



THE DEPUTY SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301

5 November 1979

MEMORANDUM FOR THE SECRETARY OF THE ARMY
SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE

SUBJECT: DoD Policy Regarding Cannabis Use

Enclosed is a statement of the Department of Defense policy on the use of cannabis. The policy addresses pre-service cannabis use, identification of cannabis users, and appropriate disposition of identified users. This policy is effective immediately. Request that you provide the Assistant Secretary of Defense (Health Affairs) with implementing instructions within 90 days.

A handwritten signature in cursive script, reading "W. Graham Claytor, Jr.", is centered on the page.

W. Graham Claytor, Jr.

Enclosure

DEPARTMENT OF DEFENSE POLICY ON CANNABIS USE

Purpose. The purpose of this policy statement is to establish guidelines for addressing the problem of cannabis use among military personnel.

Objectives. The objective of these guidelines is to clarify Department of Defense policy regarding:

- a. Pre-service use of cannabis
- b. Identification of active duty cannabis users
- c. Appropriate disposition of identified cannabis users

The Problem

Reporting on the results of its 1977 national survey, the National Institute on Drug Abuse revealed that 47% of 16-17 year olds and 59% of 18-21 year olds reported that they had used cannabis (marijuana or hashish); about 30% of both groups reported use within the past month. The pattern of cannabis use among military personnel of comparable ages is probably similar. The Department of Defense is thus faced with the high probability that many of those likely to volunteer for military service have used cannabis and may continue to use it after entering the military. Within the Department of Defense, current identification efforts and responses to identified cannabis users vary widely. In some organizations, there is active and intense effort to locate cannabis users; in others, there is minimal effort. In some units, use results in a mild reprimand. In others, the user is strongly disciplined and placed in treatment for up to one year. It is imperative that a clear and consistent policy regarding cannabis use be established that both recognizes the change in our social mores regarding the use of cannabis and, at the same time, emphasizes the Department's commitment to the highest standards of discipline, health, and respect for the law. The policy established herein takes both factors into consideration and provides guidelines to the Services for addressing the problem of cannabis use.

Pre-Service Use

The use of cannabis by many young people is related to the phenomenon of adolescent experimentation and use is discontinued or dramatically reduced as the user matures. To exclude such persons from military service solely because of past experience with cannabis is unnecessary as well as impractical. The following policy regarding pre-service use of cannabis is hereby established:

- Limited pre-service use of cannabis will not be a disqualifier for enlistment or appointment.

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- Chronic cannabis use and psychological dependence, as defined in AR 40-501, Standards of Medical Fitness, are disqualifying conditions for enlistment or appointment.
- Applicants for Personnel Reliability Program (PRP) positions or other job skills judged to be of a critical or sensitive nature by the Services concerned will be screened for cannabis use during the period of at least 90 days prior to application for enlistment or appointment. If the individual has used cannabis within the proscribed period, a waiver will be required to permit enlistment or appointment of such positions. The granting of this waiver will be the decision of the individual Service concerned and be based on the needs of the Service, the military specialty concerned, the degree of use, and any medical or psychological examination deemed necessary.
- A waiver is permitted for judicial adjudication related to cannabis only when the conviction was for use or possession of cannabis. Waiver to permit such enlistments should be processed as are other waivers.

Identification of Users

Military personnel are expected and are required to obey the law. The use of cannabis is a violation of the Uniform Code of Military Justice, and commanders will enforce the law and take appropriate action against those who break it. The primary method of identifying cannabis users at the present time is through law enforcement and personnel security investigations. Within the foreseeable future, identification may also be practical through biochemical testing. When such techniques have been approved by the Department of Defense, they will prove to be a valuable tool for commanders. To avoid the disproportionate use of limited resources, however, biochemical testing to detect cannabis use will be employed in situations in which suspicion of drug abuse arises, e.g., return from or apprehension after an unauthorized absence; failure to obey lawful orders; deteriorating, abnormal or bizarre behavior; assault; violation of safety provisions; and apprehension or investigation for drug offenses. As technology develops, the levels of sensitivity for such tests should be calibrated to detect on-duty use, intoxication, or heavy use of cannabis.

Appropriate Disposition

The Department of Defense Drug and Alcohol Abuse Program provides the commander with a wide range of responses for restoring the abuser to duty. These include disciplinary actions, personnel security and other administrative actions, motivational education, nonresidential counseling, and residential treatment. The appropriate response must be tailored to the level of abuse and should be arrived at through a screening procedure which normally involves the commander, the immediate supervisor, appropriate drug/alcohol abuse prevention program personnel, and a medical, legal

security, or religious representative as appropriate. In those cases where the drug of abuse is cannabis, unless there is evidence of serious involvement with the drug, or the individual involved holds a security clearance or is assigned to special access program duties, commanders should confine their response to appropriate administrative actions, disciplinary action and motivational education. Motivational education has proven to be an effective method for assisting the nonaddicted alcohol abuser; commanders are therefore advised to use this approach rather than more lengthy treatment responses for the cannabis abuser.

In considering the disposition of the cannabis offender, as in considering the disposition of any other offender, all administrative, punitive, and nonjudicial punishment measures should be evaluated to determine which course or courses of action are appropriate. In making this determination, all the facts and circumstances surrounding the commission of the alleged offense, the length and character of his service, and all other mitigating and aggravating circumstances should be considered. Normally, for a cannabis offender who uses or possesses a minor amount and who otherwise has a good record, the use of Article 15 of the Uniform Code of Military Justice, as opposed to trial by courts-martial, is appropriate. If, however, use occurs during duty hours, stronger disciplinary and administrative actions may be more appropriate and, if so, should be taken.