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New Jersey State Legislature

ASSEMBLY DRUG AND ALCOHOL ABUSE POLICY COMMITTEE
STATE HOUSE ANNEX, CN-068
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NOTICE OF PUBLIC HEARING

The
Assembly Drug and Alcohol Abuse Policy Committee
will hold a public hearing on
Tuesday, April 3, 1990, beginning at 10 a.m.
Roosevelt School
4507 Hudson Avenue, Union City, New Jersey

The purpose of the public hearing is to discuss the following:

1. The Crime Prevention Bureau and school district of Union City have implemented an unusual **elementary school (K-8) drug program** intended to educate children about the dangers of drugs as well as to enhance the relationship between the students and the police there. The program won a U.S. Conference of Mayors special recognition award in 1988 for creating a partnership between the schools and law enforcement on the drug problem.
2. Union City is embarking on a **comprehensive drug testing and treatment program for city employees**. The program is designed to make that city's municipal workplace a drug-free environment. The program has been publicized as a carrot-and-stick approach. It will feature a 60-day amnesty aimed primarily at recreational users and confidential treatment.

The public may address comments and questions to Daniel L. Ben-Asher, committee staff, and persons wishing to testify should contact Norma Morales, secretary, at (609) 984-0231. Persons presenting written testimony should provide 10 copies to the committee on the day of the hearing.

***Revision 3/27/90
(location of public hearing)

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Union City, New Jersey*

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- *Keep right after toll plaza onto 495 EAST*
- *Take 495 East over bridge, to the KENNEDY BLVD exit ramp.*
- *Follow ramp to traffic light at top of hill (TOYS R US on right).*
- *Make left turn across intersection onto Kennedy Blvd. NORTH.*
- *NORTH ON KENNEDY BLVD FOR A 1/4 OF A MILE TO 42ND STREET*
- *Make right turn onto 42ND.Street.*
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ASSEMBLYMAN BERNARD F. KENNY, JR. (Chairman): Good morning everyone. We are going to start the program. Because of the weather today, we've delayed starting for over 20 minutes. I understand that it's taking people well over two-and-a-quarter-hours to get up here from Trenton. Two hours and forty minutes, according to Dan. Everything is tied up because of the weather.

Several Assemblymen have called in. They've been delayed and as they come in I'll introduce them, but we do want to start the program and give some time to the morning part.

My name is Bernard Kenny -- Assemblyman Kenny from the 33rd Legislative District -- and I'm Chairman of the Assembly Alcohol and Drug Abuse Policy Committee, which is a newly created Committee by Speaker Joseph V. Doria, to establish comprehensive programs for the State of New Jersey in dealing with alcohol and drug abuse.

Today we're having a hearing here in Union City, New Jersey in order to learn about Union City's experiences with alcohol and drug abuse policy. We've chosen Union City because we are of the opinion that this municipality has shown some unique initiatives in addressing these issues, especially in two areas.

The first is the Union City proposed drug testing and treatment plan for municipal employees. This plan was created by Public Safety Commissioner, Bruce Walter. It is significant for a number of reasons.

First, it is the only plan of its kind in the State of New Jersey to utilize the FBI's Employee Assistance Program as a model. The FBI, which is represented here today, has actually been a positive partner in putting this plan together, making its Demand Reduction Coordinator out of the Newark FBI office available to this municipality as a resource. Further, this is very significant in that it takes bold steps to cover

various city employees including public safety individuals, and it has set up a phase-in period for all employees.

The second aspect of the program is to hear about Union City's renowned Reverse Peer Pressure Program in its public school system. This program was created and established by School Board Vice President and former Police Captain, Frank Mona. It is significant in that this program was awarded the United States Conference of Mayors' Award in 1988 for its successful partnership with local law enforcement and the school district in the nationwide battle against drug abuse. So we are very honored to be here.

I see Assemblyman Jim McGreevey has arrived. He called in a little while ago. He was delayed on the Turnpike. He had a flat tire as well, so he's having a good day. We're happy to have him here.

At this point we'd like to have a welcoming comment from the Mayor of Union City, Robert Menendez. Mayor?

M A Y O R R O B E R T M E N E N D E Z: Thank you, Mr. Chairman. We wish that, despite the many contacts that people allege that we have in Union City, one of them does not control the weather, unfortunately.

We want to thank you, as well as Assemblyman McGreevey and the other members of the Committee who will arrive, for making the effort, especially on a day like today, for taking the time out to come to Union City for the purposes of reviewing our proposed drug testing ordinance, as well as what we consider a nationally acclaimed Reverse Peer Pressure Program in our public schools.

Union City is the most densely populated city per square mile in the nation. It has the only performing arts theater in Hudson County. It is probably -- as you know Mr. Chairman, in serving together as the representatives-- It is the most ethnically diverse district of any legislative district in the State. It also is the home to the second largest population of Cuban-Americans in the nation.

We are proud of some of the things we do here. We're proud of another nationally award winning program, our day-care program, which has received acknowledgements from the U.S. Conference of Mayors, and the National League of Cities. It is the subject of congressional legislation now to emulate its intergenerational approach throughout the nation.

We are particularly proud of the subject matter that you are going to be listening to and asking questions about today, because it's on the cutting edge of what is probably one of the major issues in our nation; that is the issue of drug prevention, drug abuse, and drug enforcement. In those regards, we believe that we are moving ahead aggressively.

Some people ask, why drug testing? I am sure that many of the experts here -- both from our department and other departments -- and other individuals will testify as to all of the reasons that they believe it should be done.

I look at it from a policy point of view as it regards public servants. Clearly, if we are going to send a message that public servants and municipal governments and all levels of governments, for that fact, are going to seriously take on the issue of drugs in our community, then the one person or group of persons that the public has to look toward with confidence are the individuals whose salaries they pay, civil servants.

And particularly when we look at some of the positions that have a great sense of security, for which we place a great sense of security as individuals in a community in, and that's our police and fire departments. And even in other departments, when we look at that senior citizen bus driver driving our senior citizens, or we look at our recreational programs if they are driving children, all of those individuals have a greater degree, I believe, of responsibility, and accept that greater degree of responsibility when they, in fact, take that oath of office to perform in those specific duties.

Clearly, as a parent, we want to make sure that when parents put their children on a bus, that that driver is, in fact, free from the effects of narcotics. The same holds true for the issues of our police officers, and our fire fighters, and any series of public servants who have, most particularly, the security in one form or another of some or all of our citizens.

Now, we believe in Union City that overwhelmingly our civil servants do not have this problem, but the issue is, where do we begin to express the confidence? How do we get the public's confidence in what we are doing? We believe that this is one of the ways to get the public confidence, as well as to provide a work force that can guarantee that in their efforts to provide services, many of them which are essential and some of them which are security prone, that in fact, those individuals will have the faith and confidence in those civil servants that they are free from the influence of drugs.

Mr. Chairman and Assemblyman McGreevey, that's what we have tried to do in this community. It will not be, clearly, without some debate. We welcome the debate. As a matter of fact, we welcome the Committee's hearing because it provides an opportunity for that debate to be engendered.

We think it's important enough to move ahead. I'm sure when Commissioner Walter gets here he will tell you that he is going to go ahead, and we are going to introduce this at tomorrow's Commission hearing.

I would like to welcome Assemblyman Kyrillos, as well, to Union City and to the district.

We look forward to hearing today's events, and I will tell you that you are going to hear from some people who put a lot of hard work into developing this ordinance. We didn't just put something together and throw it up there against the wall to see if it would stick. It's taken time; it's been a deliberative process. We have involved the unions involved.

We have received a great deal of support from Drucilla Wells of the FBI, and their Drug Demand Reduction Program. We welcome their support in this matter, as well as our own department's.

I think that you will be impressed as the process goes on and see, in fact, what we're doing here, and hopefully, we will be a beacon of light for other communities to emulate the same.

I want to thank you again, welcome you, and if there is anything that we can do while you are here in Union City to make your hearing and your stay more pleasant, please let us know. Thank you, Mr. Chairman.

ASSEMBLYMAN KENNY: Thank you, Mayor.

I would like to welcome Assemblyman Joseph Kyrillos, who came quite a distance to join us today. He sits as a member of the Assembly Alcohol and Drug Abuse Policy Committee, and as I previously welcomed Assemblyman McGreevey, who is the Vice Chairman of our Committee. We are expecting a few more Assemblymen today.

This gentleman standing next to me is Dan Ben-Asher, who works for the Office of Legislative Services. We are being recorded to make a record of these proceedings today, and we will use this record to assist us in our deliberations in the future, down in Trenton.

I'd like to just briefly comment on the Mayor's remarks. As his fellow Assemblyman in this district, some people might not think that I am totally objective. However, I have observed the work that has gone into the program that we are going to be hearing today. I am aware of it, and I want to thank the Mayor, and Union City for inviting us here today.

Although we are not ruled by public opinion polls, the fact is that the public is very, very concerned about this issue of drug testing of various personnel in our society; very, very concerned about it. And I want to commend the city of Union City for working so hard on developing an ordinance that attempts to do it in as fair a manner as possible.

At this time I would like to ask the Vice Chairman, Assemblyman McGreevey, if he would like to make any comments?

ASSEMBLYMAN MCGREEVEY: Thank you, Mr. Chairman. I just think it's important, and I would like to recognize the efforts of Assemblyman Menendez. I think it is important that when not only the General Assembly, but the Attorney General's Office recognizes the innovative Reverse Peer Pressure Program, it is probably few others that are recognized more dearly.

Bob, as Vice Chairman of the Appropriations Committee, recognizes that we are in a time of budgetary constraints and unfortunately, shortfalls. What's interesting about this program is that it is not only innovative, it is perhaps among the most cost-effective educational approaches.

I think, as we begin under Chairman Kenny's leadership, Bernard has clearly tried to launch a comprehensive program of education statewide. I think what's important is this is, in fact, the first time that we're looking at a program in this type of depth, and it is because of the recognition that Union City has achieved in this area.

I would just like to commend all those involved, because it is not only cost-effective, but it is also effective in the results that have been achieved. I think these are the kinds of models that government has to begin to use more effectively as we're in an era of limited fiscal resources where we don't simply have the vast State funds that we have had traditionally to afford the problem.

So, I would just like to salute the Mayor. I would like to salute all those involved, and I am looking forward to the testimony today.

Lastly, I want to thank Chairman Kenny, for as usual, he has picked a rainy day to have a hearing on.

ASSEMBLYMAN KENNY: Thank you, Jim.

Now, we will hear from Assemblyman Kyrillos. Joe?

ASSEMBLYMAN KYRILLOS: Thank you, Mr. Chairman. I was beginning to feel guilty driving here realizing I was so late, until I talked to my colleagues here and found out that just about everybody was. So, Mr. Chairman, I apologize to you and to all those here assembled.

I come from Monmouth County, and you have some innovative programs here in Union City that I am looking forward to hearing about. Your two legislators, I may add, are very well respected in the halls of Trenton -- both Chairman Kenny, and Mayor and Assemblyman Menendez, who is also a leader of our important Appropriations Committee. So I commend you both for holding this hearing here.

I'm looking forward to learning and taking some ideas that may be appropriate for Monmouth and Middlesex Counties, where I come from, Mr. Chairman. Those ideas may be appropriate there, as well. Thank you.

ASSEMBLYMAN KENNY: Well, now that we've all said nice things about each other, we'll commence the program. Our first part of the program deals with the drug testing and treatment ordinance. We're going to hear from FBI Special Agent, Drucilla Wells regarding reducing the demand for drugs in the workplace.

Special Agent Wells?

D R U C I L L A W E L L S: Good morning, I appreciate the chance to be here today, and I wanted to commend Union City for their efforts in the Drug Demand Reduction Program that they are instituting here in Union City.

In early February of this year I had the opportunity to meet with representatives of the Mayor's Office and with representatives of the Public Safety Department from Union City. At that time we discussed the FBI's Drug Demand Reduction Program, our Drug Deterrence Program, and our Employee Assistance Program.

Subsequently, Mary Jane Reilly, who is a nurse in our office and who is the Employee Assistance Program Coordinator and I met with supervisors and union leaders from Union City to discuss the proposed Drug Testing Program -- the FBI's program -- how we use it, and confidentiality and concerns of that nature -- accuracy and things of that nature. We also discussed the Employee Assistance Program and the role that that plays.

At this time I would like to take the opportunity to talk about the FBI's Drug Demand Reduction Program and to explain how we hope to be of some benefit and of some assistance to Union City and to any other community that follows suit here.

ASSEMBLYMAN KENNY: May I interrupt for one second just to understand it? The FBI's Drug Reduction Demand Program, is this the program that you have within the FBI, for your own employees?

MS. WELLS: No, we have a Drug Deterrence Program, which is the in-house drug testing drug policy. We also have an Employee Assistance Program which has to do with rehabilitation, treatment, and that type of thing. And we have the Drug Demand Reduction Program, which is our effort at reducing the demand for drugs nationwide.

If I can give a little more background on this. The FBI has been involved in the enforcement of narcotics laws since 1982, but in spite of increased arrests and increased seizures of drugs; we came to believe that there was a need to also attack the problem from a demand side. In 1988, our Director instituted the Drug Demand Reduction Program. Each of the 56 field offices of the FBI across the nation were required to appoint an individual as the Drug Demand Reduction Coordinator.

The responsibility of the Drug Demand Reduction Coordinator was to assess the needs of their territory. In

this case, as I say, I'm with the Newark office, and we cover all of New Jersey with the exception of the lower three counties near Philadelphia.

My task was to try to assess the needs of that area to determine whether we should focus our efforts with community programs, school programs, or the workplace program. The Newark office has determined that our focus should be the workplace, and establishing a drug free workplace.

The major portion of our time and energy at this time is directed toward the private sector up until this point. We've been meeting with representatives of major industries in the State trying to assess what programs were already in effect within those companies and how we could assist them in either clarifying their policies or educating their employees.

ASSEMBLYMAN MCGREEVEY: Through the Chair, how many municipalities are you involved with?

MS. WELLS: Union City is the first municipality.

ASSEMBLYMAN MCGREEVEY: Oh, it is the first municipality?

MS. WELLS: Yes, it is.

ASSEMBLYMAN MCGREEVEY: Is it the only municipality, so far?

MS. WELLS: Yes, it is.

ASSEMBLYMAN MCGREEVEY: Okay.

MS. WELLS: We hope it won't be the last. What I would like to talk about a little bit is why the FBI sees a need for workplace programs.

It is estimated that although the United States is only 6% of the world's population that we consume 50% to 60% of the world's illegal drug supply. It is estimated that the illegal drug business grosses \$110 billion every year; two times the profits of all of America's farmers for all of their crops, and two times the total combined annual profits of all the Fortune 500 companies.

Hard core drug addicts account for only 10% of illegal drug consumption. The remaining 90% is attributable to the so-called recreational drug user. So that's what I'd like to address today.

Recent studies have indicated that one out of every 20 workers between the ages of 20 and 40, uses an illegal drug on a regular basis. Of the employees entering the workplace for the first time, 65% have used illegal drugs in the past. In a recent study conducted by Dr. Mark Gold, a New Jersey physician and the founder of the 1-800 COCAINE, national hot line, 75% of the hot line callers who were employed, admitted using cocaine on the job. Of those callers, 38% of them stated that they bought illegal drugs at their place of employment. Some of these callers also admitted to stealing from their employers in order to support their habit.

So I would like to address what we are talking about when we say a "recreational drug user."

A typical profile of a recreational drug user is that he is late for work three times as often as the nonuser. He is two-and-a-half times as likely to be absent from work for a minimum of eight days per year. He is five times more likely to file a workmen's compensation claim. He has four to six times as many accidents off the job and is involved in three-and-a-half times more accidents at work, and functions at 67% of normal work potential.

Forty percent of industrial fatalities are attributable to drug use. A drug using employee costs the average employer \$7000 a year. The average citizen has suffered an increase in insurance costs of approximately \$200 per year as a result of insurance payments related to drug abuse.

It is estimated that between \$70 million and \$100 million is spent by business each year as a result of the

effects of drug usage. That amount is attributable to absenteeism, accidents, decreased productivity, and employee thefts.

What does this mean for the workplace? I think that Mayor Menendez has commented on it already; that is, a reduction or destruction in the public trust or confidence. You need only look at the Amtrak train accident and the loss of public confidence there when it was learned that it was attributable to illegal substance abuse.

A recent study indicated that at least 70 pilots employed by major airlines were participating in drug treatment programs unbeknownst to their employers. A recent case that I recall in the newspaper was the three pilots -- or airline employees -- who were removed, after flying under the influence of alcohol, allegedly.

Another factor that results from the problem of drugs in the workplace is low morale. The individual who is the nonuser does not want to work alongside of a user. They want, and they have the right to, a drug free workplace. They don't want to work next to someone who doesn't pull his own weight because he is absent or is sick, or because he has a reduction in productivity. They don't want to work next to and with someone who may endanger their lives or the lives of other coworkers, and generally speaking, they do not approve of criminal behavior, especially in their presence. It puts them in a very difficult position.

Another concern is breach of security. From a law enforcement perspective I speak personally in the sense that where you have an agency that has classified information or sensitive information, it's very important that security be maintained. Drug abusers are vulnerable, and therefore present a security risk to that agency.

Other concerns are the effects on the family and loved ones of the users, and the potential for violent incidents. I

know one major corporation advised us that they had started a drug education program and had instituted a drug policy after finding one of its managers dead in a stairwell. Another one instituted a program after having two violent incidents on their property, and another instituted a program after incurring civil liability when they had dismissed an employee without having a clear-cut drug policy.

Another concern is the loss of valuable experience when you have an employee whose productivity goes down or who must be dismissed because of drug usage.

And another concern as far as employer concerns is, of course, liability. When you have individuals, especially in law enforcement, who are in the public eye, who are having to deal with tense, difficult situations -- stressful situations, who are armed or who are operating motor vehicles and who are coming into contact on a daily basis with the public, it is a very sensitive issue, and the liability is the chief concern of the employer.

