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DRUGS AND CRIME

[Report of Committee "G" of the Institute (Concluded)]

ALBERT J. WEBER¹ (For the Committee)

Since its presentation by its Chairman Francis Fisher Kane, Esq., at the last annual meeting of the Institute in 1917, a great and unusual mass of new evidence and information has been added to the then existing material available as authoritative reference.

The very exhaustive investigation in November, December, 1917, in New York City, of the New York State Joint Legislative Committee, appointed to investigate the laws in relation to the distribution and sale of narcotic drugs resulted in placing before jurists, executives and administrators, as well as the members of the medical profession, material which throws new and unexpected lights upon the subject of narcotic drugs and narcotic drug addiction and which to a very considerable extent revolutionizes the previously existing conception of the matter and points the way to the remedy of mistakes in its handling. The evidence and testimony presented before the foregoing committee came from all sorts of sources ranging from the narcotic drug addicts themselves to the United States Department of Internal Revenue officials, for every phase and aspect of the subject was discussed and opinions were expressed by members of the medical profession and divers others voicing the attitudes of the various schools of medical thought, social workers, municipal police "narcotic squads", eminent members of the judiciary, societies dealing with and especially studying the narcotic drug addict, his circumstances, environment and associations, all gave most interesting testimony from their experiences, opinions and conclusions. The writer of this article as foreman of Grand Jurors United States of America for the Southern District of New York, who drafted resolutions which were adopted and legally filed in the United States District Court by order of the Justice presiding at that term, read the resolutions² reciting that the United States should exclusively control the manufacture of all narcotic drugs, the price, export and importation, and the United States Public Health Service at Washington should initiate intelligent treatment and human care in handling patients suffering from narcotic drug

¹The Foreman of Grand Jurors, United States of America, for the Southern District of New York who for several terms investigated illegitimate traffic in narcotic drugs.

²See this JOURNAL, Vol. VIII., No. 5, p. 781, January, 1918.

addiction. He also found that narcotic drug addiction has made great growth through the denizens of the underworld as a result of their having been employed by the greater and less chiefs of the illicit and criminal narcotic drug traffic as vicious distributors and peddlers. While so engaged, and not yet themselves narcotic drug addicts, they had repeatedly yielded to the urge of curiosity aroused by what they had seen in others, until the condition of narcotic drug addiction became developed and firmly established in their own bodies. This condition induced great suffering and the ferocious need for narcotic drug by the foregoing for they stopped at nothing to secure the opiate necessary for the prevention of these physical tortures such as one staggers to see.

Our valiant American boys, soldiers in the army who are fighting those forces of evil of democracy to preserve and protect us and upholding American tradition for unalloyed victories and who are wounded in this ghastly war, are going to return to us in large numbers suffering from narcotic drug addiction. This prophecy is not idly made. The legislative committee brought out evidence to this effect from lay and official sources, testimony that was previously known to many who were in contact with the subject and familiar with the reports reaching this country on the matter for the past two years. From these reports and from actual and tangible examples and proof it has been known that narcotic drug addiction exists in our own army and navy, and that it is unavoidably on tremendous increase under conditions of actual warfare. That the medical profession has been so slow to recognize and prepare for this fact is greatly to be regretted.

Dr. Ernest S. Bishop, of New York, recently called attention to this fact and the seriousness of narcotic drug addiction in this world war, in a paper read at the New York Academy of Medicine before the New York County Medical Society.

As Doctor Bishop was the one authority constantly quoted and unchallenged by witnesses of all description, official and otherwise, during the committee's investigations, and as his work and experiences in the field of narcotic drug addiction have been broader and covered more phases, therefore, we must take warning from his utterances as to narcotic drug addiction in this terrific slaughter of human beings.

It has become established and proven beyond argument that narcotic drug addiction is not a condition peculiar to any special walk of life or social or economic or other condition. Persons in the highest walks of life, in all callings, professional and otherwise, irrespective of age or any other circumstance are afflicted with it. Some have de-

veloped it through criminal and morbid environment, but the probability now seems to be that the greater part have developed it as a result of medication beyond their control.

The final outcome of the New York State Joint Legislative Committee hearings was the amending of the public health laws to create a special Department of Narcotic Drug Control under the charge of a State Commissioner; it having become evident from the testimony of these hearings that there was no other way to harmonize and compel co-operation among the various conflicting opinions and conceptions of the laws on this matter and the administration of those laws and of the methods of procedure in the handling of the condition, medical and otherwise.

This law is a departure in state legislation, conferring powers hitherto unknown upon an administrative and executive officer of the state, and whether it works out as a beneficent and spectacular success or as an absolute failure will depend upon the wisdom and intelligence and familiarity with the subject of narcotic drug addiction possessed by whomsoever is appointed to fill this very important position. The attitude of the public press towards narcotic drug addiction and its victims has radically changed in the recent past and will be a factor to be reckoned with in all future narcotic drug activities.

The New York State Bill was passed unanimously by the legislature and became a law April 30, 1918, by the governor signing this bill. It goes into full effect February 1st, 1919. The governor, after signing the bill, stated publicly that his experience as district attorney of New York County had been such that thousands and thousands of men and women were brought to agonized deaths through use of opium, morphine, cocaine and other drugs.

Many physicians objected seriously to this bill, because in their opinion, it infringes upon the obligation of professional secrecy between physician and patient, and was, generally speaking, unconstitutional. Since, however, it appeared at public hearings during the past months, that the mass of the medical profession and even the official heads of its organizations were unfamiliar with the condition as it exists, the governor of New York State concluded that their objections were not valid, and signed the bill.

A copy of the New York Bill will be found in this number at page 438.

In conclusion your committee finds it to be very apparent, that present conditions in relation to the illegitimate sale, distribution and traffic in all narcotic drugs and of cocaine throughout the country, in

spite of all legislative, executive and administrative efforts to curb it, has materially increased, which is the absolute undeniable, but shameful and sorrowful truth and demands a call for united general public activity. We must arouse Congress to immediately enact suitable statutes calculated that the United States shall exclusively control the price, manufacture, exportation and importation of all narcotic drugs and of cocaine as the most powerful means of combating the drug menace. The American nation is awakening from its comatose and dormant condition regarding this evil and must take steps to avert the horror of this diabolical catastrophe and forthwith rescue its race from destruction.