

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

Drugs and the Police Applicant

**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**

**By
Alejandro Coss**

**Dallas Police Department
Dallas, Texas
August 2016**

ABSTRACT

Police agencies from around the country are struggling to attract new applicants to meet their needs (Swope, 1999). Several factors have reduced the applicant pool from which police departments will choose their future employees (Swope, 1999). Although the applicant pool has dwindled, the need for more law enforcement officers continues to increase (Swope, 1999). An ever-growing population will only expand the demand in the years to come (Eiserer, 2007). Elicit use of prescription medications have found themselves on police applications in growing numbers (Bruns, 2010). Specifically, the popularity of medications normally prescribed to individuals suffering from Attention Deficit Disorder (or ADD) has increased (Yanes, 2014).

Currently, use of these drugs without a prescription is considered a felony and disqualifies the candidates from law enforcement agencies (Yanes, 2014). While reason for concern is warranted, the growing popularity in some of the most prestigious schools coupled with an ever-growing need for law enforcement officers and a shortage of applicants, the following can be concluded (Yanes, 2014). The use of ADD medications without a prescription should not disqualify a police applicant from employment in law enforcement. Police applicants who use non-prescribed ADD medication while attending college for the sole purpose of studying, in spite of this, are still very qualified applicants. Their use of these drugs is not intended for recreational use and this fact should be taken under consideration. Many college students cease usage after graduation. Law enforcement agencies will have to adjust their policy, either in regards to ADD medications or other qualifications, if they intend to maintain adequate staffing levels with the available applicant pool.

TABLE OF CONTENTS

| | Page |
|-----------------------|------|
| Abstract | |
| Introduction..... | 1 |
| Position | 3 |
| Counter Position..... | 6 |
| Recommendation | 11 |
| References | 13 |

INTRODUCTION

For many organizations, the recruitment process is crucial in maintaining adequate staffing levels and maintaining an efficient workforce. Its goal is to actively search for qualified employee candidates and create a selection pool from which the employer can replace or augment employees needed either due to attrition or expansion. Police agencies from around the country are struggling to attract new applicants to meet their needs (Swope, 1999). Today's youth is simply less than enthusiastic about police work than the generations that came before them (Swope, 1999). It is due primarily to their independent nature, which clashes with the rigid paramilitary structure of police work. Many see police work as blue-collar work rather than a professional career (Swope, 1999).

A positive image for police work is further damaged by the media who has had huge successes in dragging police departments through the mud for increased ratings (Swope, 1999). As a result, potential applicants have been steered away due to a department's negative image (Swope, 1999). Immigrants and minorities in particular have trouble trusting police officers and have very little interest in pursuing a career in law enforcement (Swope, 1999). Many of the likely candidates that would be interested in this particular line of work and would make ideal applicants for law enforcement officers are not available because they are currently serving in one of the armed forces (Woska, 2006). These factors, along with several others, have significantly reduced the applicant pool from which police departments will choose their future employees (Swope, 1999).

Although the applicant pool has dwindled due to these factors, the need for more law enforcement officers continues to increase (Swope, 1999). An ever-growing population will only expand the demand in the years to come (Eiserer, 2007). One way, in which many law enforcement agencies have overcome the shortage of applicants that walk through their door, is by loosening up on the requirements for qualification (Parker, 2008). By changing the factors in which they disqualify applicants, they can then allow for more of these candidates in the applicant pool to complete the entire screening process and potentially get hired as law enforcement officers. The use of ADD medications without a prescription should not disqualify a police applicant from employment in law enforcement.

One specific area in which law enforcement agencies have adjusted their qualification standards is in regards to the police applicant's previous usage of illegal drugs (Katz, 2000). Most law enforcement agencies now allow for some illegal drug use applying specific criteria usually revolving around the number of usages and the lapse time since the last usage (Katz, 2000). By examining both the number of times that a candidate has experimented with an illegal substance and how long it has been since the individual has last partook, it is believed that future drug use, or the lack thereof, can be anticipated (Bruns, 2010). Marijuana usage is perhaps the most accepted of all the drugs by law enforcement agencies in their police applicants (Bruns, 2010). This is primarily due to the popularity of this drug and the frequency in which police candidates admit to prior use on their entrance applications (Bruns, 2010).