It's necessary to institute a drug program within a business, or in this case within a municipality, and I appreciate and commend Union City's efforts to do that. It's necessary because there is a need to reduce operational costs. It's necessary to uphold the interest of the citizens. It's necessary to protect the nonuser, and it's necessary in order to provide quality services and products.

Our belief is that the employer -- in this case Union City -- or a municipality, is in a unique position because of their relationship to the abuser. Most drug using employees are very concerned about keeping their job. They may let a lot of things go -- their health and things of that nature -- but when it comes down to their job, in many cases for the recreational user their job is important to their self-image and their self-concept. It also provides them with the income necessary to buy the drugs.

ASSEMBLYMAN KENNY: Excuse me for one second. Earlier in your testimony you stated that you have worked in the private sector. Would you just give me an idea of what your activity has been in the private sector in the State of New Jersey?

MS. WELLS: As I indicated, our program started in 1988, and we are really just getting off the ground at this stage of the game, but we have been dealing with some of the major employers in the area, some major insurance and utility companies; reaching out to them in an attempt to determine what programs they already have in place, what the drug policies are. We have a questionnaire that we are preparing to send out at this time to assess that.

We are also making them aware of our availability to assist in developing a drug policy, in explaining drug testing procedures, educating employees about the problem of drug abuse, and in training supervisors to recognize the symptoms, to record their observations, and to confront the problem.

ASSEMBLYMAN MCGREEVEY: Through the Chair. Ms. Wells, could you tell me who is funding this program?

MS. WELLS: I'm sorry, the FBI's program?

ASSEMBLYMAN MCGREEVEY: Yes. Is it totally out of FBI and general fund allocations?

MS. WELLS: It's out of the Drug Demand Reduction budget, yes.

ASSEMBLYMAN MCGREEVEY: Okay. And could you just give me a little further understanding in terms of what resources would be available for other municipalities?

MS. WELLS: Yes. As I said, we are trying to assess what the private sector is doing, so I have information available about programs in existence; for example, that ABC Capital Cities has, IBM, Bell South, some of those things, steps that they are taking to educate their employees. Hot line operations-- Our Employee Assistance Program Coordinator has information regarding referral services and treatment.

ASSEMBLYMAN MCGREEVEY: So in a sense you are a consultant?

MS. WELLS: Yes. We would be available as a source for referrals. We would be available to go to a municipality or to a business to provide drug education and awareness programs to the employees. We are available to go to a business or municipality for the purpose of training management to recognize the symptoms of drug abuse, things of that nature.

ASSEMBLYMAN MCGREEVEY: Thank you.

MS. WELLS: We believe that a drug program instituted by a municipality or by a private business must have four key elements: A clearly written drug policy that spells out what the policy is and how it would be applied, and it must be one that is applied across-the-board equally to any employee regardless of position within the system; we believe that there should be an employee education program; we believe that there should be training for supervisory and management personnel; and we believe it should incorporate an employee assistance program.

I'm open for questions at this point.

ASSEMBLYMAN MCGREEVEY: Could you repeat those again? I'm sorry.

MS. WELLS: The four key elements?

ASSEMBLYMAN MCGREEVEY: Yeah.

MS. WELLS: The clearly written drug policy, employee education program-- For example in the case of the three corporations that I mentioned: ABC, IBM, Bell South, they have programs-- For example, some of them require mandatory education programs for their employees that include seeing a video about the drug policy, about the availability of the Employee Assistance Program. Some of them incorporate statements by employees and things of that nature.

ASSEMBLYMAN MCGREEVEY: I want you to talk a little about the policy, a clear policy. Could you touch on -- or

perhaps you will in your comments-- Could you touch on what ought to be a clear policy?

MS. WELLS: I could give you several examples. It should spell out the behavior that the company or the municipality considers unacceptable. For example, Bell South says, "Employees who engage in the illegal use, transfer, sale, or possession of illegal drugs will be subject to disciplinary action up to and including dismissal." It continues by stating that it applies to employees on and off company time, and on and off company property. It then proceeds to set out the reason for it. It says, "The company recognizes that abuse of drugs or alcohol off the job eventually takes its toll on job performance."

That's just one example. Capital Cities ABC, established the following policy: "Use, possession, purchase, sale, or transfer of illegal drugs on corporate owned or controlled property or in corporate owned or leased vehicles or while engaged in corporate activities is strictly forbidden. Any of the above are grounds for disciplinary action up to and including termination."

That would be an example of a type of policy. It would involve a fair and consistent application of the policy. It must spell that out. It must be communicated to the employees through either employee conferences, flyers, posters, brochures, or preemployment materials handed out to applicants.

ASSEMBLYMAN MCGREEVEY: Will you go through the disciplinary procedures that you recommend as guidelines, as well as some of the rehabilitative in-house counseling that is part and parcel of that?

MS. WELLS: Okay. We're not making recommendations in terms of disciplinary procedures. That's going to vary, depending on the agency or the business that's involved. I can speak in regard to the FBI's policy, for example. We utilize drug testing of all applicants. We utilize "for cause" testing

when there has been a recommendation from supervisory management. We utilize random testing, which was instituted in January of this year.

ASSEMBLYMAN MCGREEVEY: Now, who is random tested in the FBI?

MS. WELLS: Across-the-board.

ASSEMBLYMAN MCGREEVEY: So that could be a secretary, that could be--

MS. WELLS: Anyone. We have been advised-- We have provided 60-day notice that the random testing would be instituted in January.

Subsequently, of course, the testing has begun. Every employee has been made aware of what the possible ramifications were. In other words, there could be disciplinary measures taken up to, and including termination.

ASSEMBLYMAN MCGREEVEY: And your third and fourth point after policy and education program?

MS. WELLS: The third one was the supervisory training, and the fourth was the Employee Assistance Program.

Some of the other items we discussed when we were previously in Union City and meeting with some of the management, included the confidentiality aspect. If an employee came to the Employee Assistance Program representative and said, "I have a drug problem," how would that be treated as opposed to if it were on the basis of a referral from management as a disciplinary referral, or something of that nature?

We talked about insurance plans and health plans, and whether, for instance, the business or the municipality's insurance plan would cover a treatment program. How many times would it cover the treatment program? Would it cover it once? And if a relapse occurred, would any subsequent cost be borne by the employee? Things of that nature were addressed at that meeting.

ASSEMBLYMAN MCGREEVEY: Do you at all distinguish between -- and this is common in the constitutional framing of the issue -- do you at all distinguish between both testing; obviously the FBI doesn't -- but in terms of policy considerations, between testing employees that perform functions which are critical or high risk at nature, e.g. airplane pilots etc., and also the treatment associated with that, and employees who aren't as involved in high risk activities? Is that a good thing to do, or is that a bad thing to do; to make those distinctions?

MS. WELLS: I can only speak for what we're doing, and that is we are testing across-the-board without distinction in that regard. As of this point, the policy is that each case will be decided on a case by case basis in terms of disciplinary procedures to be taken.

ASSEMBLYMAN MCGREEVEY: Okay, thank you.

ASSEMBLYMAN KENNY: Thank you very much, Agent Wells, for participating here this morning. We also appreciate your cooperative efforts with the city of Union City in working up this plan. Thank you.

We will now hear the employee drug testing, a law enforcement perspective, from Union City Chief of Police, Paul Kelly. Chief Kelly, good morning.

C H I E F P A U L G. K E L L Y: Good morning.

Mr. Chairman, Assemblymen, and Committee Aide. I listened very carefully to Special Agent Wells and the statistics that she brought forth this morning. I also had many of the same statistics, and of course, there is no reason to repeat them. But those statistics alone should alert you, and should alert the communities and the people involved here of the seriousness of drug abuse, and substance abuse.

Special Agent Wells mentioned the casual user. I believe she said it was almost 90% of the drugs being used in this country are being used by the casual user. The addict, therefore, is not the biggest problem. It is the casual user.

The Demand Reduction Policy that the Federal Bureau of Investigation has and we have in this city at the present time, is quite obvious why it is necessary. If we reduce this demand for drugs, and the Federal government puts their efforts in the supply side, we may, with these efforts, plus education and rehabilitation, have an effect upon it.

My employees in the Police Department can be, and have been casual users. I have been a Chief of Police here for approximately a year-and-a-half. I have had the unpleasant duty of dismissing four employees for substance abuse. It's not comfortable sitting here telling you that.

If you were there when these things came to light, and saw the effect of the employee that was abusing, and the effect on the other personnel in my department, how they viewed these things-- Some of them viewed their fellow officer -- when it was determined that they were abusing; substance abuse -- some of them reacted with anger and pounded on the desk and wanted to know why. Others, hard-nosed experienced policemen, with handkerchiefs to their eyes, welled up with emotion because they couldn't understand how this could happen to some of their peers, their work associates. It's very distressing to me, as a Chief of Police, to have to go through the dismissal of any employee.

I have been sitting on a committee of the New Jersey State Chiefs of Police on drug testing for a period of time. The State Chiefs Association has been involved for approximately two years now in working out with the Division of Criminal Justice ways to inject -- poor usage of a word, "inject" -- drugs in the workplace. We have met on numerous occasions and discussed among several other chiefs from the State and the Criminal Justice Division on ways we could get involved in drug testing in the workplace that would be fair, that would meet all the constitutional requirements. We were waiting for the Washington Township decision, which has recently come down in favor of the drug testing.

There has been a meeting set up -- I believe within the next month -- of the same committee to discuss the ways that they were going to put drug testing in the workplace -- suggesting it.

The International Association of Chiefs of Police has been involved for a long period of time with drugs in the workplace and model substance abuse policy.

There are many companies, as was mentioned by Special Agent Wells, that have been involved with drug testing in the workplace. We here in Union City have begun to do it.

I see this ordinance as being fair and comprehensive. I think you are going to get the cooperation of the Police Department. I've had gentlemen from my department come to me and say, "Chief, I'm ready. Whenever you want, let me know. I'll be the first one there."

And I said, "No, you won't. You're going to be behind me."

I have no problem with it, and every man that I've talked to has said, "I have no problem with it. I'd be willing to first of all come forward and volunteer."

I hope that this ordinance holds up. I hope that we can test as soon as possible.

Drugs are extremely pervasive in our country. I take note of a program that I saw on television about a week ago. It was a debate, or hearing with some United States Senators and some very outstanding people of the United States, discussing whether we should legalize drugs or not legalize drugs.

I wish I could get some of these people who are promoting legalizing drugs down on the street level here and see what the real world is really like and what happens down on the street. I think sometimes there are too many people sitting up in the old ivory tower. I made note of what Mr. Rangel has said during that particular program, knowing where

he comes from in Harlem and the problems that are there among the low socioeconomic people. He knows what it is on the street, and he knows the problems that are there and is obviously against any legalization of drugs.

It is so pervasive-- I could tell you stories, gentlemen, that would frighten you, because it frightens me. And I'm 37 years a law enforcement officer in this particular town. Thirty-seven years, and I can get frightened at the pervasiveness of drugs, and the people, and the amount of people who are using them.

I would like to read from my text that I prepared just as a closing before you have any questions:

The casual users of drugs far outnumber the addicts. Our efforts must be focused on the casual user, who uses about 80% or 90% of the drugs.

We can reduce the demand for drugs among the casual user by education, arrest, sanctions, and rehabilitation. The pervasiveness of drugs has entered all types of employment including doctors, lawyers, CEOs of businesses, congressmen, train operators, celebrities, sports heroes, policemen, and firemen.

Drugs and any other type of substance abuse is a disease; it's a sickness. That must be addressed, by whatever means, at every corner of our society.

Law enforcement personnel should be a shining example of a drug free environment. We, in law enforcement, are given the authority by the law to arrest persons who violate the drug laws, to incarcerate them. We are the keepers of the peace and order in our communities. We must show and ensure a better quality of life for the citizens of our city. We do possess a great deal of authority, and we must be responsible citizens, responsible people, and workers in our community.

But we are human and subject to the same frailties and weaknesses that other segments of our society are subject to.

The drug testing ordinance that has been proposed for police officers in Union City is a comprehensive, fulfilling, and as fair as can be accomplished, from the voluntary testing, amnesty period, drug screening requirements, employee rights, testing processes, rehabilitation, and education. We must show and prove to the community we serve that the police officers are totally drug free.

With that secure in the minds of our citizens a better respect and understanding will enhance our goal of reducing and eventually having a drug free society.

Keep in mind that when we reduce the demand for drugs here at home, and the Federal government attacks the supply side, and through the massive education and rehabilitation programs that are being put into place, we will -- we must -- make an impact; or, please God, we will be a nation doomed to crime and violence and ignorance forever.

ASSEMBLYMAN KENNY: Thank you, Chief. Are there any questions from the panel?

ASSEMBLYMAN MCGREEVEY: Chief, can you tell me how the testing program works?

CHIEF KELLY: Pardon me?

ASSEMBLYMAN MCGREEVEY: Can you tell me how the testing program works?

CHIEF KELLY: How?

ASSEMBLYMAN MCGREEVEY: Yeah, what happens? Or should I wait?

ASSEMBLYMAN KENNY: I think that we will probably hear from the next speaker. Commissioner Walter will be describing the program in specifics.

ASSEMBLYMAN MCGREEVEY: Okay, thanks. What has been your reaction in the community that they are aware of this? Have you gotten any positive feedback?

CHIEF KELLY: On the drug testing?

ASSEMBLYMAN MCGREEVEY: Yes.

CHIEF KELLY: Some, a little bit of it; not a great deal, honestly. But those people who I have spoken to about it feel as though it should be done and could be done, and they see no reason why-- I mean, the people who I speak to are drug free people, and most of the drug free people don't have any objection to-- If you want to test me, test me. It's okay.

ASSEMBLYMAN MCGREEVEY: What was the sense of the rank and file when you instituted this program?

CHIEF KELLY: Speaking to maybe 60% or 70% of them, they have all agreed. Some of them feel that it could be an infringement, but by the same token they will immediately say, "I will volunteer and do it." So, they have a feeling of, "Gee, maybe you're infringing on my rights, but I'll come right out and volunteer so you don't have to worry about it. I'll volunteer once a month if you want, once a week if you want."

There are several of my employees that have said that.

ASSEMBLYMAN MCGREEVEY: Thank you.

ASSEMBLYMAN KYRILLOS: Mr. Chairman? Just a couple of points of curiosity. Chief, you said that you let four employees go in your year-and-a-half tenure?

CHIEF KELLY: Two-and-a-half years, yes sir.

ASSEMBLYMAN KYRILLOS: Were they police officers?

CHIEF KELLY: Yes, sir.

ASSEMBLYMAN KYRILLOS: How did you come to realize that they were involved with drug abuse, if that's a fair question?

CHIEF KELLY: Substance abuse. There were different things that happened with each of the individuals. There was some reasonable belief that there might have been some substance abuse. They were given the opportunity for rehabilitation. On some occasions they were given the opportunity for rehabilitation more than once, feeling that perhaps--

For example, one particular person, being a police officer and having been around for a period of time, was put into a rehabilitation environment that he felt very uncomfortable with. We moved him to another rehabilitation environment.

They've all gone through the rehabilitation process and the education process, a help process from our department. They have been given every opportunity. The wives and the families were involved in the rehabilitation. Now they come back to work, and they fall. There is no other choice but to now dismiss.

ASSEMBLYMAN KYRILLOS: Probably this behavior had been going on for awhile before it was realized.

CHIEF KELLY: In some cases, yes. It's a difficult thing to see it. The actions of some drug addicts are not as we perceive them to be: maniacal, in some cases screaming and hollering. They can function outwardly when using the drugs.

But you have to consider that these people are the defenders of the public here. They are carrying guns. They have a great deal of authority. I mean, you wouldn't want your doctor operating on you if he were under the influence of some substance. You wouldn't want to get in that airplane. You wouldn't want your kids to get in that school bus. You wouldn't want your moms and grandmoms in the bus being taken to the senior citizens' party.

We don't want the officers there, that are abusing. We are going to give them a chance. Come forward. Do what you have to do, as will be explained by Director Walter. He will explain the entire system to you. His compassion is fantastic, as far as I'm concerned. What he has done for the men in the department, the chances that he has given them, has been just as fair as could possibly be. I believe that when all of these things have been done and you can't make it, you can't function as a law enforcement officer in our town. If you are given all

of these opportunities to rehabilitate, to educate, to straighten yourself out and you can't do it, then you'd better hit the road. I don't want them in the Department.

ASSEMBLYMAN KENNY: Chief, I want to thank you very much for testifying today. I also would like to commend you for your leadership as Chief of Police in addressing this issue. There is a tendency-- Whoever we are and whatever role we play in life, there is a tendency that we try to protect ourselves from being looked at, from being scrutinized, from being criticized. And it takes a lot of courage on your part as the leader of the Police Department to have addressed this problem that is so pervasive in our society. That you are willing to deal with it, shows a lot of integrity and courage on your part, and I think that you should be personally commended for taking such an interest in this issue.

Thank you very much for testifying today.

CHIEF KELLY: Thank you.

ASSEMBLYMAN KENNY: We are next going to hear from the Union City Public Safety Commissioner, Bruce Walter, regarding why public employees must be community role models. He will also describe to us the specific program that is about to be enacted here in Union City.

Thank you, Commissioner.

C O M M I S S I O N E R B R U C E D. W A L T E R: Good morning, gentlemen. I would like to first start my presentation by asking Lt. Kaden of my Police Department to show a brief slide presentation that has been prepared as an educational process which we intend to implement within Union City to give a brief outlook or overview of the type of educational program that we intend to start in our workplace.

(slide presentation is shown)

Gentlemen, I would like to thank you and the Committee for coming to Union City today. I'm proud that you chose Union City as a model.

I think that you will learn a great deal from our innovative, tough, and compassionate mix of approaches that we are taking, to battle the drug plague. I hope Union City's successes can become New Jersey's successes.

