

Drug-testing spray raises ethical issues

Houston Chronicle (TX) (Published as Houston Chronicle) - AUGUST 15, 1990

- Author/Byline: LOUIS B. PARKS, Staff
- Edition: 2 STAR
- Section: HOUSTON
- Page: 1

Parents and their children face a new challenge next week with the marketing of Drug Alert, a spray test for marijuana and cocaine.

Marketed by the SherTest Corp. of Yonkers, N.Y., Drug Alert is a spray the manufacturer claims will detect the presence of minute particles of drugs. It is designed to be used on a person's possessions - presumably without his or her knowledge.

But several Houstonians who work with youngsters and families are dubious of benefits from sneaking around to test kids.

"If I were the child and my parents went around spraying for drugs, I'd feel I was not trusted and I might as well do whatever it is," said Marilyn Finer-Collins, director of the Bureau of Guidance and Counseling for HISD. Finer-Collins said she would not want to use the product with her child.

"If you go around and spray all their furniture, what you're saying is you don't trust your child. A relationship should be based on trust."

Chris Hansen, associate director of the Children's Rights Project of the American Civil Liberties Union, has another problem with the concept.

"People are whipping the drug crisis up as such a potential problem that we are starting to erode the basic aspects of our society," he said. "They're calling on people to turn in their kids, kids to turn in their parents. They're trying to lessen the protections we have in the name of the war on drugs."

However, Hansen said he did not see anything unconstitutional about Drug Alert.

"The constitution protects us against abuses by the government, not by private individuals. If your company wants to spray this on your desk, or a parent wants to spray it on a kid's desk, there's nothing to prevent them from doing it."

SherTest plans to begin marketing Drug Alert Monday in the New York area, using a direct marketing campaign on television and other media, aimed primarily at parents. Advertisements are expected to appear in the Houston market within the next few weeks. The product will be sold by mail and phone.

Using the product is very simple. With a clean white paper or tissue, wipe any surface that is suspected of coming in contact with the drug in question. Then spray the paper with the product. Within seconds, the cloth turns a distinctive color - turquoise for cocaine, crack or PCP, burnt orange for marijuana or hashish.

"If they handle things, and you test it with paper and spray, the reaction will be there," said Sidney B. Klein, vice president, general manager and chief executive officer for SherTest.

Drug Alert is not intended or marketed as legal evidence of drug use. If the user gets a positive result indicating the presense of marijuana or cocaine, label instructions suggest: "Positive results should be confirmed with a lab."

Different cans are supplied for each drug: checking for cocaine requires one type of spray, marijuana requires two different sprays. The three cans are sold together in a package for \$49.95. The manufacturer claims each can is good for about 50 checks each.

Included with the package the company sends is a paperback edition of the 1984 book "Not My Kids: A Parent's Guide to Kids and Drugs" (Avon, \$4.50), by Beth Polson and Miller Newton. Klein said the book is included to help parents when they get a positive test result.

Finer-Collins said a better solution is for parents to be more attentive to their children.

"You keep your eyes open. If your children's behavior changes you don't need to spray their doorknobs, you need to sit down and talk to them. If the change continues, you need to seek help from a counselor or a physician to find out what the trouble is. It could be physiological.

"I hope that parents have the kind of relationship with their children to be aware of what they're doing. To know their friends and what is going on in their life.

"You've taught your child values you have, such that drugs, including alcohol, are not an answer to any problems."

Chris Bacorn, director of the Adolescent Substance Abuse Program at Houston Child Guidance Center, said his first concern was the accuracy of the test.

A false positive reading could cause unnecessary problems and mistrust.

If it were accurate, Bacorn said it might be of some benefit.

"I can see a positive use as a front line of defense for parents. Kids that are using (drugs) typically want to conceal that fact. They're pretty slick at hiding it. Parents could use this in a non-intrusive way to confirm or allay their suspicions.

"This would be better than going through all the kid's personal effects. I still think the next step is to confront the kid in a way that is non-threatening and help-seeking and exploratory. Not accusatory. A big part of what we do is to try to repair trust. As parents learn to trust kids, kids need to trust parents."

Potential for abuse seemed high to Dr. Ed Mayo, clinical director for the Cenikor Foundation, a residential community for drug treatment.