POSITION

More recently, illicit use of prescription medications have found themselves on police applications in growing numbers (Bruns, 2010). Specifically, the popularity of Adderall, Ritalin and other medications normally prescribed to individuals suffering from Attention Deficit Disorder (or ADD) has increased in significant numbers (Yanes, 2014). Among college students, it is the drug of choice when combating a heavy course load, collegiate extra-curricular activities and the need to concentrate while studying all hours of the night (Yanes, 2014). Currently, drugs such as Adderall are classified as a Schedule 2 narcotic and use without a prescription is considered a felony and disqualifies the candidates from making application to most law enforcement agencies (Yanes, 2014). While the reasons for concern in the misuse of prescription drugs is warranted, the growing popularity in some of our most prestigious and competitive schools coupled with an ever-growing need for law enforcement officers and a shortage of applicants, the following can be concluded (Yanes, 2014). The use of ADD medications without a prescription should not disqualify a police applicant from employment in law enforcement.

By the very nature of the indiscretion it is not too far of a reach to identify the motivation of the individual as one that is competitive and ambitious. The strongest argument to allow the illegal use of ADD medications in police applicants is that it would allow several, otherwise qualified, applicants an opportunity to pursue a career in law enforcement (Eiserer, 2007). Many of these applicants, who are currently not qualified due to use of ADD medications without a prescription, are ideal candidates in every other way and could potentially contribute to the overall success of whichever law

enforcement agency might give them the opportunity. It has been noted on numerous occasions that police officers are a representation of the community in which they serve (Katz, 2000).

With such a large portion of the population currently or previously engaged in the use of ADD medications (both with and without a prescription) a representing percentage of police officers should be more than acceptable. “What you really want is somebody who represents the norms of the community,” said Tony Narr, Director of Management Education at the Washington based Police Executive Research Forum (Katz, 2000, para. 35). Joe McNamara, former San Jose Police Chief stated, “If you think you’re going to try to hire police recruits who have never used drugs, you’re just whistling” (Katz, 2000, para. 17). While law enforcement agencies would love to hire perfect candidates, the reality of the situation is that perfect people are not likely to walk through the door and ask for an application. Police agencies should take a broader view when evaluating potential candidates to ensure that they do not prematurely disqualify applicants that are otherwise very qualified due to an isolated behavior early in their lives.

The largest disparity between the use of ADD medications without a prescription and the use of other illegal substances is that in the majority of the time the use of ADD medications was not for recreational use (Yanes, 2014). In criminal justice, a lot of attention is placed on the individual’s culpability and their initial intentions when they committed the act in question. It examines their motivation for committing the action. The debate in question is whether they intentionally and knowingly ingested non-prescribed pills to feel high and party, or if the intent was something completely

different. Especially in college students, who make up a large majority of police applicants, the use of ADD medications was most often used to focus on schoolwork (Yanes, 2014). Prescription medications such as Adderall, Ritalin and Vyvanse have been nicknamed as “study drugs” by many around college campuses (Yanes, 2014). They are especially prevalent in private and elite universities and by upper classmen due to the competitive nature of that position and the beneficial edge that usage provides (Yanes, 2014).

Compared to the use of party drugs such as ecstasy, which is extremely and increasingly popular with college students looking to magnify the sensations of touch, the use of ADD medications to stay up late and study, is as different as night and day. Law enforcement agencies should perform due diligence and recognize the significant difference between the use of illegal substances for purely recreational purposes and the mildly misguided purposeful use of ADD medications to further their academic abilities (Bruns, 2010). Medications that would otherwise be perfectly legal and would not disqualify the individual from making application to a law enforcement agency, if the student would only have gotten a prescription.

The decision was made, over a decade ago, by numerous law enforcement agencies to allow a certain amount of previous illegal drug usage by potential police applicants (Bruns, 2010). The goal was to allow otherwise qualified applicants to remain in the application process and potentially to be selected for employment with that organization. Guidelines for what would qualify as acceptable previous drug usage was clearly defined and established in those agencies’ official applicant qualification policy. The assumed goal was to clearly define perimeters regarding the drug usage that would

anticipate drug dependency and future drug use and would still eliminate those candidates that potentially continue to use illegal drugs after being hired (Bruns, 2010). Otherwise, those applicants who had used illegal drugs a minimal amount of time (experimental use) and/or had not used illegal drugs for a significant amount of time, could still be considered for employment within that law enforcement agency (Bruns, 2010).

The illicit use of ADD medications, by college students, for the purpose of focusing on studies significantly qualifies for the latter category since the individual's sole reason for using ends after their college years end (Smith, 2015). A study has shown that many of college students that abused ADD medications simply stopped after graduation (Smith, 2015).