There are two programs in particular that you will be hearing about and seeing today. I'll be spending most of my testimony speaking about our landmark employee drug testing ordinance. In the afternoon you will see, firsthand, our award winning partnership between the police and the school system based on reverse peer pressure.

Here, student leaders -- the kids other kids look up to -- are the prime teachers of young children. The police and the school system provide important other resources and counseling, but the real strength of this program is that kids are helping kids. The student leaders in this program show that there are positive role models for young children right in their own community.

The National Conference of Mayors cited this program as an example for other municipalities to follow. I believe our proposed drug testing ordinance will be the same kind of beacon.

The fundamental question is, why a municipal drug testing program? There are two main reasons: One, the people who enforce and stand for the law must not even show the appearance of breaking that law; secondly, we must meet a very basic challenge, because if we can't get the drug problem under control at the police station, the fire department and city hall, how are we going to get it under control out on our streets?

Public service creates special demands. It's no longer enough to simply wear a badge, fight a fire, or provide services. When you accept a public paycheck, you become a public figure; you become a public symbol. The issue of drugs in any workplace is serious, but drugs in the public workplace are intolerable.

Let's be frank. When an average citizen gets arrested for using drugs, it barely makes the paper anymore. Yet, when a public employee -- any public employee -- gets caught, it's front-page news. That's as it should be. I suppose the press, in a rather sad way, is reaffirming the special place which public employees hold in our society.

With that special prominence comes a special responsibility. People still look to government and the people in it for special help. If we fail them, there is a particular sting. A public employee who uses drugs is failing that responsibility.

It is a particularly serious issue when those public employees are charged with protecting the public safety. Police and fire fighters have no excuse, no allowable margin for drug use. That's why we've divided our new ordinances into special sections for police and fire employees. As they are on the front line of public service, they must be on the front line of becoming positive role models for fighting drugs.

I'd like to point out that an important part of drafting and implementing these ordinances has been the cooperation of the employees' union. We've gone out of our way to make our employees partners in this process. We have no desire to be needlessly adversarial.

We want a drug law that is not only thorough, but is fair and well supported. We respect those who work for Union City, and we want a law they can respect.

It is also important to note that we do not believe our employees have any higher rate of drug use than any other segment of society, probably lower. But unfortunately, it does exist, and for the very small minority who do use drugs, first, we will try to help them with their problem, and only when that fails, will we look to punish.

That's the key to the program, the carrot and stick approach. First, we're looking to identify, in as fair,

fail-safe, secure, and reliable method as possible. Then our first course of action is a comprehensive treatment program including inpatient rehabilitation if necessary. We are also setting up an Employee Assistance Program for both the employee and their family. We are looking to help people and provide them with the best possible environment for their recovery.

But, if our efforts and intentions fail, then make no mistake; we will punish. There is no room on the Union City work force for people who refuse to get off drugs. That issue goes back to our second reason for implementing this program. We've got to get the drug epidemic under control. If we can't control it within our own work force, then how can we control it anywhere else?

One issue that has always plagued the issue of drug testing has been the question of preservation of civil liberties. We have gone out of our way to be sensitive to these important and appropriate concerns. That's why we have spent as much effort as we have in researching and drafting these statutes as well as meeting with local employee and union leaders:

But, there are two sides to the civil liberties issue: What about the civil liberties of the taxpayer who expects a police force that isn't high, a fire department that isn't stoned, and a senior citizen bus driver who isn't wasted? The public has a right to expect certain levels of service from the people whose salary they are paying. Our drug testing ordinance speaks to that right as well.

Now that I have told you about our program, I'd like to suggest an important piece of legislation for you to consider. I believe that it would be in the interest of every government office, from the State to the smallest municipality, to have a mandated drug education program for the public workplace.

Just as our ordinance is a message for every person in Union City, a statewide law would send the same positive signal all over New Jersey; very similar to the requirements of OSHA, and to many things that come down from SARA III, where we require such as-- I know that you have worked and talked about mandatory fire training today, mandated training, mandated awareness to drug abuse. This State could take a leadership position in the nation by instituting such an innovative necessary program.

I would be honored to offer my assistance and that of all of Union City to be a model in putting such an important initiative together. It is long overdue for all of government, to be seen as part of the solution on this critical challenge.

I've tried to briefly give you some insight into why we in Union City have felt obligated to take this bold step. Government is about leadership, about setting examples, about dealing with the tough problems; and doing all that fairly, honestly, and with compassion. We believe that our drug testing and treatment ordinance speaks to the highest goals of public service.

ASSEMBLYMAN KENNY: Thank you, Commissioner.

Commissioner, what is the status of your ordinance now? Has it been enacted?

COMMISSIONER WALTER: No. Tomorrow will be the first reading of it at our Commission meeting, and then the following Commission meeting will be an opportunity for the public to address us on the ordinance and have an open discussion on it.

ASSEMBLYMAN KENNY: If it is passed by the Commission, could you just take us through a scenario of how it would be implemented, and then what would happen in the event that someone, pursuant to the testing, was detected to have used drugs?

COMMISSIONER WALTER: I think it important to start with that the first thing that we will be establishing is an

Employee's Assistance Program. In that period of time -- the first 60 days of implementation -- there is an amnesty period, where if anyone were to come in and feel they need the assistance of an Employee Assistance Program -- speak to someone -- it would not count against them. It would be, basically, their opportunity to straighten out before the ordinance goes into effect.

Upon the ordinance being in effect, a person who is in need of assistance will, of course, have the availability of an EAP program being paid for by the city.

During the process of random testing, we intend to randomly test all employees, and if there is a detection of any type of drug use, they would have to then be brought in in a confidential manner, discussed with us, and they would have to seek rehabilitation. We would give them that opportunity.

During that period of time -- we have researched our Blue Cross and our Blue Shield -- our medical benefits would basically fully cover such rehabilitation. After that rehabilitation process, the person would then be back on the job. Of course, if again, there was ever a detection, it would then end in the termination of that employee.

We are giving everyone one chance to ever come up and be detected -- giving them an opportunity to rehabilitate, to get the proper assistance and help.

ASSEMBLYMAN KENNY: Would you describe the Emergency (sic) Assistance Program? What would that entail?

COMMISSIONER WALTER: I'm a very strong believer in an Employees' Assistance Program.

ASSEMBLYMAN KENNY: Excuse me, please.

COMMISSIONER WALTER: I'm a very strong believer in the Employee Assistance Program. I think that we talked about education, and we talked about treatment. I think if anybody has worked with anyone who has had any type of substance abuse, really it's synonymous, because treatment for substance abuse

is really an education too late; but not too late. It's late because that person is now in a rehabilitation center, but there are no pills that are given to make this go away. There's no magical spell. There's no doctor who can come in and operate. It is a process where people become educated to their addictiveness. It is something that they must live with their entire life. They are dependent on some type of substance abuse, and they must learn to cope with that, to work with it, to discuss it.

So our Employee Assistance Program would entail hiring and contracting from some outside agency to provide that service, off site, so that people would have a feeling of confidentiality, the privacy of going to that EAP for counseling; to go in and discuss their problems. It will not be limited, of course, to drugs and alcohol, but certainly that will be the main thrust of it.

Upon discussing with an employee that they have a problem when a person comes in, they would then be referred to the proper medical facilities for inpatient or outpatient treatment. Eventually the success of that program will bring them back to the job.

During that period of time, the EAP would intervene with the respective department, would say that the individual will be out for a period of extended illness. There will be total confidentiality so that no one, even myself as the director, would know the specific problem other than the person has sought assistance from that Employees Assistance Program, that they are being treated, and that at some point they will be returning back to the job site.

ASSEMBLYMAN KENNY: Any questions from the panel at this time?

ASSEMBLYMAN MCGREEVEY: Yes. I want to thank you for your testimony and the honesty of yourself and also for your Chief of Police. Just the new hires-- As I understand it in

the selection process, can you tell me what happens in terms of-- Is there a urine sample and a blood sample, or is there just a urine sample that will be taken?

COMMISSIONER WALTER: We are going to limit it to a urine sample. In most cases we've offered the opportunity to the employee to either do it at the work site or to go to the laboratory directly, but it will be limited to just a urinalysis.

ASSEMBLYMAN MCGREEVEY: And pursuant to a positive finding, that individual would be then not eligible for employment?

COMMISSIONER WALTER: This is a new hiring?

ASSEMBLYMAN MCGREEVEY: Yes, a new hiring.

COMMISSIONER WALTER: New hires are not, and they are usually not covered by any restrictiveness. In any hiring there has never been any court challenges to new hires. It seems to be basically a prerogative of the employer.

We do do that. I've done it for the last four years for every police officer and fire fighter that has been put on the Union City Police Department. They have been prescreened for drugs.

ASSEMBLYMAN MCGREEVEY: Commissioner, I don't know if you can speak of other departments, but in other departments, would they also use urinalysis for new hires?

COMMISSIONER WALTER: In other departments?

ASSEMBLYMAN MCGREEVEY: Yes.

COMMISSIONER WALTER: I have heard that other departments have used it. I think that they are. Also any police officer who is sent to a police academy for the mandated 18 weeks of training, during that process there are two urine samples taken. I know that takes place at Bergen, Passaic, and several other academies, and if at any point along the way they are determined-- They will put that individual out of their 18-week course.

ASSEMBLYMAN MCGREEVEY: And under section 6, I noticed it talks about reasonable suspicion. That term, "reasonable suspicion," would be as it is normally applied in constitutional language?

COMMISSIONER WALTER: Yes. Presently there's also-- The Attorney General has a guideline out for the police departments regarding reasonable suspicion. I think Chief Kelly in his earlier testimony talked about and there was some question raised about how do you identify employees?

Sometimes when you are very close to it -- I know that myself -- you are kind of blinded to it, the closer you are. Sometimes you miss the telltale signs of it.

But I have seen consistently, in almost every employee who has ever had a substance abuse problem, certain constant factors, that I think if we had looked at it and had more awareness and the supervisors had more awareness through some training process, would have seen the pattern absences, the change in personalities, discussions of financial problems--

There are many common problems to substance abuse, whether they be drug or alcohol. I consider alcohol as much of a drug as any other drug.

ASSEMBLYMAN MCGREEVEY: Is there any precedent -- and I appreciate what you are saying-- Is there any precedent for the Drug Testing Advisory Committee? I found that to be a pretty interesting--

COMMISSIONER WALTER: No. I don't think there is. I thought that the success so far that we've had in putting together anything was the fact that we had a very large interaction with our unions. We have six unions within our community. And I think that the success of any program -- and that's part of where that group or panel would be put together-- It's important that the representative bargaining units have an input into procedures and into policy.

I think by doing that and making them a part of it-- My feeling is that I've had very strong opinions from our police and fire that a vast majority are in favor of it. There are certain glitches that come along that they are questioned by their employees. They want to be-- I think one of the things that have come up -- and Drucilla Wells and I have spoken about it -- is that the chain of custody is very, very important in most employees' minds, and rightfully so.

So I think that by working and having an ongoing panel, I think that's very necessary for the success of this program.

ASSEMBLYMAN MCGREEVEY: So the results of the tests are only going to be forwarded to the department director and the employee?

COMMISSIONER WALTER: That's correct. Hoping again to emphasize that confidentiality is most important. Again, I have been in the position of having people who have had substance abuse where I was advised of their medical condition. In the confidentiality, I have only found that they have, on their own, told other people or whatever, but I think that confidentiality, which of course is guaranteed under Federal law, I think is an important aspect of it. For some people, the lack of that confidentiality will be a deterrent for them seeking help.

ASSEMBLYMAN MCGREEVEY: Okay. I just have a few more questions. I'll ask the Chairman's indulgence?

ASSEMBLYMAN KENNY: Yes.

ASSEMBLYMAN MCGREEVEY: On personnel actions, can you just explain to me, the Employee Assistance Program, is that run by the Police Department or is that run through the Office of the Mayor?

COMMISSIONER WALTER: At this point we have just been talking about creating it. I would believe that it would be a city function. Under our form of government it wouldn't be

under the Police Department, it would be a city function. In my opinion, the Mayor is in charge of the Public Affairs Department. I think it should be very closely related to our Health Officer and in that area.

ASSEMBLYMAN MCGREEVEY: Okay. And my last follow-up. On the Employee Assistance Program, you said-- I guess you have major medical, Blue Cross, Blue Shield?

COMMISSIONER WALTER: Yes, we do.

ASSEMBLYMAN MCGREEVEY: So, will that include both inpatient and outpatient drug and alcohol rehabilitation?

COMMISSIONER WALTER: Presently our Blue Cross and Blue Shield covers both inpatient and outpatient. Most inpatient, the 28-day program, is costing in the neighborhood of approximately \$10,000. For most of the employees, their contribution to that is just about zero.

So, we do have a very good health program for our employees and, of course, in setting up an Employee Assistance Program there is a cost factor, but I think it is far and overwhelming when you talk about the cost of insurance.

General Motors has an Employee Assistance Program. They roughly estimate that in their Employee Assistance Program, for every dollar they expend, they save in excess of two dollars in work productivity.

ASSEMBLYMAN MCGREEVEY: Thank you very much, Commissioner.

ASSEMBLYMAN KENNY: If I understood you, your present insurance-- This is one of the items that Assemblyman McGreevey and I are looking into is insurance coverage for drug and alcohol treatment. Is it covered for you or not?

COMMISSIONER WALTER: Yes, it is. I have dealt with many rehabilitation centers. There's Fair Oaks Hospital, the Center for Addictive Illness-- I could go on and on with the list of them. They all have varying rate schedules, but all usually have anywhere from a 28- to a 35-day inpatient

treatment in the neighborhood of \$10,000 and, depending on the various insurances people have, some people are covered fully, others are not. There's co-payment.

So, for us in Union City, I think that we have that benefit. I can't say that everywhere you have those types of benefits, depending on from plan to plan. That's why I feel, again, that we in Union City by mandating it, I don't feel that-- All of our employees are covered. The medical benefit is there.

ASSEMBLYMAN KENNY: I haven't had a chance to look at the ordinance, just to glance through it. I can see by the index that a very, very serious effort has been made here to address a number of issues that you have testified about.

I want to commend you and the city for putting together not a flash in the pan type ordinance, but one that very seriously tries to balance the interests of the employees, the interests of the city, and the health issues that we're all concerned about.

Do you have any questions, Assemblyman, for the Commissioner?

ASSEMBLYMAN KYRILLOS: No, Mr. Chairman.

COMMISSIONER WALTER: The only thing that I would like to stress is that I think that one of the most important things -- and I think it is the type of legislation that we need -- is that there really should be some type of mandated drug awareness mandated in our workplace.

I think if we started it at the government level, I think even if it's only a small slide presentation, or a VCR presentation, even if it only calls for a one-hour in-service, I think it would be an excellent piece of legislation.

I think that it would be a major, major move toward solving some of our drug problems in the workplace.

ASSEMBLYMAN KENNY: You're suggesting a mandatory educational component for all State employees?

COMMISSIONER WALTER: For all State, city, municipal, schools-- I think anywhere where the government is taking a role, we should be that role model. I think that if we had a mandated training session, whether it be at a teacher workshop, or whether it be in a police station; just like they have mandated training and recertification to shoot a weapon.

I mean we spend-- In the Police Department every police officer has to go to the range and spend at least an hour to an hour-and-a-half recertifying twice annually to carry that weapon. So I don't think that we should not include a period of time where we educate and make them aware of drugs. I think if we mandated that, it would probably be excellent.

ASSEMBLYMAN KENNY: We're going to ask the Office of Legislative Services' representative here today, Mr. Ben-Asher, on behalf of this Committee, to review that suggestion -- I think it's an excellent suggestion -- and to research what the law is today in the State regarding such training, and to make a recommendation based on what the existing law is. I think that's an excellent point.

ASSEMBLYMAN MCGREEVEY: Commissioner, I think what you have done here is really very gutsy, and I just want to applaud yourself and union membership coming together, addressing a serious problem -- even bringing in the FBI. I was interested-- This was the only city that this is being done. Unfortunately it seems to be still the only city where it's being done.

Your aggressive approach in working with the unions and developing-- I was fascinated by the committee that you have pulled together. You're sincerely reacting to the problem, and you're to be commended. This is the only city in the entire State that I know of that has done something like this.

COMMISSIONER WALTER: Hopefully, the first with many to follow.

ASSEMBLYMAN MCGREEVEY: Yes, hopefully. Thank you.

COMMISSIONER WALTER: Thank you.

ASSEMBLYMAN KENNY: We will now hear from the Union City corporation counsel, attorney Lane Biviano, regarding the legal perspective.

L A N E J. B I V I A N O, E S Q.: Thank you.

ASSEMBLYMAN KENNY: Good afternoon. How are you?

MR. BIVIANO: Good afternoon. Thank you. Can you hear me?

ASSEMBLYMAN KENNY: Yes.

MR. BIVIANO: Okay. I have what, about 10 minutes?

ASSEMBLYMAN KENNY: Yes, about 10 minutes.

What I and, I'm sure the Committee would be interested in, if you could focus on, would just be exactly what is the legal status of drug testing in New Jersey today? Who's doing it, where has it been found to be appropriate, what are the gray areas, and what is this ordinance in particular -- where does that sit in this whole perspective?

MR. BIVIANO: Okay. Good. That's what I had planned to address.

I should say as an overview though, that it's hard to address an issue as sensitive and as important as random drug testing. It takes the cooperation of employer and employee. I know sometimes those two sides are viewed as sides in an adversarial role. The key, as in any other kind of labor negotiation or any kind of interaction between two groups, is you need some level of cooperation.

Under the auspices of the city, and more particularly Public Safety Commissioner Bruce Walter, drug testing policy as a policy has been negotiated and discussed with the city's five bargaining units. There may still be some aspects to review, and it will be a continuing review between the city and the bargaining units, but nonetheless, it has been started. And that's the important step; the first step.

