

TO TEST OR NOT TO TEST

Conference grapples with realities of employee drug use

By BILL GANNON

An estimated 35 to 40 percent of all mid-size to large businesses in the state now test employees or applicants for drug use, and their ranks are growing, a number of experts said at a state Chamber of Commerce conference in Cranford yesterday.

But the increase in workplace drug testing has generated a number of financial, legal, ethical and medical questions, the speakers said, agreeing the overall problem is that many drug testing questions remain unresolved.

"There are not a lot of right or wrong answers to many of the issues we're addressing here today. A lot of these issues are unresolved," said Pamela S. Poff, the conference moderator and an attorney who specializes in helping businesses implement drug testing programs.

"To some extent, a lot of decisions you will have to make regarding drug testing in your workplace will be arbitrary. But there are established guidelines and policies you can adopt that will certainly help you," Poff told about 50 business people who attended the day-long conference.

State Attorney General Peter W. Peretti Jr. told the group that despite the controversy, "the war on drugs must be waged on all its various fronts. It is painfully clear that the workplace is one of them."

"The vast majority of drug users are persons who enjoy their drug but are not yet addicted. They are in our



Pamela S. Poff, moderator of the state Chamber of Commerce conference in Cranford, speaks during a panel discussion on drugs in the workplace. With her is Charles Curti

workforce, functioning, and maybe even, for a brief time, doing well," the Attorney General said.

"But they spread the epidemic of drug abuse through example, word and deed. They can seriously jeopardize the lives and health of others and the economy in general," Peretti noted.

However, Peretti later said that many legal and other questions regard-

ing drug testing remain unresolved.

One such unresolved issue raised by several panelists and attendees was the point at which an employee's confirmed drug use may affect his productivity or fitness for work.

Another issue of confusion was the role of individual businesses in setting medically confirmed levels of drug use at which the business takes some sort

of action.

"It's often arbitrary," said Jeff Liva, president of a drug testing firm. "A business can say a very light, or seldom level of drug usage is cause for action, or that a much heavier drug use level is the point for action."

"For example, an advertising agency might be more tolerant than other businesses. They might not even be concerned with an employee's regular marijuana usage and decide to test only for LSD or heroin use," Liva said.

Olivia Sala, an attorney who serves as the equal opportunity compliance manager for the Mutual Benefit Life Insurance Co. in Newark, said that "very often, it all boils down to corporate philosophy."

"If you care enough about working for Mutual Benefit to get yourself cleaned up from whatever drug use situation you were in, for instance, then most of the time, we'll want you. You're good enough to work for us."

Donald L. McCambridge, the director of human resource services for the New Jersey State Chamber of Commerce, noted "people in business are looking for direction when it comes to drug testing."

He estimated that between 35 to 40 percent of all businesses in the state which employ 200 or more people are now testing for drugs among current or potential employees.

But with an average drug test cost of approximately \$100 per employee, many smaller businesses find drug testing prohibitively expensive, he noted.

52 seized for drugs in Essex 'sell-bust'

By DIANE CURCIO

A total of 52 suspected drug users were arrested during a "sell-bust" operation coordinated by four Essex County law enforcement agencies which used undercover police officer posing as drug dealers, officials announced yesterday.

County Prosecutor Herbert H. Tate said undercover agents acted as dealers and "conducted sales of imitation drugs" on four street corners in Newark and two in Orange during the past week.

Robert Scarillo, the deputy director of the sheriff's Bureau of Narcotics, said his officers did not initiate the sales, but posed as dealers in areas known for high drug activity. "People would come up and give the look or ask," explained Scarillo.

Most of the "dealers" were fitted with body microphones, and there was a visual surveillance of all transactions, officials said, explaining the purchasers were arrested about a block and a half away by back-up teams.

Among those arrested were 20 Newark residents. The balance were from suburban towns in Essex County, Roselle, Lodi, Cranford, Colonia, and as far away as Willingboro and Richmond, Va.

The suspected drug users represented a cross-section of the labor force, including hospital medical technicians, quality control inspectors, machine operators, construction workers, factory workers, a chef, a salesman, a bus aide, a fireman and a plumber, officials said.

Tate said a woman driving in a car with her four children was also among those arrested. He said she was released immediately after the arrest and allowed to return home with her children.

The alleged purchasers were charged with attempting to possess a controlled dangerous substance. Tate explained it is a third degree crime, which carries a maximum penalty of 3 to 5 years in prison and a fine of \$7,500.

The prosecutor said the "sell-bust" operation is part of the state Attorney General's action plan against narcotics abuse.

Sheriff Thomas J. D'Alessio said the operation "sends a message out that



Essex County Prosecutor Herbert Tate Jr. discusses the drug bust during press conference

the next time you buy drugs, you may be buying it from a law enforcement officer, and you will be arrested."

