

ANABOLIC STEROID ABUSE IN PUBLIC SAFETY PERSONNEL

A FORENSIC MANUAL



BRENT E. TURVEY AND STAN CROWDER



Anabolic Steroid Abuse in Public Safety Personnel

A Forensic Manual

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Anabolic Steroid Abuse in Public Safety Personnel

DEDICATION

The mission of law enforcement, "to protect and serve," must not be comprised by the illicit use of drugs by those individuals sworn to uphold the law. Law enforcement officers are guardians of a sacred trust, and as such, must be beyond reproach.

Daley and Ellis (1994; p. 3)

FOREWORD

I spent several years, in the early part of my career, working in an undercover capacity infiltrating organized drug trafficking organizations. Anabolic steroids were the most difficult cases to uncover and the penalties were not severe enough to act as a deterrent to the enormous profits available. I observed clandestine labs for their production, as well as prescription steroids being abused by criminals and law enforcement alike. The use, abuse, and trafficking of illegal anabolic steroids was not taken seriously by law enforcement agencies, public safety leadership, prosecutors, and judges. Additionally, most law enforcement leaders or administrators either did not know about the signs and dangers of steroid use or they did not care. This was and is an unacceptable response due to ignorance of the product and its proliferation into our law enforcement, win-at-all-costs, culture.

The “must-win” culture that has been promulgated within law enforcement and public safety has placed inordinate pressures, including peer pressure, on those who enter these professions. Though prevalent in all areas of public safety, the use and abuse of illegal anabolic steroids has appeared to rear its ugly head most often within the ranks of first-line officers, deputies, troopers, fire, rescue, corrections officers, and first responders from other emergency services. These folks are the ones who are placed in harm’s way on a daily basis. The respect garnered from, and confidence conveyed by peers is paramount within these ranks; bigger is better. Conversely, someone who has excelled in the academic and operational acumen required to perform at an acceptable level, but performs marginally in the physical aspects, may draw consternation and suffer a lack of acceptance by others in their respective endeavor.

There has been a blind eye turned to this self-destructive and criminal behavior by public safety leadership for years. As with other abuses, such as alcohol or prescription medications, this too is another crutch that some public safety employees may turn to, without knowing the dangers, the potential for compromise and the inherent, yet hidden devastation it can cause in the lives of the abusers and their

families. Self-medication has always been difficult to identify, unless or until one is made aware of the signs and dangers *prior* to falling into the depths of the issue. The abuser may feel that the potential for some ambiguous side effects, years down the road isn't enough to make him avoid the use of these products. The use and abuse of illegal anabolic steroids is still a form of self-medication in trying to become the biggest, the strongest or the fastest person on the squad. The abuse of anabolic steroids is just another form of this same old problem.

Without the benefit of "being armed" by the information and insight available in this publication, first responders would be more likely to be swayed by peers and uninformed "do-gooders" who would point the youngster in a direction that ultimately would cause the demise of their career . . . if not their life. There is a powerful penchant in the first responder corps which pushes them to be the very best and perform at the highest levels in every aspect. With each new generation of folks entering these careers, the caliber of applicant and the competition for each vacancy becomes more pronounced. To some degree, this abhorrent behavior is a by-product of our own making by leadership being uninformed, misinformed, or not caring to be informed. It does not, however, excuse or forgive the action. Like all of the advances that have been made in public safety over the years, this too is a new opportunity to face and overcome an old problem that has manifested into a near epidemic.

To prosecuting attorneys and judges illegal anabolic steroids have been viewed as a low-priority crime that really doesn't have the "sex appeal" as a heroine trafficker or a cartel-related case. In reality, the proliferation of illegal anabolic steroid cases has quietly infiltrated all socioeconomic groups, including those that one might not expect . . . public safety professionals. The information contained in this manual will educate and assist prosecutors and judges by bringing home the importance of seeking remedies, not just mediocre prosecutions of law enforcement and public safety professionals that would have little or no deterrent effect.

The content of this text has a multifaceted view of the problem, the detection, and the policy direction for public safety. I envision the text being most advantageous to investigators, supervisors, first responders, and public safety leaders and administrators. The usefulness for attorneys and judges educates those who can curb the scourge of illegal

anabolic steroids beyond the potential for not only the malfeasance of abusers but also the prescription for corruption that can creep into an organization. I recommended this manual for reading for new recruits in the academy as a component of the health and wellbeing segments taught to new employees. I highly recommend this text and subject to the curriculum of *all* first responder organizations and their academies.