The courts have addressed the myriad of cases concerning a wide spectrum of employees, from clerical to public safety oriented positions: for example, fire, police employees, bus drivers, correction officers, and more recently there was an article in the paper last week regarding bridge operators.

For public safety related positions, the employer needs only to negotiate the procedures of random drug testing policy -- not the policy, but the procedures, which are very important, which I'll get into some of them, some of which the Commissioner has already touched upon.

I will address some of the suggestions that have been incorporated into the ordinance by the bargaining unit representatives, and as well to distinguish between public safety oriented positions and the clerical or mostly white-collar positions, which are not public safety oriented.

In that particular case-- That ordinance -- by the way, police and fire will be introduced this week; the other ordinance will take perhaps three weeks to a month to be introduced -- it's very much like the private sector in which everything is negotiable, so, when you are dealing with non safety oriented positions, policy and procedures are negotiable.

Considering -- and the Commissioner may have touched on this, so forgive me for a minute -- that nearly half the work force is in the bargaining unit where you have clerical workers -- and you have a diverse group where some are blue-collar but maybe not operating machinery, and many are clerical, you have to negotiate everything. You want to be sure that you dot all the "I's" and cross all of the "T's", and most important, that the employer and the employee feel really comfortable with what they are agreeing on, because this is only the start. You have a whole mechanism that is going to go forth in attacking this issue, and it is a very important issue.

As I get into the legal details, we should not forget that municipalities are very much like a family. Your police, your fire, your other municipal employees, they work together day-in and day-out. Sometimes they spend more time with each other than they do with their own families, so it's important to think of it as not just a cold relationship between employer and employee but as family members and how we can best work out what's best for the family and, indeed, what's best for the public interest.

Now there have been a number of decisions, Federal and State, which have decided in favor of an employer for having drug testing, more specifically random drug testing; in New Jersey the focus on a Federal decision is Washington Township, Gloucester County.

In Washington Township -- a different form of government than ours -- the Mayor issued a regulation in which all personnel were required to undergo drug testing. But, unlike-- And it survived constitutional and court scrutiny. But unlike some of the "horror stories" that we may have read about in the paper where municipalities were being sued, where individual supervisors were threatened with punitive suits -- punitive damages because of the way drug testing was carried out -- Washington Township followed an analysis, followed a mechanism which was intended to safeguard the employee, and also protect the employer from liability.

Sometimes in explaining what drug testing or what the proper legal analysis should be, the proper ordinance should be, it's helpful to review what it isn't. There has been a few cases, and I've attempted to encapsulate some of the problems they've had.

I'm sure Plainfield is one of them that you've heard about, and the problems that they've had up there. I'm going to refer generically to a number of cases, Plainfield being one of them, as to what they didn't do, and what Union City is doing.

First, with Plainfield, they had groups of fire and police, some civilian, and some uniform sworn personnel, and one day decided, unannounced, that they were going to have drug testing. They didn't say that it was reasonable suspicion; reasonable suspicion meaning, of course, an employee's deviating perhaps from normal mental health norms or is not functional at his job, and it is readily apparent, say through bloodshot eyes, irregular gait, slurred speech, and like criteria, in the opinion of a supervisor who has observed the employee over a period of time and is familiar with this employee, so they know they are not suffering from a lack of other medication and the like that they haven't had. No written policy; employees didn't know what criteria--

On the other hand, with Union City we have discussed for two months at least, the procedures and the policy that we intended to use in the ordinance for all city personnel. We invited representatives, and they sent representatives from each of the five bargaining units. We sat down, and we negotiated over the procedures and at the same time negotiated some of the policy, which we are continuing with the white-collar units, the non public safety related units.

There was no advance notice in Plainfield. People had no idea when this was going to occur. In the ordinances before you -- the police and fire -- there are carefully mapped out criteria as to when this is going to happen, and it's not something that -- I'm sure the Commissioner has brought out to you -- we are trying to shove down someone's throat. We spent two months discussing it.

We've incorporated some suggestions, some concerns that the sworn personnel have had. For instance, where should the tests be taken? Should they be taken downstairs in the firehouse or in the police locker room, or should you go to a lab? We give the employees the option to do both.

You can imagine in a municipal setting, when we deal with the clerical workers as to how-- As did many people, since there are no facilities, and a very small municipal building -- small in comparison to the size of the work force -- then it would be much more practical to go directly to a laboratory, but we leave that to the option of the bargaining unit and the employee. Bottom line, cooperation. Bottom line, we want people to feel comfortable.

Now, in the Plainfield case and in other cases, there was no privacy. They actually had people issuing urine samples where there was no privacy. There were members of the other sex in or about the area. That's not the case here.

Total privacy. There is an element of trust here, unless there would be some aspect where someone before, was accused or alleged or supposed to have adulterated their urine sample in the past, and that would be a future consideration to be discussed with the bargaining units. There's an element of trust here to have a urine sample. Not only that, but it's private.

Now, one of the concerns in the Plainfield and in some other cases, they said, "Well, suppose we have what is called a false positive?" In other words, you're tested and it's positive, but it's not because that you took cocaine or just did marijuana, but maybe you're on prescription drugs. One of the first things that are done when you go before a medical technician or lab technician is that you list all the prescription and nonprescription drugs that you've been taking.

The first test that is given is an EMIT test -- which is an inexpensive test, relatively speaking, at least \$50 -- and if the individual should test positive, a more sophisticated test, closer to the area of \$250 will be given.

Now, the employee has a further option. Number one, unlike Plainfield, they are not going to wait weeks and months to get the results. We want to get them immediately. There

are many reasons for that: 1) to the employee's and, 2) from the employer's concern. If there is a problem, we want to be able to deal with it.

Now, the employee has the option to have another sample taken, another test given, provided within 72 hours that the employee requests another test. The employee can also, at either the second test or at the previous test, have the opportunity to send the second sample to a lab of their bargaining unit's choice and expense. So there are many safety valves, also to ensure the help of the employee.

Let's say that the employee after the second test -- they've requested it -- that they are positive again. Unlike some of the other decisions that you have read about, we're not gathering criminal evidence. In fact, there is specific wording -- a clause -- that says under no circumstances-- We shall not use any of the evidence which is confidential, for criminal evidence. What we will require is an employee who tests positive to enter into an EAP program. So the employee gets a bite at the apple.

The employee gets more than one bite as it turns out, because after the ordinance is introduced under our form of government, after it is passed after a hearing, 20 days hence it becomes law, then there's a 60-day amnesty period.

What's the point of this? To encourage the employee to come forward confidentially and privately and enter into an EAP program. The employer will have no knowledge as to what's going on in that EAP program other than to know -- and they have to know -- that the employee's not there, and the reason is, they entered rehab. But that's it. Then, when they are out, a certificate saying that they are capable of coming back to work with an updated program-- But no negative action is taken against the employee.

So the employee has: 1) an amnesty period, 2) after that, if they should test positive again, an opportunity to go

into rehab. If it should happen a third time, unfortunately, then the employee would be subject to termination from employment.

Now, unlike the cases that we've read and the Plainfield case in particular, the employees' names -- those who were tested and tested positive -- the names were actually placed in the newspaper. This is hardly confidentiality. Everything with regard to the drug testing will be held confidential. Remember, the only people outside of the department head who will know, and the individual, is in the EAP program -- which I'm sure the Commissioner testified on -- is that it's a family oriented program.

When you have a drug problem you are not in a vacuum. It affects your coworkers, it affects your spouse, it may affect your parents, and it affects your children. All these people -- your family -- will be encouraged to attend the EAP program, because they need counseling as well. Who knows how long this has been going on? How long this has been hidden from them, and how long they have been well aware of it and have been suffering from this? So it's not just the employee who needs counseling. It's everyone.

Finally, we have an ongoing system for not only negotiation, but to advise. We have a committee, the Mayor's Advisory Committee on Drug Testing, which has representatives of each of the bargaining units. Originally we had it that the Mayor would appoint them, and the units said, "Well, why can't we appoint our own representatives?"

That certainly was logical and reasonable. The individuals who are most interested in participating in this, surely should be there. And who better to know than the bargaining units, as to who would have the most time, and who would be the most interested in following up on procedures?

So, we have employer's representatives, we have employees', plus we tend to have experts, medical and

chemical. Remember that a lot of these laboratories have Ph.D.s in chemistry and related fields, so we're not talking about some technician who has very limited education handling this. This is a very sophisticated, very confidential, very private, and very exact science.

Now, how did we decide who was going to be tested? Now, the Commissioner may have touched upon that it's strictly private. The problem with some of the communities that have implemented a drug testing program, they picked the individuals they wanted to. Was it subjective; was it objective? Here, we leave it up to the computer. We leave it up to the programmer. We only give numbers, not names. And they are selected based on how many people are on that shift -- or how many numbers, because they are not going to know the people -- and who would be available. When the employee reports for work, that's when they would be informed that they would go to the lab.

That, in a nutshell, are some of the distinctions between what Union City is trying to do, and some of the plans that have failed. As I've said, the courts have thoroughly reviewed this. They've gotten a myriad of requests to decide between white-collar and blue-collar employees, and public safety and where do you draw the line?

Generally it's this, to sum up: If you have to do with drug interdiction, if an employee has to do with arrests, an employee, if they carry a firearm and if they utilize the firearm in the performance of their duties, if it's public safety oriented, then the employee can be subject to random drug testing.

Let's remember something: That as public sector officials it's not like the private sector so much where you are negotiating with your own business and you're negotiating with your own money. We, as public officials, have a public trust. We represent the public and the public interest, and we

have an obligation to ensure the public that the employees who are representing them, who are responsible for upholding order and responsible for their safety, are drug free.

By the same token, we aren't operating in a vacuum. The concerns that we are expressing and the public interest that we're expressing have also been expressed by many of the members and the leaders of the bargaining units. So, it's been a team approach to work together. They have the same concerns. They work side-by-side with people. They don't want to see someone's life, someone's career, go down the drain. They too, are interested in the public interest, and that's why, God bless them, they've decided to turn to public service.

Thank you.

ASSEMBLYMAN KENNY: Thank you very much, and I would just repeat what I said before to the Commissioner; that it is clear that a very serious and good faith attempt has been made when drafting this ordinance to take into account all of the various interests both of the city, its employees, and the general welfare of the people. I think a very, very solid effort has been made to address this, unlike some other attempts that have been, rather, aimed at intimidation perhaps, or for other purposes. Here, I think the ordinance has a balanced approach to the overall issue, and I would commend you also as an attorney for the work that you have done.

Any other comments from the Committee?

ASSEMBLYMAN MCGREEVEY: Excuse me, Counsel. After Judge Sarokin struck down the Plainfield decision, was -- I guess the General Counsel in that case was Daniel Williamson -- was any subsequent-- After subsequently the damages were paid, was there any subsequent attempt by the city of Plainfield to institute a program similar to yours that provided ample notice to the employees?

MR. BIVIANO: To the best of my knowledge, Assemblyman, I believe the city of Plainfield is looking at

something. I will say this. I looked at the report of damages issued by Judge Sarokin, and I would bring up a couple of points. It's very thick.

Now, what apparently happened -- and I can only speculate -- that the people were reinstated because the damages, it was like \$70,000 in toto-- They averaged anywhere from say \$600 to say \$3500 per employee. Now, you have to assume that it covers some of their trauma and some of the other concerns that they had. It doesn't say for back pay -- I've looked through many of them -- so apparently they were reinstated.

There was no testimony, as you may or may not be aware, Assemblyman, from the other side -- from the defense, from the city. It was only the testimony that was heard from the plaintiffs. Some 40 to 42 plaintiffs brought claims, and all but one received some kind of award. No objection was placed by the plaintiffs on the awards. No objection was placed by the defendants on the awards.

One thing we should keep in mind. Judge Sarokin did issue that opinion and that was a District Court decision, that it was after that decision that the Washington Township case came into vogue -- Washington Township of Gloucester County. District Court ruled similarly to Judge Sarokin's opinion but that was overruled on the Circuit Court level for reasons that-- I have a copy of the case here, and I can certainly forward copies of the case to you if you would like, listing a whole plethora of reasons as to why random drug testing is appropriate.

Just briefly in one or two paragraphs if I may, it was-- The Mayor had a regulation issued citywide. The only bargaining unit or employees who appealed were the Policemen's Benevolent Association. One of the arguments was, comparing it to the random drug testing that was permitted of jockeys at the Meadowlands -- the Shoemaker case, Shoemaker v. Handle.

In that decision, Judge Gibbons happened to have rendered that decision, and was also on the Circuit Court for the Washington Township decision. He said that he can't think of any other profession, just like the jockeys are regulated, that is more regulated than the police profession -- and you may want to add fire in the same category -- in the sense of public safety.

But he mentioned with police that between ordinances, and statutes, and the Constitution, as to an awful lot of powers are given, an awful lot of trust is placed upon our officers, and they have a very heavy responsibility. Certainly with the high level of regulation of that particular industry, those who chose the police profession, that certainly random drug testing was in order because the public certainly had a right. It is certainly more important to know that the policeman who is in charge of upholding the law is not participating in activity which is illicit, and certainly it is more important that those important people who are in that profession, who are upholding the law, than jockeys on a horse. And of course, we deem that to be regulatory.

It's a fairly long decision. I'll be glad to forward that to you.

ASSEMBLYMAN MCGREEVEY: Thank you.

ASSEMBLYMAN KENNY: Thank you very much.

MR. BIVIANO: Thank you, Assemblyman.

ASSEMBLYMAN KENNY: Okay. At this point we are going to take a brief break for lunch. We will try to be back here at about 1:30 to have part two, which is the Reverse Peer Pressure.

At that time, Assemblyman Kronick will be joining us for the afternoon. Assemblyman Kyrillos had to leave, as he has other business.

(RECESS)

AFTER RECESS:

ASSEMBLYMAN KENNY: Good afternoon everyone. We're going to start the afternoon program right now, and I'd like to introduce Frank Mona of the Union City Police Department, who is in charge of this Reverse Peer Pressure Program.

Mr. Mona?

F R A N K M O N A: Yes. Good afternoon, sir.

I have a speech prepared, but because of the time, some of the kids are going to have to leave here at 2:30. I thought I would briefly introduce Jeanette Masferrer and Sondra Kaminsky to tell us what goes on during the peer pressure program in our school system.

So, Sondra, Jeanette, if you will?

J E A N E T T E M A S F E R R E R: Hello. My name is Jeanette Masferrer, and I'm going to be talking about the Hudson County Youth Commission.

The Hudson County Youth Commission is a coalition of public high school students. Basically, its objective is to join the youth of this county for a student's perspective on the major problems in their lives. Some of these problems are: peer pressure, drug and alcohol abuse, teen pregnancy, and child abuse.

Our perspective is not so different from those of the adults, regardless of what people may think. What is different, however, is the possible internal solution that we as students can provide at our own level.

The Commission believes we can help solve some of these problems by becoming a support group for people who want to receive our help and who want to change their ways. At the same time, we believe that if we can talk to the children of the first and second grade, we can make them aware that they can be their own person without any pressure. Maybe we can help mold their views into better ones, compared to the ones they may have gotten if we weren't there to support them.

We are a commission that is still in its infancy, formed after the great success of the South Jersey Youth Commission. If the South Jersey Youth Commission can work, possibly we can make the Hudson County Youth Commission work.

We believe this can be achieved if we get support from our school officials and the adults of our society. We have some of this, but we could always use more, especially financial support.

As I already stated, we are still in our infancy. At the first meeting which was the school year of 1988-1989, there were only three high schools participating. These were Bayonne High School who initiated the concept, and Emerson and Union Hill High School, both from Union City. So, you can see, we are committed.

This school year a meeting held at Bayonne High School consisted of ten public high schools. This meeting gave students a chance to meet one another and also to hear what the South Jersey Youth Commission was all about. This meeting also influenced many students to attend the SODAT Conference. SODAT stands for "Services to Overcome Drug Abuse among Teenagers." However, now they just use SODAT because it's for people of all ages.

This conference was held for three days in March, and over 200 students attended. During this conference, some time was allotted for individual county planning sessions. This past meeting, only Weehawken and Kearny High Schools did not participate.

The objective of this meeting was motivation and rethinking our views. We also reviewed some necessary peer skills, from self-esteem to team action plans.

We hope that Kearny and Weehawken will join us at the next meeting at Secaucus on May 1, and all of you are welcome to attend, if your busy schedules permit.

During the formulation of the agenda for the last meeting at Emerson High School, concerns were voiced over the feasibility of assembling over 100 students from 12 different county high schools. Ordinarily, these students are very competitive, and actually enemies in about everything. However, these concerns were unfounded. The one thing people don't seem to realize is that students can be quite attentive when it is something that we believe in and care about.

Presently, our ultimate aim is to include every high school in the county, including the parochial schools, but we need to take it one step at a time. Just like everyone else, we need positive reinforcement for motivation.

Presently, we are seeing results and are quite eager to continue with our plans. Today at 4:00 p.m., the advisors of the Hudson County Youth Commission will have a meeting at Bayonne High School. Ladies and gentlemen, anyone on the panel who would like to attend -- and I hope that some of you will -- you're welcome to come, and please see Donna Howse who is here today at the meeting.

Thank you.

ASSEMBLYMAN AENNY: Thank you very much.

MS. MASFERRER: Now, I would like to introduce Sondra Kaminsky, a member of our peer group at Emerson High School.

S O N D R A K A M I N S K Y: Hi. My name is Sondra Kaminsky, and I'm a participant in the Bulldogs Against Drugs.

Our membership has a philosophy: We can be successful high school students and not take drugs. We're not here to preach or lecture about the hazards of drugs. We're here to say that we can be popular, that we can have fun, and we can be our own person without drugs.

Forcing students to join will not help anyone. We want students who are not afraid or embarrassed to say they don't do drugs, or who need a peer group to support their feelings. This is very hard for a teenager to do. It's cool

to be a druggie or look and act like one. It's tough to go against the current trends, even if it is the right thing to do.

