.htm>
- O'Hare, P. (2004, January). Photo copy: officer accused of delivering cocaine and marijuana. *The Blues Newspaper*. 18.
- Psychemedics Co. (2004, July). *Police drug testing*. drug testing for police departments. Retrieved July 15, 2004, from

<http://www.policedrugtesting.com>

Puit, G. (2002, March). *Las Vegas police: officer arrested faces felony drug charges*. Las Vegas Review - Journal (NV). Retrieved July 21, 2004 from <http://www.drugwar.com>

The Associate Press. (2005, June 3). *Biloxi police officer arrested on drug charges*. Retrieved June 9, 2005, from <http://www.gulflive.com/newflash>

Walters, J. (2003, March). *Drug data summary. drug policy information*. Clearinghouse Fact Sheet. Retrieved July 21, 2004, from <http://www.whitehousedrugpolicy.gov>