

Should Welfare Recipients Be Drug Tested?

By Erica Bennett, English 102

In the *U.S. News Digital Weekly* article titled “Should Welfare Recipients be Drug Tested?” Senator David Vitter addresses the ongoing debate about whether or not drug testing should be required in order to receive welfare. Senator David Vitter states that all welfare recipients should be drug tested in order to ensure that only the families that deserve the money get it and to make sure that drug addicts get the help that they need. However, I believe that by drug testing this group of people, the government is not only intruding into private lives but also is unfairly assuming that welfare recipients are abusing drugs at a higher rate than the rest of the population. While Vitter’s article may contain some good ideas, his argument consists of erroneous statements and a lack of factual evidence that would lead to an act of discrimination by our government.

One of Vitter’s main arguments is that mandatory drug testing would not affect people any more than a similar requirement by a private employer whose employees undergo drug screening prior to employment. While it is true that there are some jobs that do require a drug test prior to employment, the employees have a choice in the matter. If they do not wish to take a drug test, or if they fail the test, they can choose to find another job. However, by making it mandatory that welfare recipients be drug tested, they do not have a choice. If welfare recipients fail a drug test or refuse to take it, they don’t have the option to find another government to get the assistance that they need. Most welfare recipients are in need of public assistance due to situations that they cannot control. For example, if a single mother of three kids gets laid off due to the harsh economy, at some point, she has no other choice but to ask for help. Eventually, she may have to utilize public assistance that the



Figure 3 Lab Testing/Wikimedia Commons

government has put in place such as food stamps, Medicaid, or welfare. If the government makes drug testing mandatory, the single mother of three has only one choice to make—do whatever the government requires to feed her kids. While drug use is illegal and not to be encouraged, the penalty for doing drugs should not be homelessness or starvation for whole families. By taking choices away from the people of the United States, it also takes away their freedom. Not only is this unfair, it is unconstitutional.

Every citizen of the United States of America is protected by the fourth amendment of our U.S Constitution. This amendment protects us against unreasonable searches and seizures, meaning the government does not have the right to search your person without probable cause. Does the fact that people apply for or receive welfare warrant probable cause to “search” their body through blood or urine testing to see if they have used drugs? No. Therefore, by forcing this particular group of people to submit to mandatory drug screening, it is not only discriminatory but also an invasion of privacy and unconstitutional. If the government can say that drug testing a welfare recipient is constitutional, then we must also say that anyone who drives on a government subsidized road should be drug tested as well. After all, as

Thomas Jefferson stated in the Declaration of Independence, “all men are created equal.” Some may disagree with this comparison; however, the government provides funds to build roads people use on a daily basis, just as they also provide financial assistance (welfare) to people in need. By choosing to single out this particular group of people, the government is assuming that welfare recipients use drugs at a higher rate than the rest of the population, and that needing financial assistance makes it probable that they have committed a drug crime. Not only is this an erroneous assumption, it is also completely discriminatory and unfair.

Senator Vitter continues to argue that “requiring screenings would give addicts a key incentive to seek help so that they can once again be healthy, support their own families, and make positive contributions to our society.” Here, Vitter suggests that by making drug testing mandatory, drug addicts will have the opportunity to get another kind of government help in order to positively contribute to society. This is a good idea, and with the proper evidence it could be a strong claim. However, Vitter does not mention what the government is going to do—if anything—to provide these “addicts” with the help they need. If these “addicts” are applying for government assistance, it is obvious that they are in a financial crisis. It is also no secret that drug treatment is not cheap. Not to mention that the locations of drug treatment facilities may require them to travel out of state and thereby put more strain on the family since those seeking treatment could not work while in a drug treatment facility. Vitter does not suggest that the government will assist in paying for the help that they need, so there is no real guarantee that drug screening will help addicts receive

treatment. Going back to the previous example, if a single mother of three children gets laid off from a job, which ultimately requires her to apply for government assistance and she fails a

drug test, Vitter’s proposal would harm her and her family. Her government assistance is immediately taken away from her and not only is she forced to seek help on her own and possibly out of state for any addiction problems, but her children are forced

to go without basic necessities and potentially be placed in foster care until their mother can pass this mandatory drug screening. How is this really going to “help” welfare recipients to independently support their own families and ultimately make positive contributions to our society? All Vitter’s method seems to do is divide families and discriminate against low-income American citizens while violating their constitutional rights.