We hope to accomplish a quiet revolution in our school and community. Everyday more students are asking about joining, and at each meeting are numbers grow. We are becoming support groups for each other to help continue with our success. We want to make sure that other students know we are here to help them. In all, we want to make a difference and show others that we do care.

At this time I would like to present you a shirt and a list of all of the accomplishments that we have had.

ASSEMBLYMAN KENNY: Thank you very much.

MS. KAMINSKY: You're welcome.

Now, I would like to introduce Victoria Wiefer, from Union Hill.

V I C T O R I A W I E F E R: Good afternoon, gentlemen. My name is Victoria Wiefer and I am a freshman at Union Hill High School. Last year I was an eighth grader in Washington School. I had the benefit of being touched by the Union Hill Drug Program.

The name of the group is, Drugs Ain't Us. It stands for "Action Involved Narcotics Team." What the group basically does is act as a peer group and present positive peer pressure, because we know there's a lot of negative peer pressure out there. What we try to do is, basically, if anyone needs help or wants to talk to us about any questions on drugs or they're involved in drugs, or if they know people who are involved in drugs and want to help, we're there for them.

Everything is confidential. We don't try and present that we are acting as advisors or that we are licensed people that we can actually give advise. We just try to basically show you a way to go.

I am now in the group presently, and I also had the benefit of attending the SODAT Conference three weeks ago,

which was held in Jamesburg. At that conference, we learned-- We took different workshops on child abuse and children of substance abusers. They taught us that you have to listen and be patient. Now with that kind of training, we can further the help to the kids who need it.

Right now, I would like to present a role-playing skit that will be presented by Emerson High School and Union Hill High School. Both schools are coming together.

They can begin now. (students present skit dealing with drug abuse)

What I would like to do now is tell you about some of the programs that we have done in Union Hill High School and Emerson High School, also.

One of our programs is attending the grammar schools and going into the 6th, 7th, and 8th grades and just telling them to ask us any kinds of questions that they might have on drugs, or any questions about high school.

We basically tell them how high school is. Not everyone is into drugs, and we're there for them to help. They can come to us with any of their problems if they want. We're there to show them that you don't have to use drugs to be cool. You don't have to be a drug addict to be in the cool crowd anymore. That's a sad, old cliché now.

Last year we did one of our role-plays and Channel 9 News broadcast it live, and they presented it on Channel 9. We'd like to present that to you now. (video tape is shown) Thank you for listening to us, gentlemen.

ASSEMBLYMAN KENNY: Thank you very much.

Next we are going to hear from Tom Kelly.

THOMAS KELLY: If I might ask the Committee, one of our members, Mr. Kenny, is due to go to her second job. She has to run down to our School Based Youth Service site, and she asked the Committee if we could go out of order with regards to the agenda so that she might offer her testimony?

ASSEMBLYMAN KENNY: Certainly.

MR. KELLY: Thank you. Ms. Carmen Machado. She is with our school district, and also with the School Based Youth Services Program.

C A R M E N M A C H A D O: Good afternoon.

ASSEMBLYMAN KENNY: Good afternoon.

MS. MACHADO: Basically, what the School Based Youth Services Program wants to offer the teenagers in Union City is a counseling program mixed with a recreation program.

We work largely through referrals. We are out in the schools. Our on-site manager, Maureen Canning, goes to all of the schools and speaks to the teachers, and they send referrals to us; if a student is having problems dealing with school, if a student is having problems with drugs, with alcohol, anything family related--

We have counselors at our program. It is run out of Emerson High School. We are there seven days a week, Monday through Sunday, from 3:00 p.m. to 9:00 p.m. There is always a counselor there. There are always recreation specialists. There is always someone to talk to. We also have a hot line that students can call if they do have a problem. They can get us 24 hours--

One of the things that I am personally very pleased about School Based, is that our staff is made up of teachers -- of people who have experience and work with the kids. I, myself, am on the staff. I'm a recreation specialist. I also help with counseling kids. On top of that, some of us are special education teachers, so we have people from all sections coming in.

We find that a lot of kids that have been referred to us have the kind of attitude that, "Why not do drugs? I'm down anyway. I'm not doing well in school, my family doesn't love me," so on and so on. Generally what we do is we get the family in on group therapy, group counseling. Also the

teachers who work there have decided to tutor these kids. They can come in. We set up tutoring appointments so that we help them bring their school grades up also.

We are there to service the kids. That is our main objective. I feel that we have been doing that very well for the last, almost two years that it has been-- Our membership has grown. We have over 1200 members who are part of our program. We're very happy and very proud of it.

Through the help of the teachers and even these kids who are here with us, we can get referrals. We're there for anyone who comes in, regardless of what they want to talk about or-- They have a choice of counselors, or if they want to talk to a rec. specialist, that's fine too. We just want the kids to know there's a place where they can go after school, and there's always going to be a safe place for them to be.

ASSEMBLYMAN KENNY: Where is this located?

MS. MACHADO: This is on 18th Street in Union City, right on New York Avenue. That's at the Emerson High School gym. We have offices-- We have classrooms upstairs that we use as counseling rooms. And then, of course, the gym is open for recreation. The kids who come in can play basketball, soccer, hockey, and softball. We have board games, and again, we have a room that we can use for tutoring, so any kid who needs help with school work, we're all there.

As a matter of fact, four of the members of our staff are teachers, and we do specialize in different areas. So, if a child needs help with English, they would come to me. We have Ms. Saunders, who is very good in math, and so on. So, we're there as a base. What they do is, they set up appointments with us; the same thing that they do with the counselors. They come in a couple of times a week for counseling also.

ASSEMBLYMAN KENNY: How often are you there?

MS. MACHADO: I put in an average of 90 hours a month. We're there-- The program is open from 3:00 to 9:00, every day, okay? There are always at least two rec. specialists, one counselor. There's always someone there from each facet of the program to help the kids when they come in.

ASSEMBLYMAN KENNY: Do you know how the program-- Are you a volunteer, or are you a paid employee?

MS. MACHADO: No. We're paid employees.

ASSEMBLYMAN KENNY: Who funds this program?

MS. MACHADO: It's a State funded program.

ASSEMBLYMAN KENNY: State funded?

MS. MACHADO: Yes. I believe it's on a five-year funding allowance.

ASSEMBLYMAN KENNY: And how many students take advantage of this counseling?

MS. MACHADO: Well, exact numbers? I know there are over 300 kids getting counseling at the moment. There are over 300.

The thing is this about counseling. I have students that come in when I'm in the gym, and they'll say to me, "Ms. Machado, you want to play a game of basketball with me?" I'll say, "Sure." I'll get out there and play basketball with them and we'll spend half-an-hour talking, as we're playing. So, inasmuch as counseling -- actual time counseling -- there is a lot of it going on, but we are constantly -- the staff itself -- talking and sharing with the kids. There are a lot of kids whose families I have had the opportunity to meet, just because they've brought in their mothers to introduce them to the teacher who plays basketball with them. I have their home numbers. I have parents who have called me to ask, "How's my child doing?"

We also have a parents' committee. Once a month we meet, and the parents of any child can come in and tell us what they feel they want the program to do; what kind of direction they want the program to take.

We do trips with our kids. We took them to the Ice Capades, a couple of pro basketball games, to the circus, to track meets. I mean, we're just out there trying to show teenagers that there is somewhere to go and something to do that does not involve drug or alcohol abuse, and that is our main effort with these kids.

Again, we've gotten a lot of help from teachers. We get a lot of referrals from teachers. Absolutely. The persons who spend the most time with these kids are their teachers, and we do get them from principals and teachers.

ASSEMBLYMAN KENNY: Thank you very much.

MS. MACHADO: Okay, thank you.

MR. KELLY: Good afternoon. My name is Tom Kelly. I am the Substance Awareness Coordinator for the Union City School District. I'm also Co-director of the program about which Carmen just mentioned.

I believe Assemblyman Kenny asked about funding for that program. That program is funded by the State Department of Human Services, as opposed to our educational program, what we call the SASA Program, "Student Awareness of Substance Abuse." That program is funded through the Drug Free Schools and Communities Action moneys, which is State Department of Education.

I have offered the Committee a package which is a substance abuse education program overview which includes a synopsis of the things that we're doing here in Union City. Much of the testimony today has to do with particular aspects of the program that are mentioned in that synopsis.

What I would like to add to the testimony today has to do with what we feel is a -- I would use the word, "incredibly unique" -- association between the Union City Educational District and the Board of Education and the Police Department.

I have the opportunity to deal with people around the State who are doing what I do, running student assistance

programs for the city, and very rarely do I come across what we have going for us in Union City. We're happy to say that we're in our third functioning year of operation, and we're forever growing and getting better at what we offer the students. The Police Department and the educational people in the school district have come closer and closer together.

Most recently we had a meeting a week ago where we are constantly updating and changing our approaches and making sure that what we're doing with the kids is fresh, and most certainly, the information that we're imparting is up-to-date.

But, to briefly go over this coalition between the Police Department and the Board of Education, the Student Awareness Substance Program, which is our educational program, works very, very closely with the Narcotics Task Force, particularly with Detective Sergeant Claudio Gonzales, who spends a lot of time in the schools discussing drugs from the point of view of a narcotics enforcement person. He talks to the students very frankly about what is happening in the street and what he sees on a daily basis.

His approach with the children is not necessarily fear tactics, but he doesn't hold back, and he deals very, very realistically with the kids. He has worked with kids from grade 6 right on through grade 12. There are varying aspects of what he does. For the sake of time today, I would not want to go into all of those, but he has been extremely effective.

And I might add that he is always there. The Narcotics Task Force has always been there when it came to having committee meetings and input. We've agreed and disagreed on things, but we've come to work with each other very nicely.

The latest incorporation regarding the coalition has to do with the Crime Prevention Bureau. In the last several years, Lieutenant Henry Kaden, Detective King, and Detective Nero -- I don't have my list in front of me, I hope I'm not

leaving any of these folks out -- have done a tremendous job. They're working with younger children and I think when Lieutenant Kaden speaks later, he can go into the details.

But, we're certainly dealing with K-4, the whole McGruff series. He does an anti drug and crime package with kids of that age. In meetings that we had last year, he felt that he wanted to expand his program, and we were ecstatic to think that he would be able to come in and do a drunk driving session, which is actually four full days with the high school students, 9-12. That's been a highly successful aspect of his program, and it's certainly an assist to us, in terms of educating the students.

The coalition went further and in keeping with State mandates and with regard to the Drug Free School Zone laws, we signed in the winter of '89 I believe -- it may have been '88 -- the Drug Free School Zone agreement. That agreement has really firmed up the coalition between the Union City Police Department, led by Chief Kelly, the educational system, the Board of Education led by the Vice President, Mr. Frank Mona, who has 30 years -- is a retired policeman -- 30 years, and ran the Narcotics Bureau here in Union City, and also the Hudson County Prosecutor's Office. We have continued to, again -- to repeat myself -- maintain our alliance.

I could speak for hours, but there are other folks who would like to come up. I would be happy to speak with anyone at any time. Thank you very much.

ASSEMBLYMAN KENNY: Let me just ask a question on-- You're very familiar now over these past several years on the educational programs that have been placed in the schools, counseling efforts and peer pressure efforts, and then the role of the police department. Do you feel that there is sufficient coordination among various school districts in the State and their police departments, to have an effective State policy? Is more legislation required? What does Union City need to

make its own drug policy more effective, or do we have 500-and-some policies going on in the State of New Jersey to varying degrees?

MR. KELLY: To answer part three of the question, at times it is overwhelming. I think that everyone from the national effort on down is aware of what's happening and that something has to be done. Something drastic has to be done.

I believe that at the State level -- the State Department of Education level -- they're doing a wonderful job. Bill Brown's office, Joanne Boyle and those people down in general academics have given us a tremendous focus, educationally.

We are utilizing RCSU. I know I do. I work constantly with the State people. When we get to the local level, as far as Union City is concerned, we are as together as you can be. We all feel that way. Not because we have an opportunity to speak before the legislative Committee today, but because we really have it together.

But I'm glad that you asked, because we're hurting, in the sense that we need certified drug and alcohol counselors to work within the framework of our coalition; to work hand in hand with our alliance between the police and the Board of Education, but more particularly with the educational aspects, because police have to deal with the law enforcement end of it.

But we need drug and alcohol counselors to work within the framework of the educational program, so that that piece that's missing now brings the whole puzzle that brings it together. We have many, many people working to assist the kids, but we do not have the wherewithal; neither does the board. The moneys that come to Union City with regard to running a student assistance program don't come close to allowing us to go out and hire these people, these professional people who can go in and do the type of thing the students did on stage before, which is basically a role-playing of an intervention. It's extremely difficult.

These people would assist us in tracking and doing the follow-up. You see, the State Department of Education requires three things. They want us now to educate the student to the dangers of drugs. We're doing a wonderful job in Union City; other districts are doing the best they can. The second is to intervene with people who are having difficulties. We found that in Union City many of the kids are not users themselves but are living in a home -- in what's called a dysfunctional home. These kids are adversely affected by this, and they are coming into school and acting out. Therefore, there are all kinds of problems.

So the problem of drugs and alcohol is not relegated only to someone who is using or experimenting. We're talking about kids who have suffered greatly through the years, because they are living with addicts and alcoholics.

ASSEMBLYMAN KENNY: Does the Union City School District-- Do you employ a certified counselor for this subject?

MR. KELLY: No. Currently we don't have someone who is a certified drug and alcohol counselor. What we've done is, we are utilizing the Human Services Program, which is the School Based Program, as an additional avenue when we identify kids who need constant ongoing types of counseling.

I'm not talking about a student or a teenager or even a-- You know, some of the types of problems that we run across in Union City, I would like to note, have been students as young as 12 years old. We're talking about crack; very serious drugs. We're not talking about drinking a beer on a Friday night.

In those situations we're able to get the kids the detoxification, sometimes 28 days or whatever, but when these people return "healthy" and are given a clean bill of health as per our educational policy, they return to the same neighborhood, to the same situation from which they came. We

cannot monitor them after 3:00. This is why we worked -- myself, Mr. Jack Keshish, Mr. Rich Quagliarello -- worked to put together the School Based concept.

We're one of only 29 School Based Youth Services Programs in the nation. I daresay we are probably the top inner-city model. Now, that is not, per se, a substance abuse program or clinic or anything of that nature, but we can get the kids the added counseling, and we can do the family counseling that's necessary.

Because the third part, going back to what I said before-- Number one is educating the student, number two is intervening with the kids who have trouble, but the third area must be the monitoring and ongoing follow-up with these kids so they can graduate drug free and carry on with their lives.

ASSEMBLYMAN KENNY: Do you think that these programs such as yours -- which is probably, at this point in time, as good as a program can be-- Do you think they are making any impact?

MR. KELLY: Absolutely. Absolutely. Yes, absolutely. It's a terrible, terrible, terrible war we have on our hands.

ASSEMBLYMAN KENNY: How do you measure that?

MR. KELLY: Well, I would one way, the fast way to answer this, would be to think that two years ago we started with ten kids at Union Hill and five or six kids at Emerson, and I believe these people will testify that we're up in the neighborhood of 80 to 85 kids.

Their effect on the younger kids has caused ninth graders to walk into Union Hill and Emerson High School and look for Drugs Ain't Us, and Bulldogs Against Drugs, just as they would look for the football program or the student council.

The one thing I learned in 22 or 23 years of education is kids want to be disciplined, and they do not want chaos and confusion, no matter where they're from, be it from the suburbs

or the inner city like Union City. They don't want the chaos and confusion. They want structure, and they want to feel they are a part of it.

And I think if you take our programs and look at them overall, and relate to what Mr. Mona had said earlier, particularly on the television tape, the reverse peer pressure thing is effective, because it is okay to be straight. I can, as a young kid, be successful. I don't have to get high to be cool.

If you combine that with what's going on in the classroom-- We're teaching, K-12, and using "Here's Looking at You, 2000" drug and alcohol curriculum, which is the Rolls Royce of drug and alcohol curricula.

For September, I'm working on a bilingual aspect of it, because we have so many Hispanic students, particularly the younger ones. We will be in our bilingual program, utilizing the same curriculum in Spanish.

That, and all of the other aspects that have been spoken about today, are making a dent. But we need help. We need help.

ASSEMBLYMAN KENNY: The help that you need is funding to hire--

MR. KELLY: To reiterate, yes. If we had what I term -- I mentioned this to the Superintendent, and I certainly can't speak on his behalf or the Board's behalf -- a "crisis intervention team," it would be wonderful. We're talking about four or five people. Someone who would work with the truancy aspects of chemical abuse related problems. Someone, let's say two counselors, who would actually go out and work and do the substance abuse counseling. And the third and fourth person who would do the social work aspects with the family. When you reach the students, that's one level, but the families have to be dealt with.

ASSEMBLYMAN KENNY: I'm not asking this question at all to trip you up, because I know that these are-- What you're raising is a point raised throughout the State, but as I recall, aren't the districts at some point in time supposed to hire such people and bring them on board? In the Alliance Program, at some point in time aren't the districts expected to take that step on their own?

MR. KELLY: Yes. We were one of the first districts in this area. I might say that Bayonne has done a wonderful job. They have a multidimensional approach out there, and millions of dollars, because they have a segment of their Board of Education, who really-- Their job is to go out and find the funding.

ASSEMBLYMAN KENNY: Do they have a certified counselor?

MR. KELLY: Yes. In other aspects of their program, absolutely. But, the original point that you raised, the districts are mandated -- I believe that the date has been moved back, but it would be this October. These things must be in place. So with regard to following the wishes of the State, you know, I would just offer the Committee that in Union City we have done all that we can do, and that I don't know how much further we can go, how much further we can expand.

At a meeting just the other day, all the people who I work with -- these people are on the front lines -- would like to see the peer program developed further. In other words, go further down, now. Rather than stop at the seventh grade, let's go down into perhaps the sixth grade and maybe even the second grade and expand upon it.