Captain Jeff Pearce, Spotsylvania County (Virginia) Sheriff's Office

Bureau of Alcohol, Tobacco, Firearms, and Explosives, Retired

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Introduction

In accordance with the *Crime Control Act of 1990* and the *Anabolic Steroid Control Act of 2004* (Federal Register, 2005), anabolic steroids are Schedule III Controlled Substances. In other words, it is a crime to possess, sell, use, or distribute these kinds of drugs outside of their narrowly prescribed medical purposes.¹ Despite this criminal prohibition, public safety personnel are commonly found within the community of anabolic steroid abusers.² Public safety personnel include those serving in police departments, fire departments, and emergency medical services. Abuse by law enforcement in particular is widespread, and often occurs in plain sight without significant consequence (Sweitzer, 2004).

This observation is not a revelation, least of all within the law enforcement community. There have been multiple warnings about the problem and the need for a genuine response over the course of the past three decades. Specific to anabolic steroid abuse, the literature has been blunt, and has documented the general failure of police agencies to take preventative or punitive action. This is when they acknowledge the problem at all.

The situation is that there are officers who want to bulk up and flex—commonly under the guise of gaining a physical “edge” or advantage over the criminals that they anticipate (DEA, 2004; James, 2007).

¹Possession of anabolic steroids is generally a misdemeanor unless the intent to sell can be established. Then it becomes a felony. As we will discuss, the dealer—user model is common with these drugs, to finance what can be an expensive addiction.

²Other groups commonly associated with anabolic steroid abuse include professional and recreational athletes; military personnel; and celebrities/performers.

The solution for some is the illegal use of anabolic steroids because it is an easy way to get big fast. Add to this the reality that too many in public safety are (i) ignorant about the adverse side effects related to anabolic steroid abuse; (ii) encouraging themselves internally to maintain fitness and even use performance enhancers in order to achieve and maintain a physical edge; and (iii) generally unwilling to inform on, or arrest, fellow officers for the felony activity that necessarily accompanies anabolic steroid abuse when they benefit (in a variety of ways) from the image that it reinforces.³ That is the place we find ourselves, and it is difficult for the ethical criminal justice professional to navigate. Hence the need for this manual.

1.1 THE LITERATURE

Almost 25 years ago, the illegal use and abuse of anabolic steroids by law enforcement personnel was described as a “serious problem” in the *FBI Law Enforcement Bulletin* (Swanson et al., 1991, p. 19). This was a groundbreaking effort which acknowledged, in its opening sentence, that “substance abuse among police officers is not new.”⁴ It was a call to action, aimed at raising officer awareness about the dangerous side effects and criminal consequences of anabolic steroid abuse. It also sought to highlight potential departmental liability in order to help administrators avoid it. It was full of helpful wisdom and important admonitions.

³Multiple active duty law enforcement officers from different parts of the United States reviewed this manuscript prepublication. They unanimously expressed that those in law enforcement understand the adverse side effects of anabolic steroid abuse very well. However, they felt that users chose to lie to themselves and others about it in order to rationalize their addictions.

⁴In particular, it mentioned the problem of alcoholism, which remains an area of study that has received little attention despite persisting as a corrosive but silent epidemic within the ranks of law enforcement.