The other lawmen participating in yesterday's press conference were Claude Coleman, public safety director for Newark; Charles Cobbetti, the Orange police director; Charles Knox, director of the bureau of narcotics, and Undersheriff Armando Fontoura.

This is the second time a "sell-bust" operation was conducted in Essex. The first arrests of this type were made in October 1987.

Tate said the undercover officers operated in Newark on Chancellor Avenue and Wainwright Street; Orange and 14th streets; along 17th Avenue, and at 6th Avenue and 9th Street.

Corbett said in Orange, the sell-bust was conducted on William Street.

Many of those who were arrested spent a night in jail before posting bail.

Tate said 11 cars also were confiscated. The loss of a car is a civil penalty Tate believes should act as a deterrent against involvement with illicit drugs. A person convicted for drug possession can also face loss of a driver's license for a year and an additional penalty of a \$1,000 fine, according to Tate.

He said most of the attempted purchases were for cocaine, but several buyers also sought heroin and "hits," which consist of two pills, one Emperin and one Doriden.

Jail guard, 31 others rounded up in sweep

By JIM O'NEILL

A state corrections officer and a defendant awaiting trial on a murder charge were among 31 adults and a juvenile arrested and charged yesterday with selling drugs in several Middlesex County towns, authorities said.

The corrections officer, James R. Sheldon Jr. of Edison, who was identified by police as the son of Edison Municipal Republican Chairman James Sheldon, was accused of two counts of distributing cocaine, authorities said.

Also arrested and charged in the sweep was John A. Watson, 25, of Highland Park, who is awaiting trial on a charge of murdering Chester Booker, 36, of New Brunswick, police said.

The two were among 32 persons arrested by municipal police and members of the prosecutor's Narcotics Task Force following a four-month investigation, during which officers made buys of small amounts of drugs, largely cocaine, Assistant Prosecutor Ron Kercado said.

He said Watson was charged with one count of selling cocaine to an unidentified undercover officer before Watson was arrested and charged in the Booker murder.

Police charged that Watson fatally shot Booker and fled after accusing him of stealing an undisclosed amount of cocaine.

Sheldon Jr., 27, is accused of two counts of selling cocaine to undercover investigators July 11 and July 28 in Edison, Kercado said, adding the defen-

dant was released from custody after posting \$10,000 bail set by Superior Court Judge Robert P. Figarotta.

James Stabile, a spokesman for the state Department of Corrections, said Sheldon is employed as a corrections officer at the Adult Diagnostic and Training Center in the Avenel section of Woodbridge, but was suspended from duty without pay in September after being arrested and charged in New Brunswick on Aug. 26 on a charge of possession of a controlled dangerous substance.

Stabile said Sheldon will remain suspended pending the outcome of the charges.

The officer's father said his family was "shocked" by the charges but said his son is innocent and will have his day in court.

"You read about drugs in the papers... It's everywhere (but) something like this really hits home," the Edison municipal GOP chairman said. "Of course, that doesn't say that he's guilty, but it really hits home."

Kercado said innocent pleas were entered on behalf of all the adult defendants during their arraignments.

Most of those charged were arrested during raids at their homes, Kercado said. The raids began Monday and were completed Tuesday. All the suspects were charged with distributing a controlled dangerous substance, Kercado said. Bails ranged from \$25,000 to \$2,500, he said.

The minor was being held in the county juvenile detention center.

Drug program readied for learning disabled

By ROBERT E. MISSECK

A community service group in Union County yesterday unveiled a program aimed at providing specially designed drug education instruction to learning disabled and communicatively impaired school children.

Gladys Kearns, director of the Union County Council on Alcoholism, said the group will sponsor a seminar to train special education teachers and other school staff from each of the 24 school districts on the use of drug prevention curriculum materials.

The seminar will be held Friday from 9 a.m. to 3 p.m. in the council's offices on North Avenue East in Westfield.

Kearns said the instructional program, developed by Alexander Boros, a sociology professor at Kent State University in Ohio, uses "a minimum number of picture idea statements to summarize complex information."

Kearns said "there is less for the

child to remember" in using the picture instructional concept, which "leaves a more lasting and dramatic impact" on the impaired student.

The seminar will be taught by Julie Erwin, an associate of Boros.

"After completing this special training program, the teachers and school staff will be able to use the unique educational materials that have been developed to stimulate discussion, encourage self-examination and raise hopes of closer communication with their students," Kearns said.

She said a \$3,500 grant from the Union County Department of Human Services is allowing the council to provide the training course and instructional materials without cost to school systems in the county.

"Growing up is hard for everybody," Kearns said, "but kids with special learning disabilities live a life of frustration, and they certainly can be at a high risk for alcohol and drug abuse."

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