All of this could be intertwined into existing educational programs. The whole language approach, and the substance abuse education, that's K-12. That would not take a lot of money.

ASSEMBLYMAN KENNY: Okay. Well, thank you very much.

MR. KELLY: Thank you. I would like to introduce you to our Peer Leadership Director, who works out of the Board of Education, Mr. Anthony Buscetti.

ASSEMBLYMAN KENNY: Hello.

A N T H O N Y B U S C E T T I: Good afternoon. I've been listening to some of the testimony this afternoon, and after 27 years in education I've come to a lot of what I call basic truths. One thing is that I feel the peer approach to substance abuse is probably the right approach.

If you give me a child who has a strong sense of self and self-esteem, no one will touch him in life. And I think that's where we're failing. I think kids are coming up without this sense of self, this self-identity.

The Peer Program was originated in New York City about 11 years ago -- the program that I teach. It came out of the need with substance abusers. When counselors try to counsel these abusers, they found out that they weren't speaking the same language. The modes of communication were not established, so a group of 20 skills were established to break this barrier.

An interesting thing happened. The skills not only broke the barrier of communication, speaking, and listening, it also established a mode of leadership potential. Out of this model came about the Peer Helpers Program, which is basically a program in communication skills and leadership which gives children the ammunition to voice their opinions and to stand up for what they believe. It's done at a very early age.

It has certain basic components. It begins with teacher training. Teachers go through an intensive kind of workshop training: 20 skills, 50 hours of workshop training. They go through the process of discovering what communication is and how powerful it is in establishing a role in leadership.

What I find interesting about this is that while they are going through the skills that students often go through,

they become better adults for it. They come to me and say, "Gee, now I know how to confront someone. You gave me a confrontation skill. Gee, now I know what the other person is saying, because I can paraphrase this."

I've worked with the program for eight years. I've trained over 110 teachers. Working with our established curriculum in substance abuse, the "Here's Looking at You, 2000," curriculum, I feel that the match of the two is a perfect formula.

I work mostly with elementary school teachers, but I see the results of the training in the high school. The group that was performing today, the two very alert, very positively reinforced young ladies who sat here, were a part of my peer group maybe six years ago.

What I would recommend to the panel is that we catch kids at a kindergarten or even a pre kindergarten level, and that we arm them with the tools that they are going to need to make these life decisions. Intervention on a high school level is very important, but if you have a kid who is trained in communication skills, leadership potential, and he knows how to handle himself and he has a sense of self-worth, the drug dealer will never get to him. I really believe that.

Now, what I would suggest is that every administrator and ever teacher within this district would subscribe to this type of training, the peer training, because it's not just a training, it's an attitude. It's an attitude that allows students to communicate to teachers, and teachers to communicate with students on a level of almost family.

ASSEMBLYMAN KENNY: Is this a voluntary program that you have here?

MR. BUSCETTI: Right now, let me tell you how it works. I offer in-service courses once a year. It's part of staff development, and if a teacher would like to take the training, they may take the training with the understanding

that if they take the training, they will participate in the program from that point afterwards. So, what you are getting is a commitment, which I think is important.

You need a commitment in order to foster this kind of--

ASSEMBLYMAN KENNY: But, student participation, is that voluntary?

MR. BUSCETTI: Student participation usually occurs-- The teachers will run several of the sessions within their class. Then a group will be formed, a positive self-image group. Kids who are generally on grade level, who can make a difference within their classroom.

You see, that sounds maybe a little elitist, but it's not. If you have a core group built at an early age, of kids who know who they are and where they're going and they stay together and know how to work together, they can influence a lot of this negativism that's permeating other children.

Now, the group is never closed. It takes on new members, and that's the idea. You have a strong positive core group functioning within a school on different grade levels, and they welcome new members because the children choose to be a part of that group.

You see, we can dictate to children as much as we want. You know, they can be aware of substance abuse. They can know what the pills look like. They can know what dealers do. They can know what happens to their health. But unless they make the decision, no matter what we say, we've lost the battle.

ASSEMBLYMAN KENNY: Is this an after school activity, or is it--

MR. BUSCETTI: It's an ongoing-- What's nice about this--

ASSEMBLYMAN KENNY: I'm trying to determine whether you are in the curriculum--

MR. BUSCETTI: Yes. I am in the curriculum.

ASSEMBLYMAN KENNY: Okay. And is it a requirement for students to participate in these peer groups?

MR. BUSCETTI: It's not a requirement. It's more or less now on a voluntary basis. I would like to qualify what I'm saying by submitting the idea that it should be a requirement for--

ASSEMBLYMAN KENNY: That's what I'm trying to get at.

MR. BUSCETTI: --that's what I'm coming about, yes.

Right now, it addresses itself to language arts skills which is-- I always think of basic skills whenever I'm bringing a program in because the State needs documentation as to what you're doing. So, we're talking speaking and listening skills.

ASSEMBLYMAN KENNY: You know, what you're suggesting, and I understand it, but actually it's rather revolutionary in American education because traditionally -- and I'm not an educator, so I don't speak from any expertise, it's just my opinion -- traditionally we have assumed the values that you're talking about; that the children come to the schools with those values, which they learn at home, or in the family, or in church, or in all of the various institutions of our society that were developed, so to speak, to give us moral values.

MR. BUSCETTI: Certainly, certainly.

ASSEMBLYMAN KENNY: American society has been very jealous of where our children get their values, very protective, because of the sense of individualism and political overtones of values and individualism. So it has not been the role of government -- and by government I include the school systems -- to teach values of the type you are talking about, for fear of all sorts of reasons.

MR. BUSCETTI: Maybe I'm not--

ASSEMBLYMAN KENNY: And I'm not disagreeing that we should do this.

MR. BUSCETTI: No, no, no.

ASSEMBLYMAN KENNY: I'm just trying to make a point.

MR. BUSCETTI: I don't think I'm making myself clear, then. We don't teach values. This is a communication program. We're teaching decision making, which is a skill, and what I'm saying--

ASSEMBLYMAN KENNY: I think you said earlier that, there seems to me -- and again I'm not disagreeing -- I think there is a very strong value component to what you are talking about.

MR. BUSCETTI: Definitely.

ASSEMBLYMAN KENNY: All I'm getting at, from the point of legislation, of government, of a State legislator, what do we need to honestly address what the problem is in our society regarding drug abuse? If, in fact, you are saying, as I hear today, that the peer approach is a key component of this, in addition to the basic curriculum on drugs--

MR. BUSCETTI: Definitely, definitely. It works hand in hand.

ASSEMBLYMAN KENNY: --if that's a key component, what you are really saying is that our schools, both public and parochial schools, must assume a greater role in dealing with values, communications, positive attitude, and self-esteem. Those are not things that the schools have traditionally done. Am I right?

MR. BUSCETTI: I don't know. I think the purpose of the school is to transmit culture, the American culture.

ASSEMBLYMAN KENNY: Right.

MR. BUSCETTI: The American culture is built on a strong idea of a nation; right and wrong. I think every day I've taught, I've taught values -- the value of making a choice for the help of one's self, nation, and family. So, when you say values, maybe that is what I'm talking about; a child who is armed with those values.

I'm not saying I'm dictating what those values are. I'm saying I'm addressing the mode of communication that the child can make their decisions, with their family's input. That's what I'm saying. Yes, I really believe in this.

ASSEMBLYMAN KENNY: I know you do, and I'm playing somewhat-- I'm just trying to think out loud -- also, I'm being somewhat of a devil's advocate, because I can anticipate objections to what you are trying to do. And again, what you are trying to do may be perfectly appropriate, and necessary even, but the way our society used to work was that value systems were developed in other places, and in those places, we assumed that the values that we as a nation wanted, would come out.

What are those values? Well, we all know what they are. But that they emanated from the family and from the church or the synagogue and from the various institutions, and in some basic way the nation had a confidence that those values that were being developed at home -- and by "home" I mean the broad sense of the word -- were going to survive from generation to generation.

Now, if for whatever reasons, or because of the drug crisis or in addition to the drug crisis, the values aren't there to that extent. Then we are required to address them in the school system. We're asking government through the schools, educators, elected officials to put together curricula and so on to teach, in some way, the values that the children aren't getting elsewhere. When you get into that territory, you get into a different type of American society.

I happen to agree. I've attended -- I'm not that experienced in this -- but over the last three or four years I've attended many peer pressure sessions, and what I see in them is what you've described, which I think is necessary.

MR. BUSCETTI: It's communications training. That's what I'm advocating.

ASSEMBLYMAN KENNY: Communications, but you are trying to teach self-esteem.

MR. BUSCETTI: You're not trying to teach self-esteem, just as in reading you're not trying to teach reading basically; you're teaching the basics needed for someone to read. You're giving them no preconceived notions of anything. You're giving them the tools to think, to verbalize, to communicate. That's all I'm advocating.

ASSEMBLYMAN KENNY: Yeah. Well, I'm somewhat in agreement. But when you try to teach self-esteem, one of the things you do -- not you, but-- When you are dealing with issues like this with children or even with adults -- because as you say, I'm sure the adults who are involved in these programs learn more about themselves -- but one concept that is very basic to this is authority. What is the component of where does authority come in?

We used to rely on other institutions to teach our citizens the meaning of authority, authority figures, and what they are all about. If we transfer that obligation -- because a part of all of this is respect for authority, respect for yourself-- If we transfer those obligations to the schools, to a great extent we are giving them a responsibility that is very, very vital to our democracy. I just raise that question.

And the point is, will people like us who are familiar with these issues-- We can have sympathy. If you get into other parts of the State, or the country and then you articulate this issue in those terms, and they start seeing that the values -- very critical values -- are being taught in the schools, peer pressure groups and so on, questions will be raised.

And that's all I'm trying to get at. Maybe I've taken this a little bit too far, but as a legislator--

MR. BUSCETTI: It's an interesting discussion.

ASSEMBLYMAN KENNY: I've seen these discussions go off on these tangents very quickly.

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MR. BUSCETTI: Well, I think in all kinds of legislation it's important to see both sides of any coin. I think probably today we've come to another form of communication effort, and maybe positively, we can work towards an end.

But, anyway, a final statement. The Peer Program has worked very successfully in the Union City school system aligned with our curriculum, which is very, very viable, and we're turning out a product in the elementary schools that is armed with some of the defenses they need against drug and substance abuse.

Thank you.

ASSEMBLYMAN KENNY: I thank you very much for your testimony.

If we're going in order here-- Are we going in order? (no response) Donna Howes, who is the Peer Program at Emerson High School's link to Hudson County Youth Commission. Good afternoon.

D O N N A H O W E S: Good afternoon. It would appear that everybody stole different parts of my speech.

ASSEMBLYMAN KENNY: That's what happens when you--

MS. HOWES: You ought to see my notebook. I would just like to reiterate a few things. Union Hill and Emerson High School, the two Union City public high schools have put together what we feel is a unique concept. You have heard from Mr. Buscetti who tried to explain some of the details of the Peer Program.

We have combined some of the basics of the Peer Program and have put them together with some substance abuse information and ideals. What we've done is utilize three of the basic communication goals: The first one is to build self-confidence, the second goal is to learn teamwork and small group work, and the third is action planning and completion of task.

During each of our peer meetings we review the peer skills that provide an opportunity for self-reflection or self inspection. Then we discuss not what each student may feel, but anonymously, how many students feel this way? How many have resulted with this emotion? It will turn out that many of the students have the same basic emotions at the end. They wind up learning that there are kindred spirits. They are not left alone.

That is one of the major points of the Peer Program; that peer, in itself, is a word that means you have someone on your level who you can communicate with. Once the students realize that there is someone else in the room, whether it's a room of 5, a room of 40, or a room of 400, that there is someone else who is there who has the same type of feelings and emotions, and reacts to a certain set of circumstances that they do, then we can utilize that support structure and take it another step further. We can focus then on substance abuse.

That happens to be a common thorn in everyone's life, make no mistake. We have taken the idea of positive peer support, and we have used it to our advantage. These students have acquired -- students from the high schools -- of being very self-confident and independent self thinkers. They are not thought of as nerds. They are not thought of as being uncool. They are thought of as someone who has the ability to do their own thing and make the right choices.

Utilizing that information, we are very proud of the two projects that we have focused our energies on. One of them is the Reverse Peer Project that we have. It's going into the grammar schools and showing the elementary school students that some of the rumors that they hear are completely outlandish. There's no truth to them at all.

We take a group of students with us, and we try to make them a cross section. We may take somebody who is 250

pounds that, you know, is a football player. We take someone who appears to be artistic, so that we have a cross section of a general community with us.

We stand in front of a classroom, all of the teachers will leave. The students get a chance to talk to each other and find out what the truth is at the high school level. Mr. Dragona, I believe, will talk a little bit about that. They indicate to these students that when they get to high school, there is a drug free support group.

That's what we want to show: Not a building of self-esteem, not a word about value judgment, but no matter where your interests lie, there is someone at the high school who you can communicate with. There is someone who will be able to understand your feelings and emotions. You are not alone. You are not left to the mercy of those people who are very good at communication and trying to sway you towards drug abuse or some of the other problems that we have in Union City.

I was also scheduled to speak about the Hudson County Youth Commission. However, Jeanette Masferrer, one of my students, has already offered testimony about that. I would prefer not to be redundant, but I would like to extend an invitation to join our next meeting which is May 1, at Secaucus High School, and at 4:00 we have an advisors' meeting at Bayonne High School. So you are welcome to come to that.

ASSEMBLYMAN KENNY: I won't be able to make it today, but the May 1 meeting, what day of the week is that?

MS. HOWES: I would be guessing. I don't know. Tuesday?

ASSEMBLYMAN KENNY: Tuesday? Could you take and make a note of that for me? And that's at Secaucus?

MS. HOWES: It's at Secaucus High School.

ASSEMBLYMAN KENNY: And what is that?

MS. HOWES: That's the Hudson County Youth Commission.

ASSEMBLYMAN KENNY: Yeah. I would like, if I can-- What time is that?

MS. HOWES: It usually starts at approximately 9:00.

ASSEMBLYMAN KENNY: In the morning?

MS. HOWES: Or when the buses manage to get everybody--

ASSEMBLYMAN KENNY: No. I mean, is it in the morning? If I can, I would like to attend that.

MS. HOWES: I can send you some further information.

ASSEMBLYMAN KENNY: Would you?

MS. HOWES: Certainly.

ASSEMBLYMAN KENNY: Okay, good.

MS. HOWES: Okay. Thank you.

ASSEMBLYMAN KENNY: Thanks a lot.

Next we have a student's perspective. Students talk out about some experiences with this program. Is that next? Oh, we already had that. That was earlier, okay. Then Anthony Dragona.

A N T H O N Y D R A G O N A: First, I would like to thank you, Assemblyman Kenny, for giving us a forum in Union City with the members of your Committee for us to discuss the programs that we have regarding our drug and alcohol abuse, and working with our students. Secondly, I would like to thank you for participating in our role-playing.

As you can see, that's one of the activities that we try to use when we go into the elementary school classes, because a number of the students are experiencing these problems in their homes, and they don't know exactly how to confront it and deal with their family members. That skit, which was put on by Union Hill and Emerson students together, is an example of some of the activities that we do.

About a year-and-a-half ago we tried to come up with a program where we can build a bridge between the elementary schools and the high schools. Many times when the eighth graders graduate and have to walk through those doors of the high school, there is a great fear that overcomes them, and they don't know what to expect.

So we went to our students, and we had a good cross section of them participating in our program; some athletes, some honor students, regular students who just come in and are quiet and unless you call their name you don't know that they are in the building. And we had some of the problem students, students with some discipline problems and attendance problems making up our peer group.

What we did was, we went into the elementary schools. We chose the eighth grade as the first level that we would approach. Union Hill would go to the three uptown elementary schools, and Emerson would go to the three downtown elementary schools -- sort of the feeding schools to those high schools.

We took the opportunity to go into the classrooms. The teachers would step out and we would step out as advisors, and we would leave the students in front of the room with the eighth graders. We'd take in a group of maybe seven or eight high school students.

We tried to encourage them to have some conversation as to things that were on their mind as to high school, and we started to build a relationship between the eighth graders and those high school students who they would meet as they walked through the halls, in the future.

Last year we followed it up, and we are about to do the same thing this year, with a second phase of bringing a sampling of those eighth graders into the high school where we can conduct some training skills that our students have learned with them.

If you looked at the video, one of the things you saw were people walking around with name tags on their heads. That's an activity that lets them look at labels that are sometimes placed upon them, and how they feel they have to react when they are labeled that way.

There are a number of different skills and activities that we've taken out of our "Here's Looking at You, 2000," drug

curriculum. But the one thing that we have going for us in Union City and from attending some of the conferences that we have been able to go to, when we are able to have that section of time when we are able to talk about our programs, is that we have a team; the team made up of students, parents, the Board of Education, the faculty, the community itself, and the Police Department. Together, as a team, everybody seems to achieve more. We're fortunate that our Mayor and Commissioner Walter are as concerned as they are, and that we have a Board of Education, with Mr. Mona, who are as concerned as they are, to put this program together and give us this support.

I guess what we are probably looking for as we go forward is the ability to provide more training for our students. Last year was our first year, and as we sort of sometimes pushed our kids in front of that eighth grade group, they said, "Well, what do we do?" And we said, "Well, you've got to be yourself, and let them know what's going on."

After we left and reviewed what had just taken place, we felt that we had to be able to provide our students with a little bit more of the factual knowledge, prepare them a little bit better so they could answer some of the tough questions, because the questions are getting tougher.

So, we have been able to send some of our students to training, which is costly but we sought and we received some help from the community, from our Mayor and our Commissioners, and also from our Board of Education. We recently sent them to a conference where they received a stipend from the local Elks Club. However, we have to do more.