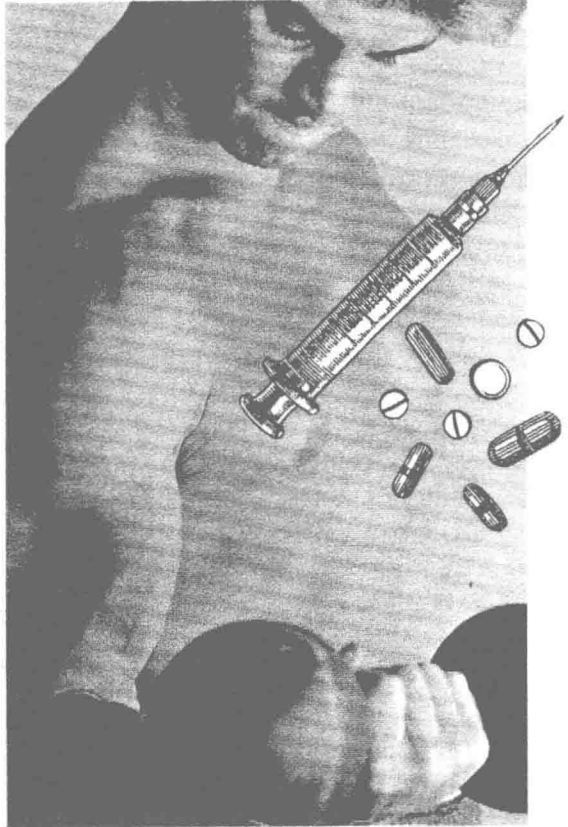
Abuse of Anabolic Steroids

By
CHARLES SWANSON, Ph.D.,
LARRY GAINES, Ph.D.,
and
BARBARA GORE, M.S.

Substance abuse among police officers is not new. Alcohol abuse has long been recognized as a problem in police work. In fact, a study conducted in 1984 by the National Institute of Occupational Safety and Health revealed that 23 percent of officer respondents had serious drinking problems.¹

Intensifying this problem is the increased use of illegal drugs by police officers. In recent years, drug abuse in law enforcement has garnered a great deal of attention.² Numerous individual cases of police officers using or dealing drugs have received nationwide publicity, and police officers in various ranks and assignments have been involved. However, one area of substance abuse that has been ignored, for the most part, is police officer use of steroids.

Anabolic steroid abuse by police officers is a serious problem that merits greater awareness by departments across the country. The adverse health conditions, both physical and psychological, that such abuse carries need to be dealt with in an informed manner. Because steroid use was originally tied to athletics and fitness conditioning, the abuse of these drugs can be overlooked by the law enforcement profession.




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A few years later, two researchers from North Carolina (Daley and Ellis, 1994) got together and reviewed regional departmental drug testing policies. One was an academic and the other was an experienced law enforcement professional. They found that most police agencies at the time didn't require urinalysis for applicants, and most did not require random drug testing for active personnel. In other words, most had no mechanism for preventing, identifying, or managing drug-addicted police employees. They also concluded: "it is unlikely that

individual police departments would find either the support or courage for recommending stronger [drug testing] policies” (p. 16). This despite the utter necessity for policy reform.


More recently, a 2004 report by the Drug Enforcement Administration served to remind that “Anabolic steroid abuse. . . has entered into the law enforcement community” (DEA, 2004, p. 1). This was a more mature and up-to-date effort meant to build on the FBI Law Enforcement Bulletin’s admonitions back in 1991. Its mission was to educate law enforcement personnel, with the clear implication that the public safety community remained in the dark regarding the health problems and criminality associated with anabolic steroid abuse.

U.S. Department of Justice
Drug Enforcement Administration
Office of Diversion Control



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STERIOD ABUSE

by Law Enforcement Personnel



A Guide for Understanding the Dangers of Anabolic Steroids

Subsequently, and in a response to the overall lack of action taken by law enforcement leadership, the International Association for Chiefs of Police (IACP) warned (Humphrey et al., 2008): “Rather than look back on what could be an embarrassing ‘steroid era’ of law enforcement—one in which the profession might be riddled with

lawsuits, corruption, and claims of heavy-handedness—it is critical to address the current and future impact of this issue head-on.” This was an excellent article that echoed many of the concerns raised in the three prior research efforts. Unfortunately, it falls flat with the conclusion that a reasonable remedy includes drafting legislation “disallowing the use of AASs by police officers unless a medical exception is granted.”

The authors would agree with the IACP that, even now, something needs to be done. However, the action described above seems to miss the point that criminal prohibitions already exist; using anabolic steroids without a valid prescription is already a crime with harsh penalties, as will be discussed. Criminalizing it further won’t change things if the police community is ignoring laws that are already on the books. And the fact that state and federal agencies have to step in and write articles explaining this a couple of times every decade is strong evidence that the problem will continue to be ignored by local law enforcement. At the very least it demonstrates that local agencies are not dissuading new hires from using what they ignorantly regard as beneficial performance- and image-enhancing drugs (a.k.a. PIEDs; discussed at length in Sweitzer, 2004).