Law enforcement departments have the added assuredness that the potential candidates had no future exposure to illicit drugs because they are able to question the applicant regarding this behavior during polygraph examination. Having this tool at their disposal police agencies are not dependent on the candidate's disclosures but can rely on collaborating data to determine the applicant's potential for future abuse of illegal drugs. Knowing that the use of ADD medication by police applicants during their college years normally ceases after graduation and having the ability to question them about further or recent drug use during a polygraph exam supports the decision, by law enforcement agencies, to forgive this behavior in their applicants as a calculated risk.

COUNTER POSITION

The greatest oppositional argument regarding the use of non-prescribed ADD medications in college students is the potential dangers to the user's health (Smith,

2015). Consequently, most of the studies and the research available are slanted towards the negative impact that these drugs could potentially cause someone who is not under the care of a physician. Prescription medications such as Adderall is categorized as a Schedule 2 drug which classifies it as a narcotic with a high potential for abuse, which in turns means the user is more likely to abuse other drugs as a result (Yanes, 2014).

Nonmedical use of ADD medications carries the risk of the unknown since not having a medical professional monitor the effects of the drugs can result in unintended reactions to the medication. However, it is the same medical professionals that legally prescribe the same ADD medication to thousands of college students every year with very little evaluation and swear that they are perfectly safe. Doctors have increased the number of patients diagnosed with Attention Deficit Disorder at a rate increase of 5% every year from 2003 to 2011 (Creedon, Towns, Krenkel, & Powers, 2014).

It is difficult to believe that the country is experiencing an epidemic due to an unknown external hazard that it has failed to identify and now find an entire generation victim to its affects.

A more likely hypothesis is that a legal prescription to ADD medications is available to anyone with medical insurance or who can afford a doctor's visit and is able to describe any of the symptoms that qualify treatment (Creedon et al., 2014). As it relates to the assessment of the potential police applicant, law enforcement agencies would be better served accepting candidates who recognized that they did not have signs of ADD but still needed assistance in overcoming a challenging school load and

those individuals that knowingly exaggerated or simply falsified their symptoms on a medical application and were comfortable signing their name to that lie.

Another major source of opposition regarding the use of non-prescribed ADD medications in college students is the moral conundrum weaved throughout the argument. It is a question on whether or not a pill that helps one focus on the schoolwork and helps one stay up late to study for a test in the morning constitutes as cheating (Grohol, 2014). It further questions if having a competitive edge in the collegiate arena is the same thing as athletes abusing performance drugs to dominate their sport's equivalent environment (Grohol, 2014).

The biggest difference between performance enhancing drugs that athletes abuse for the purpose of sports and ADD medications that enhance the user's abilities for the purpose of studying, is that a large portion of college students are already able to legally obtain their drugs (Creedon et al., 2014). In sports, no one is legitimately sanctioned to partake in enhancement drugs so that no one will have an unfair advantage over their competitors.

However, in the collegiate arena many students, without ADD, have been able to secure a legal prescription to ADD medications and enjoy a significant advantage over their fellow students. The academic environment can be just as competitive as sports and the desire for students to succeed is just as tempting. Those students without a prescription might view their actions in procuring non-prescribed ADD medications as simply leveling the playing field. Since college is supposed to be a learning environment that prepares young adults for the real world, this early exposure to the harsh

competitive nature of this nation's capitalistic environment is a valuable lesson to learn, in a controlled environment, prior to entering the work force.

Returning to the subject of prior non-prescribed use of ADD medications in police applicants, the moral implications of the behavior is worth mentioning and of due concern. Undesirable conduct should always be evaluated by hiring law enforcement agencies of their potentially employee candidates. However, police work has a competitive aspect to it as well, and qualified applicants should possess the aggressive will to survive in any environment. While it is not suggested that police agencies hire individuals of low morality, a careful balance of Type-A personality traits and overall good decision skills should be taken under consideration.

Change is often difficult for everyone, and often time undesirable, but it is necessary for adapting to a changing world. Law enforcement agencies, like all other companies, must change and adapt to an ever-changing environment to remain successful. How, and who, a police department accepts to be an employee and especially a law enforcement officer has a major impact on not only the present success of that organization but also on the future of that agency. Changing the qualification standards that police candidates must meet to be considered for the application process is a complicated decision that should not be taken lightly and should not be made quickly. Larger law enforcement agencies, which smaller departments often look upon as an example and normally follow suit, have the added responsibility to be cautious when setting precedence (Eiserer, 2007). Accepting any previous illicit drug use in police applicants is a difficult decision to make and one that carries with it strong arguable factors on each side of the debate.