Vitter believes these violations are justified by stating that “it is society’s responsibility to the tax payer to make sure that every government dollar is being spent wisely.” Vitter further states that because America’s debt is over 14 trillion dollars, “we simply can’t afford for government agencies to be careless in how they spend our tax dollars.” It might be an incorrect assumption, but if the government can’t afford to be “careless” in the way they spend our tax dollars, then they most likely won’t be offering any type of drug rehabilitation services in the future. Vitter later suggests that by drug testing welfare recipients, the government can ensure that only the families that truly need assistance will receive it, but does not address the expense associated with drug testing. According to the U.S. Department of Health and Human Services, a urine drug screen costs between \$25 and \$44 dollars each (Overman). It is important to note that federal

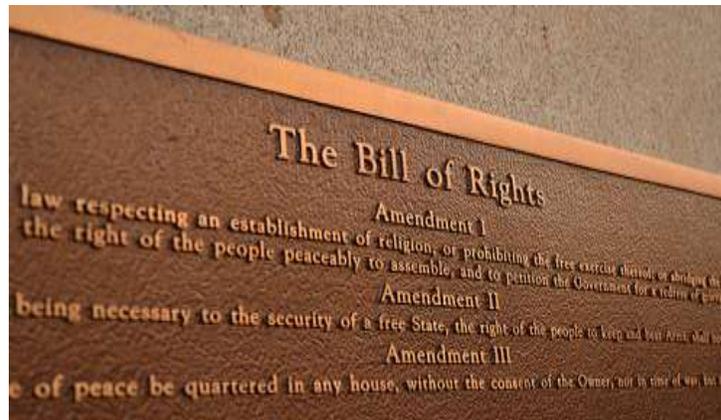


Figure 4 Bill of Rights/Wikimedia Commons

law prohibits charging welfare applicants for these tests (Owens); therefore, the government is the one responsible for paying for them. This would be less of an issue if the amount that they were saving was higher than the amount that they were spending. However, this hasn't been the case so far. For example, in Florida, they performed a "trial-run" of the drug testing requirement. During this trial-run, the state of Florida required that everyone applying for TANF had to pay for his or her own drug test. However, it was explained that if they passed the drug screening, they would be reimbursed 100% of the cost. According to *The New York Times* article by Lizette Alvarez titled "No Savings Are Found from Welfare Drug Tests," only 2.6% of the welfare applicants in the state of Florida failed the screening. As a result, the state of Florida had to use the TANF funds to reimburse the applicants who passed the test. Vitter states in his article that "[e]very welfare dollar that goes toward one recipient's drug habit is one less dollar that goes toward a child in need or a family that would spend that money on real needs." It could be argued that every government dollar spent to reimburse welfare recipients that pass the drug screening is also one less dollar that goes to a family in need. It is important to note that these are the facts of only one state. The outcome may be different in other states; however, it is not likely that these differences would be substantial. Therefore, it is obvious that by drug testing all welfare applicants, the government will ultimately lose more money than they will save.

In his article "Should Welfare Recipients be Drug Tested?" Senator David Vitter attempts to make an argument that drug testing all welfare recipients is a "step in the right direction" for the government. However, his claims are not supported with factual evidence, which ultimately produces a weak argument. I believe that his evidence indicates the assumption that welfare recipients use drugs at a higher rate than

the rest of the population, which is unfair, discriminatory, and erroneous, as indicated by factual drug screening done in Florida. Also, by requiring welfare applicants to undergo drug screening, the government is directly going against the fourth amendment of the U.S. Constitution of unlawful search and seizure. Under Vitter's proposal, the government would be giving tax payer dollars to testing companies out of sheer suspicion and distrust, ultimately endangering innocent families and taking away their basic necessities. Our job as Americans is to stand up for what is right and protect those who cannot protect themselves. We must respond to Senator Vitter's question, "Should Welfare Recipients Be Drug Tested?" with a firm no.

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