1.2 RATIONALE

The authors have observed, through active casework and ongoing research, that anabolic steroid abuse by law enforcement and other public safety personnel is nationwide. In fact, the nature and frequency of steroid abuse scandals uncovered in association with US law enforcement agencies since 2004 suggests that the problem is getting worse (Perez, 2010).⁵ Additionally, these scandals tend to demonstrate that local law enforcement agencies are routinely incapable of recognizing and resolving illegal steroid abuse by their own; they often handle things both incompetently and unlawfully. The authors have also observed that illegal anabolic steroid abusers in public safety are encouraged by the ignorance and inaction of supervisors, administrators, and the judiciary.

⁵One researcher referred to law enforcement use of anabolic steroids as “commonplace”, while a DEA spokesperson referred to it as a “big problem” that cannot be ignored (Perez, 2010).

In light of this history, and the overwhelming evidence of steroid abuse as a feature of law enforcement subculture, the purpose of this work is to both educate and assist. It will help educate those in the criminal justice system as to the nature and illegalities of anabolic steroid abuse, with a focus on public safety personnel. It will also raise awareness regarding the pervasiveness of the problem, as it is both a systemic and nationwide phenomenon—not the result of individual or isolated “bad apples.” Finally, it will address the consequences of anabolic steroid abuse to individual health, agency liability, and public safety. Particular attention will be paid to forensic issues (e.g., investigative, evidentiary, and legal concerns), in order to facilitate just and lawful outcomes when these crimes are suspected or exposed.

We have designed this work to serve as an investigative and forensic desk reference manual. It can be used by supervisors, chiefs, administrators, and policy makers when they are inevitably confronted with steroid abuse by law enforcement and other public safety personnel within their command or realm of influence. It can help to craft policy and direct related internal investigations. It can also help those investigating cases in relation to potential criminal and civil litigation—to include internal affairs investigators, criminal investigators, prosecutors, and civil attorneys. Currently, there is no other single comprehensive manual available on the subject to give these professionals informed direction.

1.3 CONCLUSION

Anabolic steroid abuse is a criminal act—a felony in many cases. The illegal use of anabolic steroids by public safety personnel is widespread, and the criminal justice community seems divided between not understanding the problem and denying that it is one. Whichever is true, there are those in the criminal justice system that are willing to break the law, ignore it, and even help suppress evidence of criminal wrongdoing when it comes to “juicing” by public safety personnel.

The seriousness of the problem cannot be understated. When public safety personnel engage in illegal anabolic steroid abuse, the following tends to be true:

1. They are violating the very laws that many of them are sworn to uphold and protect.

2. They are lying about it to others on job applications,⁶ during official inquiries, and while under oath, violating any related oaths of truthfulness and integrity.⁷
3. They suffer harmful physical and mental side effects that jeopardize their fitness for duty.
4. They put the public that they are sworn to protect and serve in danger.
5. They lose the public trust, something that is vital for the effective functioning of any public safety agency.

In essence, those involved in related activity, or concealing it, become a party to fraud and public corruption. These themes will be explored and built upon throughout this work.

Case Example

Jefferson County Sheriff's Office, Colorado

In September 2013, a steroid and drug scandal that had been brewing inside the Jefferson County Sheriff's Office was finally made public. It involved at least five sheriff's deputies, but only one resignation and arrest. As reported in Maass (2013), the arrest and related details had originally been sealed by the court—meaning it was intentionally hidden from the general public:



Ryan Jordan, formerly a Deputy with the Jefferson County Sheriff's Department in Colorado, takes a "selfie" during one of his workout sessions. This picture was then posted to Facebook. In 2014, Jordan pled guilty to possession of a controlled substance after he was found to be in illegal possession of Oxycodone and Decabol (an anabolic steroid, u.k.a. Nandrolone Decanoate) to avoid a trial.

⁶Providing false statements and testimony in these contexts, including on government job applications, is typically a criminal offense. The specific applicable statutes are often spelled out on any official government documents to be signed, as a matter of course.

⁷Truthfulness and integrity are essential core traits of any public safety employee, especially for those who routinely write official reports and give sworn statements or testimony as part of their duties (California Crime Laboratory Review Task Force, 2009; Kleinig, 1996; Leonard, 1969; Marche, 2009; Stephens, 2006).