"The first thing that comes to mind is the possibility of abuse," Mayo said. "Because someone has come in contact with a product does not mean they used it. Parents might be misled that this is a be-all and end-all answer."

Klein said the possibility of Drug Alert giving a positive reading when no drugs were present was remote. He agreed it would be very possible for a person to pick up particles of drugs, perhaps from a friend or contaminated area, and carry a detectable amount of the substance to another place.

The spray is also sensitive to drug material that has been present for a long time.

Lt. Carl Driskell of the Houston Narcotics division said he had never heard of the spray and could not see how it would be any benefit to the police.

"It would probably help the awareness of the parents, if they have suspicions," he said. "Unless they catch (kids) with the stuff, it's hard for them to be sure. But as a law enforcement tool, I don't see how it's going to help us."

Promotional material sent to the press on Drug Alert implies the United States Coast Guard uses the product in a generic form.

"The Coast Guard calls it 'dog in a can,'" Klein said, referring to drug-sniffing canines.

The material quotes a report from Lt. Mike Wroblewski, who investigated a similar spray for the Coast Guard. Wroblewski was totally surprised on Wednesday when reporters around the country began calling him about Drug Alert.

"That was an evaluation, not a scientific test," he said. "That was the extent of it. I don't know what (the Coast Guard did with it). Any of the units could get it if they want to, but they aren't supplied with it.

"I make no endorsements for products. All it was referred to when I checked it was 'a drug detector spray.' I collected information from people who had said it was useful, so I recommended it was useful."

- *Index terms: DRUG ABUSE TESTING*
- *Record: 08*15*723023*
- *Copyright: Copyright 1990 Houston Chronicle*

Controversy sprays new drug-testing kit - Should a parent's intervention override the right of privacy?

Republican, The (Springfield, MA) (Published as Union-News (Springfield, MA)) - October 10, 1990

- Author/Byline: RONNI GORDON; STAFF, UNION-NEWS (Springfield, Mass.)
- Edition: ALL EDITIONS
- Section: LIVING
- Page: 36

If someone was badly wounded in an accident, would you rip open his shirt to get to the wound, or would you unbutton it carefully so as not to rip the garment?

The manufacturer of a controversial new drug-testing kit for parents uses this scenario to defend a product widely criticized as a violation of children's right to privacy.

Sidney B. Klein, president of SherTest, the Yonkers, N.Y. company manufacturing the product, maintains that in certain circumstances, intervention is more important than the right to privacy.

Critics, however, say the product, called DrugAlert, probably does more harm than good by violating children's sense of trust in a way that could hamper productive communication.

DrugAlert uses chemicals to detect the presence of marijuana, hashish, cocaine, crack and PCP in children's rooms. A dresser, book or door knob is wiped with a white piece of paper. The paper is then sprayed with DrugAlert, and if it turns the color as on the can label, the manufacturers say the child has probably come in contact with the drug for which the parent is testing. The test shows exposure to a drug, not its ingestion.

Klein says the product can help break down denial in both parents and children.

But Sarah Wunsch, a staff attorney at the American Civil Liberties Union in Boston, said, "It's very misleading to people.

"Parents are essentially spying. It doesn't sound like the nice, easy, clean method they are purporting it to be."

And, she asked, "How meaningful can it be if anyone walks in and touches a doorknob?"

She said the product is probably not illegal because privacy statutes relate to people outside the family.

"The home is really the parents' home," she said.

"But in terms of values - what are kids going to feel about themselves and their own sense of integrity?" she asked. "It comes close to the border of what's fraudulent or deceptive in advertising, and parents shouldn't be fooled by it."

The ACLU is taking no legal action against the product, but its national office has circulated to staff attorneys a list of "talking points."

These include: "This is a classic example of an entrepreneur exploiting the fears of parents for his own gain, encouraging parents to wage chemical warfare against their own kids."

And, "At best, it (DrugAlert) will tell parents that at some point during the day, their child may have been exposed to drugs in the environment. That exposure can be exceedingly casual, like walking down a street where total strangers are smoking marijuana."

Klein has been defending DrugAlert in interviews and on radio call-in shows, and he admits the invasion of privacy question is on everyone's mind.