We've gone into the community as we look to expand our Peer Program. This year, in the next few weeks we'll be going into the seventh grade and into the sixth grade. The seventh grade we're going to use an approach -- we received sponsorship from a local Burger King -- where we're drawing up a questionnaire. The students will take the questionnaire home,

discuss it with their parents, and after the parents certify that they have answered the questions together, possibly around the dinner table, the student can bring that questionnaire back to the school, the teacher will sign it, and Burger King will give them a free Whopper and Fries, and a soda. So, we've been able to go out into the community and get their support.

They're also going to work out a program with the sixth graders where we're probably going to have a poster contest, and the winning class or the group that participates will receive tours of the local Burger King.

We're looking to the community for some community support. I guess we're also looking to you and your Committee to give us some additional tools to help us train our students, because if we can not only train our teachers to go out and teach the curriculum, but send our messengers out, because as students, they can say it a lot better than we can--

ASSEMBLYMAN KENNY: Who trains the teachers?

MR. DRAGONA: The teacher training-- I'm part of a core team. We have three high school core team members in each school. We went to training by the New Jersey Department of Health a year ago. It was a three-day intense training program. Then there is also training to teach the curriculum, as well.

ASSEMBLYMAN KENNY: And who trains the students? You do?

MR. DRAGONA: Well, we've been working with our student groups, but the real training -- the real hands on, the overnight type of training -- that's been done in a couple of different ways. Bob Celebrano is going to go into that in his presentation to you.

Thank you.

ASSEMBLYMAN KENNY: Okay, thank you very much.

Mr. Celebrano?

R O B E R T C E L E B R A N O: My name is Bob Celebrano. I'm a counselor at Union Hill High School, and I've been asked to say a few words about the ongoing training of the students. Before I do that, I just wanted to say that some of the examples that you saw today are some of the things that our students are learning.

I really believe-- I've been a counselor for ten years, and counselors get involved in a lot of paperwork, a lot of scheduling, and a lot of grades and things like that, and we really get little time to do real counseling. Since I've been involved with the Drugs Ain't Us and the drug groups at the high school, I really believe the enthusiasm of the kids and the energy that is given out by the kids is probably one of the most rewarding things that I have done in a long time.

I think it just shows how much they are looking for it to happen and the need for the leadership to direct that energy in the right direction.

Tony just mentioned core teams that were trained by the State. I'm one of those members. Tony is another faculty member at Union Hill. Since we've been involved in that, I've begun to appreciate more the problems that the youth of today is facing. I'm also beginning to appreciate the degree of dedication of many students, faculty, and people throughout the State in the direction of helping students with these problems.

I sincerely believe that the peer volunteer and the peer leadership is really the most important activity that will begin to help us, I think, to facilitate students helping students. Personally, I think that that's really the answer to solving a lot of the problems of youth.

I think they're tired of listening to adults telling them what to do; what they should do, what they shouldn't do, what they should have done, what they could have done. But they are more inclined to listen to each other. Having gone

through a lot of the training programs that the students have attended this year and last year, that seems to me to be the thing that works best.

That's why we're trying as hard as we can to keep our students involved in these training programs. Last year we went to a Reach training program which was sponsored by the New Jersey Federation for Drug Free Communities. We were able to take eight students from Union City. This is really what got us off the ground last year. When the students came back, they were enthused. They were determined. They wanted to do this. They came looking for advisors to help them to organize a small group which has grown in numbers since then.

They were motivated. They motivated us. And together, I think, we've put together a program that has shown to be successful. From the testimony of some of the students today, we've already seen in a very short time the effects that that can have.

They came to the high school as freshmen looking forward to being part of this group, looking forward to contributing to this group, and also looking for training. That's where we are now.

We're always looking for places to go that our students can get more training. It's not only educational, but it's also a social event where they can begin to see other students, and how many students are like themselves. They want to be drug free. They want to do something to help other students.

It's a great feeling, and the students can attest to it. This last training that we attended a few weeks ago was run by SODAT. They're part of the South Jersey Youth Commission. It was sponsored by them, the Elks, and some of the other organizations. Only two counties in New Jersey were not represented at that training session. Again, the students came away with a great deal of information and a great deal of enthusiasm as to what they could do to help the problem.

I think that's really the answer, and I think what we need from the State is to maybe take some leadership role in directing training programs; to make it part of curriculum, to make it part of what should happen at the high school level as activities. I think that that, put together with the need to involve students at all levels of either determining programs or policies for schools at the different levels, either State, county, local, or even local school policies-- I think that's why the need for ongoing training is extremely necessary.

In attending this last meeting in South Jersey, there was talk of organizing the State, not only-- South Jersey seems to be the leader. They've been at this a lot longer than most of us have. The South Jersey Youth Commission has been in effect for many years, now they are trying to do the same with Central Jersey and Northern Jersey, and I think, again, this is the answer to solving a lot of the problems of youth today.

It's important that these students attend these training programs to be able to participate in helping people like you to try to determine what is needed at the different levels of government, and at the different levels of education and so forth, so that they can participate and have some input into that.

ASSEMBLYMAN KENNY: Thank you very much.

Lieutenant Kaden?

L I E U T E N A N T H E N R Y K A D E N: I think I'm at a little disadvantage. I'd like to thank you for inviting me here, first. Being last, there's not much I can say that hasn't already been said, so, I will have to go off on a personal tangent.

I've lived in Union City for 40 years. I graduated from Emerson in '66. Right after Emerson I was drafted, and I went to Vietnam. In my youth group, when peer pressure was mentioned, a lot of my friends were involved in drugs.

I also had several policemen who took a special interest in me. You refer to the family in the olden times. Well, if I used to go home and tell my father that the cop smacked me in the head, my father would smack me in the head. We can't do that anymore. As a matter of fact, Mr. Mona, of the Board of Education, was probably one of the ones who smacked me in the head, and I owe him a lot, because he helped me, believe it or not, with his tactics.

Of course, now, I as a policeman cannot use those tactics. So I have to use education as my tool. When I approached Mr. Mona, I had him in mind. Fortunately, I'm lucky. I live in a city, and I work in a city that is progressive. I have leadership that allows me to go into the schools. I specialize in the Crime Prevention Bureau, where drugs cause a lot of the problems with crime.

So, I'm lucky. I have a Chief who is behind me, I have an administrator who is behind me, and I have the Board of Education, and that's where the link comes in. They've accepted me and I have no problems working there. It makes my job a whole lot easier.

I can tell you, I've seen drugs on the enforcement level when I was a patrolman. I've been involved in a shoot-out -- not myself personally -- but I was down the corner from a drug related shoot-out where three people were killed and four people were wounded because of drugs.

As a sergeant on patrol I went on a sick call one day where a friend who I grew up with was overdosed in a bathroom with a needle in his arm, so I've experienced it all. I've had peer pressure, and a lot of my friends -- a least 10 -- have died drug related deaths when I was younger.

Now I feel that it's my responsibility to go into the schools and educate these kids. And it's earlier and earlier that we have to get to them. My program has-- That's a beginning. It's expanded now to the first grade.

We have to give these kids credit. They know a lot more than we think they do. Mr. Mona can attest to the fact. Recently we had a first grader who drew a picture, and he showed a drug dealer with cocaine in his hand. Now, this is a first grade kid. I think it's necessary that we get in there early, and we let them know that we care. That's all I can say.

I'm fortunate in the position, and I guess there's not many police departments that will just take a policeman off the streets because of the crime problem, but this administration has done it. And I have two men who work with me.

So, in my job, I have won several awards, but it's easy when you have everybody working together. It makes my job easier, and it makes me look good, but whatever awards I get, there are a lot of people who deserve them.

ASSEMBLYMAN KENNY: Where do you work everyday?

LT. KADEN: Well, I'm in the Crime Prevention Bureau.

ASSEMBLYMAN KENNY: Right.

LT. KADEN: Part of it, as I said, is in education. In other words, we worked that out. Like I say, two out of three crimes in New Jersey, I think, are drug related. I guess my program may be a long-range program, looking towards the future.

Again, I'm even involved in--

ASSEMBLYMAN KENNY: Again, I just thought, when you say "your program," what are you referring to?

LT. KADEN: Well, the Elementary Drug School Program.

ASSEMBLYMAN KENNY: Okay.

LT. KADEN: The Elementary Education Program. I originally started that at the third grade level. But the kids have taught me a lot. They know-- I thought that was young enough to begin with, but my eyes were opened by the kids themselves, so next year I tried the second grade, and lo and behold, these kids educated me that they knew a lot more. I

mean, when a kid in second grade can tell you every drug that's known, or he can say that you get rich selling drugs, there's something wrong.

So now, I went into the first grade, and I don't know how much younger to go? I don't know if I could deal with kindergarten? But even now, the first graders know every name of major drugs.

And I'm sure it's a family influence. I mean, the Board of Education can do everything, the Police Department can do everything, but how can you dictate what the parents do? We have to get them involved, too. How can you tell a kid not to do drugs when he goes home and his parents are either selling or using? It's a very difficult situation.

I'm fortunate because when I grew up, I had a family unit to go back to. I had a mother and father. A lot of these kids are single parent homes. That's something I can't make a dent in. But is it fair for me to just say, I can't do anything, and give up? No, I won't do that.

ASSEMBLYMAN KENNY: Do you go around to the schools?

LT. KADEN: Yes. I'm involved in all of the schools.

ASSEMBLYMAN KENNY: And how often do you go to a school?

LT. KADEN: I would say an average of two or three times a week.

ASSEMBLYMAN KENNY: All right.

LT. KADEN: I've spoken to, I believe, over 1500 first and second graders this year, and like I said, we also have a drunk driving program that's with the high schools. It was such a need for that that we've expanded that now -- that we're into the driver's education classes from 9th to 12th.

But there is only so much you can do without funding. Fortunately, the drunk driving is funded by the Drunk Driving Enforcement Fund.

ASSEMBLYMAN KENNY: Right.

LT. KADEN: So, it's self-perpetuating. If we have a DWI roadblock and the surcharge is assessed upon conviction, \$90 of that \$100 comes back to my program. Then I can expand it, which I've done. The funding, I guess, is the main thing here. The city funds my elementary drug program. We give out coloring books. We have a video which was given free through the State. It's really, I believe, cost-effective.

The way I can say this is because I notice now that the kids notice me on the streets and they know my name, and they say hello to me. At least I know that I'm getting through.

The bottom line is if I can save one kid -- like maybe Mr. Mona smacking me in the head did -- to me, it's worth it. I mean, that's my target: To save one kid.

That's all I really have to say.

ASSEMBLYMAN KENNY: Thank you very much, Lieutenant.

LT. KADEN: You're welcome.

ASSEMBLYMAN KENNY: Well, that completes the agenda that I have before us today. Is there anyone else who would like to say anything or offer any remarks before we--

Mr. Mona, would you like to conclude by any remarks?

MR. MONA: Well, I basically would like to thank everyone. The kids were just great. And the teachers that we had involved, Mr. Dragona, Mr. Celebrano, Toni Baumander, Donna Howes. They've all worked very hard. They're the best. The kids are the best. They do it because they want to do it. It's strictly voluntary, and I can't thank them enough.

I thank you for having us here.

ASSEMBLYMAN KENNY: Thank you. I want to extend my gratitude to all of you as well and to the Mayor, to Commissioner Walter, to the Board of Education, to the Police Department, and to Mr. Vaccarino, the Principal of the school here for allowing us to use these facilities.

What we're going to do, and I mean this so you realize that today's activities, -- both this morning's and this

afternoon's -- will not be in vain, so to speak-- We're going to be going through all of this testimony and try to develop from it some core conclusions.

If we can come out of this with two or three substantive areas that call for further review, further consideration, then I think -- and I can almost say what they are, off the top of my head -- but then I would say that we've had a very successful day, because to be honest with you, my opinion is that there's not enough-- There's a lot of effort that is going into this field, but there has to be-- It is time to take a look at a lot of things that have happened in the last five years, in all of the areas that have been discussed today; both this morning with the drug testing, and with your programs.

I think we have to take a look now at these experiences and then see what's needed to go to the next level, because I think a lot of school districts, especially Union City and others, are working very, very hard, but I feel that we need to have meetings like this, hear from the people, and then go to the next level, and as a community, try to provide the assistance necessary to get there.

So, we're going to be examining this record and coming up with, hopefully, some results that we feel need to be considered further, maybe additional hearings, additional expertise -- maybe you people will be involved in that the next time -- so that this Committee can fulfill the mandate which it was asked to do, which is to take a look at drug policy in the State of New Jersey, to give it an update and to make it comprehensive.

I think that's our agenda, and I think that you helped us tremendously today. I also want to thank the students for their participation. You deserve to be commended. Before we go, what I would like, if someone could give me the names of the students, because I would like to send them something. We

don't think we have them, but before we go I would like to send them a little note of thanks so that they have that.

I appreciate very much what you have all done today, so thank you very much.

MR. MONA: I would just like-- Is it possible that we could delete that part of his testimony where he said he was brutalized by-- (laughter)

ASSEMBLYMAN KENNY: Well, that was one of the four points that we are going to review. (laughter)

UNIDENTIFIED SPEAKER FROM AUDIENCE: Maybe we should get those rights back again.

LT. KADEN: But the ends justify the means. That's the bottom line.

(HEARING CONCLUDED)

APPENDIX

UNION CITY BOARD OF EDUCATION

Student Awareness of Substance Abuse Program

" S.A.S.A."

3912 Bergen Turnpike
Union City, N.J. 07087-2507
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Thomas Kelly
Substance Awareness Coordinator

SUBSTANCE ABUSE EDUCATION PROGRAM OVERVIEW - S.A.S.A.

Substance Abuse Education:

The school district continues to implement the "Here's Looking at You - 2000" curriculum in all schools in the district for the 1989-1990 school year from Kindergarten through the Twelfth Grade. Current plans include the purchase of master guides and manipulatives in Spanish for our bilingual students on all grade levels. All Parochial schools are also using this curriculum.

Video Libraries:

The S.A.S.A. Program is continuing to produce and distribute video tapes with lesson plans to all schools in the district in an effort to supplement existing substance abuse information. Many of these tapes were developed by the United States Department of Education.

Union Hill High and Emerson High School are making a variety of manipulatives and student centered literature on substance abuse available to the students.

Eventual plans include such "information banks" for students in all district schools with long term plans including computer access to outside networks.

Drug/Alcohol Survey:

The New Jersey State Department of Education and Mr. Thomas Kelly, Substance Awareness Coordinator have administered a followup Drug/Alcohol survey to students at Emerson High School in October, 1989. This is part of the nationwide effort to utilize student knowledge and opinions to develop statewide strategies to better educate in the area of substance abuse.

Drugs Ain't Us Peer Group:

The S.A.S.A. Program Peer Group at Union Hill High School, under the leadership of the High School Core Team, has embarked on an ambitious schedule to work with the uptown elementary schools (including the parochials) to "Talk drugs out". Peer meetings have already initiated elementary school interest in anti-drug school projects.

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Future trainings for the high school peer group members are being planned by Mr. Dragona, Mr. Celebrano and Mr. Rodriguez, who serve as the Union Hill Core Team along with Thomas Kelly and Anthony Buscetti, Peer Leadership Coordinator for the Union City District.

A variety of activities at the high school, sponsored by "Drugs Ain't Us" have already been approved by Union Hill High School Principal, Mr. Frank Acinapura.

Mr. Celebrano and four students from the S.A.S.A. Program Peer Group have recently returned from three days of Drug/Alcohol Peer Leadership Training with S.O.D.A.T. in Jamesburg, New Jersey. The knowledge will be shared with the entire group.

Bulldogs Against Drugs Peer Group:

The S.A.S.A. Program Peer Group at Emerson High School is growing each week. Students have also scheduled activities for the year. Emerson High School Principal, Mr. Alfred Higuera and Assistant Principal, William Stanton, have taken an active roll in the program.

The peer group is working in the downtown elementary schools and recently was presented a proclamation by Mayor Robert Menendez in honor of Drug Free Schools and Communities Week. Led by Emerson High School's Core Team of Donna Howes, Toni Baumander, R.N., and Mr. Louis Carpenito, the peer group is looking forward to another successful year working with elementary students downtown. Ms. Baumander and four students also were trained in Drug/Alcohol Peer Leadership by S.O.D.A.T. and are now planning a Turnkey initiative to impart this valuable information to the entire group. Other plans include working with senior citizens in the City.

"Reach" Reunion:

Both S.A.S.A. Program High School Peer Groups and the Core Teams were represented at the Reach American Reunion in Bayonne on Sunday, October 22, 1989. The meeting of previously trained students and faculty focused on new ways to implement these Drug Free Youth Groups. This is a project sponsored by the National Federation of Parents for Drug Free Youth.

The Union City Narcotics Task Force:

Led by Sgt. Claudio Gonzalez, the Task Force is again doing student workshops and "rap sessions" in all district schools for the 1989-1990 school year. Sgt. Gonzalez continues to work closely with both high school peer groups as well as with Thomas Kelly. His community concern has been an inspiration to our student population.

The Narcotics Task Force is also working with the Parochial schools in the City. Sgt. Gonzalez is also active in the Union City S.A.S.A. Program Advisory Committee.

Union City Crime Prevention Bureau:

The Crime Prevention Bureau, led by Lt. Henry Kaden, has expanded its programs and is now working on an excellent anti-drunk driving program offered in both high schools during the 1989-1990 school year. Also working hard in this prevention program are Detective Joseph King and Sgt. Richard Hogan and Peter Maniero.

Included in their busy schedule is the "Say No To Drugs" - McGruff Program which is again being offered in all elementary schools in the district from grades K through 3. The Crime Prevention Bureau's association with the S.A.S.A. Program continues to grow and is another indication of the working together of community agencies.

Another project recently undertaken is the presentation of the "Yo Hoo" film and lecture to primary grades city-wide.

