



# Office of the Attorney General of Guam

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**FOR IMMEDIATE RELEASE**

## **AG: 100% Random Drug Testing of Government of Guam Employees Violates Constitution**

*October 10, 2017-Tamuning, Guam-* Attorney General Elizabeth Barrett-Anderson issued an Opinion stating that random drug testing of 100% of all government of Guam employees is a violation of the Fourth Amendment of the United States Constitution.

This is in response to a request made by Senator Telena Nelson, Chairperson for Committee on Public Safety, who sought the legal advice of the Attorney General before introducing legislation regarding drug testing of government of Guam employees.

“In order to pass constitutional muster, the government employer has the burden of demonstrating a ‘special need’ to conduct suspicionless searches beyond crime detection,” said Attorney General Barrett-Anderson.

Random drug testing based on a general need to deter drug use by government employees, or broad stroke legislation to institute random drug testing of *all* government of Guam, is not constitutional.

For full details of the AG's Opinion on this matter, [click here](#).

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### **For more information:**

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