On one side, there is illegal behavior by the very people that would be tasked with the enforcement of that behavior. On the other side is the irrefutable and increasing need for future hires and a dwindling applicant pool. In a perfect world, law enforcement agencies would only hire perfect applicants with unblemished records and zero prior indiscretions. However, in a perfect world the need to police departments might be moot. Never the less, the country does not live in a perfect world and the trend of increasing abuse and misuse of prescription drugs is not likely to subside any time soon (Bruns, 2010).

If police agencies want to meet their new-hire needs to overcome attrition and a growing population, they will have to adjust to a changing environment. With such a large percentage, and growing number, of college students participating in this behavior it is only a matter of time before some concession will have to be agreed upon or risk not having the minimum manpower to provide basic public safety services (Yanes, 2014). Law enforcement agencies will have to look past the applicant's prior drug usage and evaluate potential candidates who are otherwise qualified, in more of an overall assessment.

Police applicants who use non-prescribed ADD medication while attending college for the sole purpose of studying and focusing on school work are, in spite of this, still very qualified and have a lot to offer to potential employers. Their use of these drugs, while illegal for nonmedical use, is not intended for recreational use and this fact should be taken under consideration when evaluating the individual's suitability for employment. Especially when considering that many college students cease usage after graduation and that law enforcement can inquire about recent usage during a polygraph

exam, employers can make a well-informed decision after considering all the facts regarding the applicant's past behavior.

RECOMMENDATION

Law enforcement agencies will have to consider the impact that such a change in policy will affect both public opinion as well as the opinion of the officers already employed with that organization. Nonmedical use of ADD medication is illegal and can be dangerous to someone's health and by not opposing it; the assumption would be that the police agency supports its use. Furthermore, the moral implications of its use for a competitive edge resemble cheating to a lot of people. However, when one considers how many students are currently using ADD medications with or without a prescription, it becomes less of a debate on the safety or the appropriateness of the drug and more of a discussion regarding the legitimacy that paying a doctor's fee and obtaining a prescription grants certain students and not others.

Regardless of which side of the debate one finds themselves, the fact remains that law enforcement agencies will have to adjust their policy, either in regards to ADD medications or other qualifications, if they intend to maintain adequate staffing levels with the available applicant pool. Similar to already established guidelines in law enforcement agencies across the country regarding the use marijuana, the nonmedical use of ADD medications should be evaluated on an individual basis examining the amount of usages, the time elapsed since the last usage, and the intended reason for its use.

Today's law enforcement officer is unique for many reasons and standardized qualifications often overlook their true merit. It is that uniqueness that is so very crucial

and should never be taken for granted because it is essential for the overall success of any company.

REFERENCES

- Bruns, D. (2010, Spring). Exploring change in drug policy standards among local law enforcement agencies. *Western Journal of Criminal Justice*, 2.
- Creedon, J., Towns, D., Krenkel, A., & Powers, K. (2014, January 9). Generation Adderall. Retrieved from <http://www.ohsu.edu/xd/education/schools/school-of-medicine/departments/clinical-departments/psychiatry/grand-rounds/upload/StimulantgrandroundsLSedit.pdf>
- Eiserer, T. (2007, October 24). Dallas PD eases hiring rules on drug use. Retrieved from <http://www.policeone.com/police-recruiting/articles/1457111-Dallas-PD-eases-hiring-rules-on-drug-use/>
- Grohol, J. (2014, May 2). Is taking Adderall to boost college brain performance cheating? [Blog post]. Retrieved from <http://psychcentral.com/blog/archives/2014/05/02/is-taking-adderall-to-boost-college-brain-performance-cheating/>
- Katz, J. (2000, June 18). Past drug use, future cops. *Los Angeles Times* . Retrieved from <http://articles.latimes.com/2000/jun/18/news/mn-42251>
- Parker, C. (2008, March 31). Police loosen drug standards for hiring - Move sparked by shrinking applicant pool. *Republican-American (Waterbury, CT)*, p. 2, B.
- Smith, K. (2015, March 10). *Prescription Study Aid Abuse*. Retrieved from www.addictioncenter.com/college/prescription-study-aid-abuse/
- Swope, C. (1999, November). The short blue line. *Governing*, 13(2), 32.
- Woska, W. J. (2006, October). Police officer recruitment: A public-sector crisis. *The Police Chief*, 73(10). Retrieved from

http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arc_h&article_id=1020&issue_id=102006

Yanes, A. (2014, April 18). Just say yes? The rise of 'study drugs' in college. Retrieved from <http://www.cnn.com/2014/04/17/health/adderall-college-students/index.html>