"It's the same questions over and over," he said. "You can't blame anybody. These are logical questions," he said, "but it's ridiculous when there are certain things that have to be done under certain circumstances.

"Would you consider a rectal thermometer an invasion of privacy? You might." But, he said, "When we're faced with the choice of invading a child's privacy or saving his life, there is no choice."

DrugAlert went on the market in mid-August, and the initial plan called for it to be marketed through local television commercials and East Coast print advertisements. An ad ran last month in Newsweek, and Klein said another was scheduled for Women's Day.

Three New York channels (4, 5 and 7) refused to run the commercial, however, claiming a variety of reasons including invasion of privacy, but CNN and two other local stations (9 and 11) did air it.

Meanwhile, SherTest took out a full-page ad in the New York Times complaining about the stations that refused the commercials. The ad includes a coupon and an 800 number for ordering the product, which costs \$49.95. Each can contains more than 50 tests.

Klein declined to give exact figures, but he said sales have been good.

The kit actually includes three spray cans - two for detecting marijuana and hashish and a third for detecting cocaine. It also includes a book, "Not My Kid - A Parent's Guide to Kids and Drugs" by Beth Polson and Miller Newton, Ph.D. And it contains a sticker announcing "Drug Free Home."

"This is one tool. It doesn't mean that if you use this tool you don't talk with your child," Klein said. "The thing is to explain to the kids why we have this."

Klein said he does not advocate sneaking into a child's room, but rather advises keeping the cans in open view.

"You don't try to trap the child," he said. "You don't scream and shout and rant and rave."

He admitted that a child could bypass the system by doing drugs elsewhere, changing clothes and washing his hands.

"This is not an investigative tool to that extent," he said. "But if there is a good relationship in the house, a kid will see that the parent is trying to do something for her own welfare."

Some critics have also charged that the tests could turn up the presence of other substances, but Klein said the likelihood of a false positive is less than one percent.

Still, the Western Massachusetts mother of one problem teen-ager said she doubted a positive test would encourage a positive conversation when a child is heavily into drugs.

The woman, who asked to remain anonymous, belongs to a group called Toughlove, which offers support to parents of problem teenagers.

"If a kid is really under the influence of drugs and not willing to ask for help, I'm not sure that if there was a can of spray around the house it would be a deterrent," she said.

"There are kids whose parents know, and whose kids know they know, and it doesn't stop them from doing it. Some of them will flaunt their behavior in front of anybody and defy them to do something about it," she continued. "It might scare some kids away who weren't quite as rebellious or who were thinking about experimenting."

And a teacher who coordinates the family and community services program at the University of Massachusetts said the test would create problems instead of solving them.

"The process of denial on the part of a young person or adult is a powerful mechanism. Just because we have a can of spray that gives a chemical reaction is not going to solve the process of denial," said Warren Schumacher, an associate professor in UMass' home economics division.

"A kid would say it isn't working well. I think that having a can around is not going to communicate love, caring and nurturing. I think it's a gimmick that purports to solve problems," he said, adding, "People who go around saying that at all costs you must find out, they take the risks of ruling out a possible relationship. I think perhaps the parents need some professional help."

"This has to be dealt with in a confrontational manner, but it needs to be dealt with in a human way."

Similarly, Patrick McCarthy, director of the Providence Hospital Honor House, a residential drug abuse center for adolescents, said, "In the short run you might catch them at something, but in the long run you're not going to benefit."

Teen-agers, he said, "would look at it as a ridiculous quick fix way of dealing with a problem, and it would just alienate them even more."

"In law enforcement there are uses for it, but we believe the best way to get information from somebody is to get them to want to offer it."

The Coast Guard uses DrugAlert when inspecting ships, referring to it as "Dog in a Can."

Klein declined to list the ingredients, but he has been quoted as saying the cocaine spray contains cobalt thiocyanate, a chemical that the New Hampshire police have for the last several months used to test drivers stopped for traffic violations. Its use is being challenged in court there.

LENGTH: 36

• Index terms: DRUG

- *Record: MERLIN_130315*
- *Copyright: Copyright, 1990, The Republican Company, Springfield, MA. All Rights Reserved. Used by NewsBank with Permission.*