Annotated Bibliography

Student’s Name

Institutional Affiliation

Course Code

Instructor’s Name

Submission Date

Should People on Welfare be required to Submit to Drug Testing?

**Lyle, L. (2012). Florida’s Legislation Mandating Suspicionless Drug Testing of TANF Beneficiaries: The Constitutionality and Efficacy of Implementing Drug Testing Requirements on the Welfare Population. *Tenn. JL & Pol’y*, *8*, 68.**

Lyle argues that although several drug testing schemes are constitutionally approved; States should not implement any wide-ranging compulsory suspicionless drug testing for individuals on welfare because of the expenses and questionable efficiency of such schemes. This article is relevant to my research because it outlines why suspicionless drug testing is unconstitutional and unreasonable. It also highlights why implementing compulsory drug testing on the welfare population is bad policy, unfair, and a violation of the Fourth Amendment, supporting my claim that individuals on welfare should not be required to submit to drug testing.

**Budd, J. C. (2010). Pledge your body for your bread: Welfare, drug testing, and the inferior fourth amendment. *Wm. & Mary Bill Rts. J.*, *19*, 751.**

Budd argues against suspicionless drug testing and claims that individuals’ privacy should not be invaded as mandated under the Fourth Amendment doctrine. This article is relevant to my paper because it discusses how, over the past few years, states have required aid recipients to adhere to invasive processes. It also does an amazing job of highlighting how legislation assumes that the poor are intrinsically inclined to culpable conduct, which goes to show that drug testing welfare recipients is unnecessary.

**Gatlin, R. (2015). Drug Testing for Welfare Recipients: Constitutional Violation or Public Necessity? *Campbell Law Observer*.**

Gatlin asserts that drug testing should not be mandatory for individuals on welfare because the government lacks a logical interest to justify giving welfare recipients suspicionless drug tests, and conducting drug tests on such persons violates their Fourth Amendment rights. This article will help me establish a compelling argument as it draws from various cases to establish why it is not allowable for the government to necessitate individuals to pass drug tests before receiving financial aid and remain drug-free to continue receiving financial assistance.

**Goetzl, C. (2012). Government-mandated drug testing for welfare recipients: Special need or unconstitutional condition. *U. Pa. J. Const. L.*, *15*, 1539.**

Goetzl holds that obligating drug testing for individuals on welfare criminalizes and stereotypes the poor and takes away their dignity and control over their personal information. This article will help develop my research as it provides ways through which the Court can develop a separate Fourth Amendment analysis that addresses issues concerning the conditions of welfare benefits. Even though this article is written in an enjoyable style, it provides measures that the Court can take to end unwarranted coercion that forces people to choose between privacy and sustenance.

**Pérez-Muñoz, C. (2017). What is wrong with testing welfare recipients for drug use?. *Political Studies*, *65*(4), 912-929.**

Pérez-Muñoz claims that the three justifications that support suspicionless drug testing, i.e., harm, contractualist, and paternalist-based justifications, are in no way persuasive. He argues that the costs of normative justifications outweigh its benefits when it comes to welfare recipients’ privacy. This research article is crucial to the development of my research, as it illustrates how accepting normative justifications is unfair. It also provides a broad range of information on how testing welfare recipients can strengthen existing justices and how drug testing policies can engender difficult to fulfill moral obligations.

**Walker, M. J., & Franklin, J. (2018). An Argument Against Drug Testing Welfare Recipients. *Kennedy Institute of Ethics Journal*, *28*(3), 309-340.**

Walker and Franklin maintain that drug testing individuals on welfare is ethically unacceptable. They assert that for programs of testing individuals on welfare to be ethically acceptable, they must meet the necessity, proportionality, and success criteria. This article will fortify my research because it assesses drug testing programs using a proportionality approach and finds that these programs do not meet their aims, are not lower in costs, and are not sufficiently important in purpose. It also discusses how drug testing programs can link individuals to treatment interventions while providing them with financial aid.

**McLaughlin, B. W. (2013). Drug Testing, Welfare, and the Special Needs Doctrine: An Argument in Support of Drug Testing TANF Recipients. *Clev. St. L. Rev.*, *61*, 567.**

McLaughlin maintains that suspicionless drug tests on individuals on welfare do not go against the Fourth Amendment. She supports suspicionless drug tests because they serve the strong enough governmental interests of protecting children and promoting self-sufficiency. She holds that individuals on welfare have little to no privacy because of the ubiquity of eligibility requirements. This article is crucial to my research because it serves as an opposing viewpoint to mine and will help me develop an argument that shows the contrasting side of the issue.