The Union City Substance Abuse Education Committee:

The Committee has been working behind the scenes with Mr. Kelly to develop district changes in the Health Education curriculum. These Teachers from each elementary school in the district are utilizing their expertise at various grade levels to plan a uniform approach for the 1989-1990 school year and beyond. They are to be commended for their professional efforts and enthusiasm for their students and the S.A.S.A. Program. They are:

Thomas Kelly	Substance Awareness Coordinator-UCEC
Nancy Williams	Robert Waters School
Lois Neuman	Roosevelt School
Mary Ann Capetola	Hudson School
Iris Cavadi	Washington School
Michael De Vincenzo	Gilmore School
Caroline Wentowrth	Edison School
Sharon Saunders	Jefferson School
Geraldine Primiano	Jefferson Annex

The combined efforts of the Police Department and the Union City Board of Education to alert our students to the dangers of drug abuse is ongoing. We look forward to a successful completion of the 1989-1990 school year and continued expansion of our program with the delivery of innovative approaches at all levels.

3x

Corporate Sponsorships:

Mr. Kelly has developed a working relationship with several corporations to assist the S.A.S.A. Program and the Union City Students in various ways. The Pepsi Cola Corporation, Motivational Media, Inc., North Hudson Kiwanis, and the Monsanto Corporation and Public Service Electric and Gas Company, are some of the Corporate sponsorships which have been working to alert our students to the dangers of drugs. Among others are the New Jersey Devils, Hudson United Bank and the New Jersey Nets. Future announcements regarding these ongoing relationships are coming.

Most recently, the S.A.S.A. Program has received assistance from the Boy Scouts of America.

School Based Youth Services Program:

"Project Fresh" - this program offers counseling services to all 13 and 19 year old students in Union City. It will serve as an information and service center to youth who are at risk. This program also serves as a followup counseling service for adjudicated abusers or who are adversely effected by dysfunctional family situations.

Substance Abuse Education Workshops and SBYSP Staff Trainings in conjunction with the S.A.S.A. Program is planned by the Project Directors: Thomas Kelly, Mr. Jack Keshish and Mr. Richard Quagliariello.

The Directors have asked Ms. Maureen Canning to visit each district school on a rotating basis to promote the utilization of all aspects of this outstanding program. Her duties include actively seeking referrals of "at risk" students and reporting to each principal and teachers the results of necessary counseling for these students.

Administrative Support:

The Student Awareness of Substance Abuse Program continues to grow and is recognized as a vital program throughout the City. Strong support by Mr. Thomas Highton, Acting Superintendent of Schools and Mr. Fred Carrigg, Executive Director of Academic Programs, Mr. Frank Mona, Vice President of the Union City Board of Education, District Supervisors and all the Administrators in every school in the City has generated positive enthusiasm on the part of the district staff as well as the student population.

The district Curriculum Resource Teachers have been a great help to the program in disseminating vital information to staff and students as well.

Teaching staff in all schools are doing a terrific job!!

4x

S.A.S.A Program Spring Assembly Schedule:

An aggressive schedule of anti-drug assembly programs has been scheduled for every school in the district as well as the School Based Youth Services Program. This "Straight Into Spring"... series includes:

These varied programs are offered through:

- The United States Department of Customs
- The Council on Drug/Alcohol Education of New Jersey
- Motivational Media Assemblies of Burbank, California

Staff Training/Workshops:

Mr. Kelly continues to offer inservice Training/Workshops to the district staff including the Medical and Guidance Departments.

Workshops are designed to update the professional staffs on district policies and procedures, use of the "Here's Looking At You - 2000" curriculum, current New Jersey State Department of Education requirements and mandates including the Drug Free School Zone Laws and our coalition with the Union City Police Department. Other workshops center around the access and utilization of our School Based Youth Services Program Services and our continuing district partnership with New Jersey State Department of Human Services.

Student Enthusiasm:

The "Drugs Ain't Us" Peer Group at Union Hill High School and "Bulldogs Against Drugs" Peer Group at Emerson High School continue to grow in numbers. They are powerful "positive" influences in their respective schools and have generated "action groups" in many of our elementary schools. The innovative "Reverse Peer Pressure" concept is growing and students work with students to proudly advance the idea that being healthy and productive is "Where It's At".

Students at Edison School and Roosevelt School have worked collectively on pilot projects reflecting anti-drug themes and should be commended.

The entire school district is currently working on a project generated by The North Hudson Council of Mayors and "Say No" posters are being developed. The overall winner will become the poster that will be mass produced and distributed all over North Hudson.

The Union City Multi Arts Program has again developed art work with antidrug themes which will be included in The Annual Multi-Arts Festival in May.

Students in Washington School have written and acted in anti-drug videos and plays!

Our students want discipline and the freedom to "Create and Learn" in a drug free atmosphere and our S.A.S.A. Program is generating the self esteem that fosters such an atmosphere.

Hudson County Youth Commission:

We are proud of the fact that both Peer Groups from Emerson High School and Union Hill High School are founding members of this new county-wide student alliance to combat drug abuse and highlight the positive direction of various school programs in Hudson County.

A very successful meeting of Hudson County Youth Commission was hosted by Donna Howes and Toni Baumander, R.N., of the Emerson High School Core Team and the students of "Bulldogs Against Drugs" recently. Over 120 teachers, administrators and students from 68 school districts were in attendance.

Future staff meetings are planned in an effort to unify this student alliance.

Statewide Student Conference:

Our school district to date is the only one to have hosted a "student centered" conference on substance abuse on the scale of last year's highly successful "New Jersey Student Conference on Substance Abuse" which was sponsored by the S.A.S.A. Program and the School Based Youth Services Program.

The Union Hill Core Team and Peer Group did an outstanding job and acted as hosts for this conference at Union Hill High School. Over 68 school districts from all over the State of New Jersey were represented. Governor James Florio addressed an overflow crowd of 765 guests as well as other nationally prominent experts and educators in the field of Substance Abuse.

Awards:

Both the Union City Student Awareness of Substance Abuse Program and the School Based Youth Services Program ("Project Fresh") have received national recognition and awards:

- S.A.S.A. - 1st place National Conference of Mayors Award, 1988.
- S.B.Y.S.P. - American Public Welfare Association Award -
Successful Projects Initiative, 1990.
(Ford Foundation and NASBY Recognition)

S.A.S.A. Scholarships:

The program will again offer scholarships to worthy graduating seniors of both high schools who maintain the criteria. This is another incentive to our diligent students who have made the grade while remaining "drug free".

6x

Union City Highlights Anti-Drug Efforts:

On Tuesday, April 3, 1990, the Union City S.A.S.A. Program will appear before the New Jersey Legislative Assembly Drug and Alcohol Abuse Policy Committee at a Public Hearing to discuss all aspects of our program with the focus on enlisting students in the battle against drugs through the innovative "reverse peer pressure". The coalition between the Board of Education and the Union City Police will be discussed.

We are proud but not complacent. We will continue to improve and grow. Our students are the future of this City and we do not intend to lose any of them to the ravages of drugs. - - - - -

7x

UNION CITY BOARD OF EDUCATION

Student Awareness of Substance Abuse Program

" S.A.S.A."

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Thomas Kelly
Substance Awareness Coordinator

March 30, 1990

REVISED

UNION CITY S.A.S.A. PROGRAM
SPRING 1990 - ASSEMBLY SCHEDULE -
"STRAIGHT INTO SPRING"

GIVEN BY: New Jersey Council on Drug/Alcohol Education

Thursday Hudson School - 9:00 A.M. - Grades 7 and 8
April 5 Gilmore School - 12:30 P.M. - Grades 7 and 8

School Based Youth Services Program

Tuesday Emerson High School - 4:15 P.M. - Open to all clients
May 1

GIVEN BY: United States Customs Service

Wednesday Robert Waters School - 9:30 A.M. - Grades 4 to 8
April 11 Washington School - 12:30 P.M. - Grades 4 to 8

Monday Gilmore School - 9:45 A.M. - Grades K to 8
May 14 Edison School - 12:30 P.M. - Grades 4-5-6

GIVEN BY: Motivational Media Assemblies and the Pepsi Cola Corporation - East

"CHOICES"

Monday School Based Youth - 7:00 P.M. - All students & parents
May 14 Services Program

Wednesday Emerson High School - 9:00 A.M. - Grades 9 to 12
May 16 Roosevelt School - 1:00 P.M. - Grades 5 to 8

Thursday Union Hill High School - 9:00 A.M. - Grades 9 to 12
May 17 Edison School - 1:00 P.M. - Grades 5 to 8

Tuesday Washington School - 9:00 A.M. - Grades 5 to 8
May 22

CC: Thomas Highton
Fred Carrigg
Supervisors
Principals

8x



PAUL G. KELLY
CHIEF OF POLICE
201/348-5730

HENRY KADEN
SERGEANT
201/392-3674

CITY OF UNION CITY
Crime Prevention Bureau

3910 PALISADE AVENUE
UNION CITY, NEW JERSEY 07087
201/392-3673

TAKE A BITE OUT OF
CRIME



We support the National
Citizens' Crime Prevention Campaign.



BRUCE D. WALTER
PUBLIC SAFETY COMMISSIONER
201/348-5744

ROBERT MENENDEZ
MAYOR
201/348-5755

DRIVING WHILE UNDER THE INFLUENCE

PROBLEM

PRESENTLY THERE IS NO AWARENESS PROGRAM OR TRAINING PROGRAM WHICH ADDRESSES THE CAUSE, CONSEQUENCES, OR THE REPERCUSSIONS OF DRIVING WHILE INTOXICATED. IN UNION CITY THERE ARE TWO HIGH SCHOOLS AND NUMEROUS ADULT EDUCATION CENTERS WHICH ALL HAVE STUDENTS OF DRINKING AGE. THERE IS NO DRIVER EDUCATION COURSE WHERE STUDENTS MAY BE INTRODUCED TO CONSEQUENCES OF DRIVING WHILE INTOXICATED AND ONLY TELEVISION ADS MAY BE SEEN TO INCREASE AWARENESS OF THE PROBLEM.

OBJECTIVES

CONDUCT ON SITE VISITS TO THE CLASSROOMS
INCREASE AWARENESS OF D.W.I.
EDUCATE THE STUDENTS TO THE CONSEQUENCES OF D.W.I.
DEMONSTRATE THE USE OF THE BREATHALYZER
USE VIDEO EQUIPMENT TO SHOW ANTI-D.W.I. FILMS AND
DISCUSS WITH STUDENTS
INVOKES POSITIVE PEER PRESSURE

GOAL

TO EFFECTIVELY EDUCATE YOUNG PEOPLE TO THE NEGATIVES OF D.W.I. AND REDUCE AND/OR ELIMINATE DRIVING WHILE INTOXICATED

METHODS

MAKE STUDENTS AWARE THERE IS A PROBLEM AND THAT THEY CAN HELP MAKE A DIFFERENCE WITH REGARD TO CORRECTING IT.
EMPHASIZE RESULTS
INVOLVE STUDENTS AS A GROUP AND ON A ONE-TO-ONE BASIS
INVOLVE SCHOOL SOCIAL CLUBS
UTILIZE CRIME PREVENTION BUREAU

SUPPORT GROUPS

SCHOOL TEACHERS

UNION CITY IS AN EQUAL OPPORTUNITY EMPLOYER

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PAUL G. KELLY
CHIEF OF POLICE
201/348-5780

HENRY KADEN
SERGEANT
201/392-3674

CITY OF UNION CITY
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SUPPORT GROUPS

SCHOOL PTA
LOCAL CIVIC GROUPS (i.e., KIWANIS, ROTARY, ETC.)
BOARD OF EDUCATION MEMBERS
POLICE DEPARTMENT
CITY ADMINISTRATORS
LOCAL TV NETWORK

SUPPLIES

PRINTING - PRINT VARIOUS FLYERS AND CERTIFICATES FOR THOSE STUDENTS THAT COMPLETE THE PROGRAM

SIGNS - HAVE TWO 4FT. X 8FT. SIGNS PAINTED ON WOOD DESIGNATED STUDENTS FROM THE SCHOOL ARE PARTICIPATING IN ANTI-D.W.I. CAMPAIGN. (I.E., EMERSON STUDENTS AGAINST DRUNK DRIVING NOW IS SESSION--ALL STUDENTS INVITED)

VIDEO TAPES - UTILIZE HIGH SCHOOL VIDEO CLUB, THE CRIME PREVENTION BUREAU AND TEACHERS TO MAKE A VIDEO MOVIE AGAINST DRUNK DRIVING SO STUDENTS CAN RELATE TO THE LOCAL PROBLEM.

MISC. OFFICE SUPPLIES - PENS, PADS, ETC.

IN-KIND CONTRIBUTIONS

THE CITY OF UNION CITY WILL ASSIGN CRIME PREVENTION BUREAU PERSONNEL TO DEVELOPE AND PRESENT THE PROGRAM.

THE CITY OF UNION CITY WILL ASSIGN OFFICE SPACE FOR PROGRAM SHOULD STUDENTS NEED TO SPEAK TO OFFICER PRIVATELY AND FOR KEY STUDENTS TO MEET.

THE UNION CITY BOARD OF EDUCATION WILL ASSIGN A LAISON PERSON TO WORK WITH POLICE OFFICERS.

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Drugs In The Workplace

While schools offer excellent opportunities to provide substance abuse prevention education, and while community intervention is an integral part of fighting the abuse problem, the environment which experiences the most immediate effect of drug abuse is the workplace.

Drug use is most prevalent among young adults -- a segment of our population now entering the work force. Billions of dollars worth of production is lost each year through drug abuse in the workplace. Drug abusers are absent from the job 16 times more often than nonabusers and are much more likely to be involved in on-the-job accidents. (Source: "What Works: Workplaces Without Drugs," U.S. Department of Labor)

The cost to society, and the social, economic, and legal costs to business have created a new awareness of the multi-faceted problems resulting from alcohol and drug abuse. Accordingly, there is a consensus that action must be taken to reduce those costs.

Early Warning Signs of Substance Abusers are:

- Excessive tardiness
- Excessive absenteeism
- Decrease in work productivity and poor work performance
- Careless disregard for co-workers safety
- Mood swings and unpredictable behavior/personality changes
- Borrowing money excessively and theft from co-workers

These signs are not conclusive evidence of a drug or alcohol problem, but an indication that a problem may exist.

What Can Employers Do?

Many employers have begun to institute new policies and procedures for solving the problem of workplace drug abuse.

Suggested strategies for employers to achieve this goal should include some of the following:

- Adopt a drug abuse policy and notify employees of this policy
- Provide drug education programs to employees
- Implement an employee assistance program
- Rehabilitation
- Supervisory drug education training
- Drug testing



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Drug policies with clear guidelines are the cornerstone of workplace-prevention efforts. Educational programs inform the employee about drug abuse, including how drugs affect their work, body, family and community. Assistance for employees ranges from informal referrals to formal treatment programs. Supervisors are trained to detect possible drug abusers and to respond to abusers by using organizational policy and procedures. Drug testing can be used as a screening device for new employees, after accidents, randomly, or for "just cause." State and local laws may have an impact on a drug-testing program. Accordingly, before establishing a drug-testing program it should be determined if state or local laws exist with regard to drug testing. If so, the policies and procedures of the drug-testing program must adhere to the applicable laws.

Resources:

National Institute on Drug Abuse (NIDA)
5600 Fishers Lane
Rockville, Maryland 20857
(301) 443-4577

National Clearinghouse for Alcohol
and Drug Information
Post Office Box 2345
Rockville, Maryland 20852
(301) 468-2600

Association of Labor-Management
Administrators and Consultants
on Alcoholism (ALMACA)
Suite 907
1800 North Kent Street
Arlington, Virginia 22209

American Council for Drug Education
Suite 110
204 Monroe Street
Rockville, Maryland 20850
(301) 294-0600

Toll-Free Hotline Numbers:

The National Institute on Drug
Abuse Workplace Helpline
1-800-843-4971

National Institute on Drug Abuse
1-800-662-HELP

National Council on Alcoholism
1-800-622-2255

Cocaine Helpline
1-800-COCAINE

The FBI will lend assistance to employers in initiating drug-free workplace programs. For further information about the FBI's drugs-in-the-workplace efforts and the FBI's Drug Demand Reduction Program, contact the FBI field office Drug Demand Reduction Coordinator nearest you.

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The FBI's Drug Demand Reduction Program

Illegal drug use and abuse is truly the number one crime problem in America. The FBI realizes that even the most diligently applied law enforcement initiatives against drug traffickers will not rid us of drug abuse by itself. Until the demand for illegal drugs is eliminated, drug abuse will continue to plague our country.

Accordingly, in April, 1988, the FBI established its Drug Demand Reduction Program (DDRP). The program is designed to augment the enforcement efforts of the FBI as a long-term solution to the drug abuse problem. It is recognized that providing youth with the necessary skills to be drug free is a key ingredient in a successful solution. The FBI's DDRP strategy focuses its efforts into three general areas: schools, communities, and the workplace. The FBI works in cooperation with other Federal, state, and local agencies who are striving to reduce the demand for drugs. In order to carry forward the FBI's DDRP, experienced Special Agents serve as Drug Demand Reduction Coordinators (DDRC) in each of the FBI's 58 field offices nationwide. The roles of these DDRCs include:

- Fostering appropriate coordination between the FBI's law enforcement and drug demand reduction initiatives and objectives;
- Establishing procedures to receive drug demand reduction information from a variety of sources throughout their territories;
- Disseminating pertinent drug demand reduction materials to appropriate organizations;
- Facilitating the presentation of drug demand reduction programs and making public presentations on drug awareness;
- Establishing and maintaining liaison with the demand reduction specialists of other agencies and organizations; and
- Coordinating the development and growth of regional programs with FBI Headquarters to ensure maximum economy and effectiveness.

Our Nation's most valuable resource in the fight against drug abuse is the American people. Our Headquarters and field offices are working with citizens from around the Nation who are actively involved in drug prevention and education efforts. You are encouraged to contact the FBI's field office DDRC nearest you to share drug prevention ideas and initiatives. A listing of the address and telephone number for each FBI field office is provided for reference.



