

## **WHY FLORIDA'S DRUG TESTING OF WELFARE RECEIPANTS IS NOT ONLY UNCONSITITUIONAL BUT A BAD IDEA**

It is unconstitutional because U.S. District Court Judge Victoria Roberts ruled that the Michigan's drug testing scheme, which is the same as Florida's, violated our Constitution's 4<sup>th</sup> Amendment. Judge Roberts ruled the rationale for testing welfare recipients "could be used for testing the parents of all children who received Medicaid, State Emergency Relief, educational grants or loans, public education or any other benefit from that State." Indeed, any of the justifications put forth to subject welfare recipients to random drug testing would also by logical extension apply to the entirety of our population that receives some public benefit and/or that is a parent. The case was upheld by the U.S. Court of Appeals for the Sixth Circuit

In addition, as Florida taxpayer, it is a waste of my resources. The average cost of a drug test is about \$42 per person tested, not including the costs of hiring personnel to administer the tests, to ensure confidentiality of results and to run confirmatory tests to guard against false positives resulting from passive drug exposure, cross-identification with legal, prescription drugs such as codeine and legal substances such as poppy seeds. Before the Michigan policy was halted, only 10% of recipients tested positive for illicit drugs. Only 3% tested positive for hard drugs, such as cocaine and amphetamines – rates that are in line with the drug use rates of the general population. Thus, Welfare recipients are no more likely to use drugs than the rest of the population. To "catch" those very few abusers may cost taxpayers over \$4,500.00 per person caught.

To test someone with a reasonable level of probable cause is one thing. Florida's indiscriminate testing is far outside of what is normal in a democracy. It is more in line of what countries like Iran, China and Cuba do. Further, Governor Rick Scott knows the law is unconstitutional and will not withstand Federal Court challenges. He did it for political grand standing – another waste of our resources.