

Pissing in a cup: Exploring attitudes toward drug testing in community corrections and beyond

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Research Focus

Drug testing is prevalent throughout the criminal justice community. The use of individuals' hair, saliva, blood, and urine to investigate the "secrets of the body" (Aas, 2006) has been used for decades now to ensure individuals comply with parole or probation restrictions and are not partaking in illicit substances that could contribute to crime.

In recent years, this concept has become increasingly common in the private sector, infiltrating workplaces and employees of large companies. The ubiquitous use of drug testing is suggestive of Foucault's (1977) "carceral archipelago", which outlines the idea that principles of surveillance and control begin to spread from prison walls into the broader non-carceral society.

The *Pissing in a cup* study examines people's experiences within the carceral archipelago. Specifically, we investigate individuals' attitudes and experiences of urine-based drug testing in the community corrections and non-criminal justice fields.



Many parole and probation offices have signs like these to note which bathrooms are and are not for public use.

Concepts Explored

- Drug testing as a method of deterrence
- Experiences observing or giving drug tests
- Similarities in drug testing policies between agencies
- Impacts drug testing has on power relationships
- Evolution of drug testing policy
- Methods of evasion
- Opinions on drug testing methods and policies

Methodology

Each participant was interviewed in a private room in their workplace. The interviews were semi-structured and conversational in order to gain a rich understanding of the interviewee's experiences. A protocol was followed to ensure this, but served only as a guideline to keep the interviews as natural as possible. Interviews were recorded on a digital recorder and later transcribed. The researcher also maintained working field notes, collected urinalysis paraphernalia, took photographs, and wrote qualitative memos. The transcripts were line-by-line coded by at least two researchers, and first-level codes were categorized into second level themes. All participants were offered a \$20 Stop and Shop gift card as an incentive and a token of gratitude for their time.



Clients often submit to urine tests in restrooms such as this.

Demographics

Affiliation

Criminal Justice: $n = XX$ (46.2%)
Non-Criminal Justice: $n = XX$ (53.8%)

Gender

Male: $n = XX$ (84.6%)
Female: $n = XX$ (15.4%)

Education Level

College Graduates: $n = XX$ (69.2%)
Some College: $n = XX$ (15.4%)
High School Graduate: $n = XX$ (15.4%)

Race

White: $n = XX$ (84.6%)
Black: $n = XX$ (7.7%)
Hispanic: $n = XX$ (7.7%)

Findings

- There is a generally limited understanding of drug testing and drug policies.
 - Clients and employees did not often know why they were being tested or what drugs the tests were looking for specifically. Probation and parole officers as well as employers did not often have a comprehensive view of drug testing policy.
- Drug testing appears far more punitive in the private sector.
 - If parole/probation clients test positive for a substance, they are often referred to drug programs or offered other assistance. Employees who test positive tend to face termination and other punitive consequences.
- Employer and officer discretion plays a key role.
 - Despite the conditions determined in court, many parole and probation officers have the ability to decide when, where, and how they will test clients. They also are able to decide if they will "violate" clients for drug use or employ other assistive methods, so many may go unpunished despite using drugs.
 - In the private sector, employers must determine when it is appropriate to test employees and the next steps that will be taken.
- The limitations of tests are not often considered
 - Unconventional drugs, such as K2 and Ecstasy, are not tested for in a standard five-panel drug test and can only be tested for if they are known to have been used.
 - Many offices and testing facilities do not have the means or funding for other tests that could prove useful in the field. (e.g. blood, saliva, breathalyzers).
- There are many strategies for "cheating" on urine tests.
 - Clients and employees become very creative when facing drug tests. Common methods include: dilution (water or bleach), fake penises, synthetic urine, and timing drug use around drug tests.

