

Winter 1940

## Lindesmith's Mythology

Twain Michelsen

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>



Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Twain Michelsen, Lindesmith's Mythology, 31 Am. Inst. Crim. L. & Criminology 375 (1940-1941)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

## LINDESMITH'S MYTHOLOGY<sup>1</sup>

Twain Michelsen<sup>2</sup>

Dr. A. R. Lindesmith's article appearing in the July-August (1940) issue of *This Journal* under the title: "‘Dope Fiend’ Mythology," brings into conspicuous relief two divergent lines of thought on the subject of narcotic addiction and the dope racket in general, with an obvious deficiency that is found in the exclusion of all consideration of cocaine and marihuana addiction. Let us assume that the Professor disposes of the question of cocaine addiction because of the effectiveness of the U. S. Bureau of Narcotics in virtually crushing it in America. However, if the people of America are to be addressed on the admittedly vital problem of drug addiction in its relation to crime—if they are to understand the psychosis of the mental deviate who lulls himself into a false sense of being by the use of narcotics, then the "Dope Fiend" in his every activity should be recognized and indexed for what he is. It may be said that murder is murder, whatever the processes of its commission may be, and likewise a "dope fiend" is a dope fiend, whatever the source of his addiction may be. In the world of crime we find him standing in the front ranks of the most subversive and anti-social groups in the country. Can we, with any justification, separate the "dope fiend" who uses opium, morphine or heroin from

the addict who uses cocaine or marihuana and say that the social problems inherent in the one do not obtain in the other? If we are correctly to appraise the destructive reactions of the drug addict should not every type of drug user come within the sphere of analysis? The limitations placed upon the subject by Dr. Lindesmith, however sincere an advocate he may be, perforce develop a premise which limits a rational consideration of one of the most pressing problems confronting the people of America. The author of "‘Dope Fiend’ Mythology" states:

"During the last fifty or so years there has grown up in the United States a body of stereotyped misinformation about drug addicts \* \* \*,"

and then states that his article "will be concerned only with the users of opiate drugs," and that "Marihuana and cocaine users represent an entirely different problem." He further states: "One of the reasons for confusion in this field is that the users of totally different types of drugs are not distinguished. The bad reputation of the opiate user is earned for him in part by the cocaine and marihuana users."

Here is found a distinct line of demarcation meticulously drawn between "the opiate user" and the "cocaine and marihuana users," with the latter impliedly placed in the category of the

<sup>1</sup> A reply to Dr. A. R. Lindesmith's article, "‘Dope Fiend’ Mythology."

<sup>2</sup> Judge of the Municipal Court, San Francisco, California.

dangerous criminal while the "opiate" user is treated as a harmless social by-product. If the dope fiend is found to exist in relation to the use of cocaine and marihuana he cannot with propriety be dismissed from consideration because of the isolated belief that the opium, morphine and heroin user does not become a "dope fiend." Why does Dr. Lindesmith thus project before his readers a picture that is out of focus. May it not be reasonable to assume that it is because of the company he keeps? It is quite patent to those who are conversant with the narcotic problem that the author's "Dope Fiend Mythology" bears the seal of approval of the organizations he represents and that it enjoys the support of personal associates with whom he exchanges philosophy and doctrine on the lot of the drug addict,—organizations and associates who sedulously attack and disparage the United States Bureau of Narcotics while at the same time advocating the reestablishment of the discredited drug clinic, which fell into disrepute during the early 'Twenties.

Dr. Lindesmith makes the striking observation that:

"Sensational articles and newspaper accounts have harped upon the theme of the 'dope-crazed killer' or the 'dope fiend rapist' until the public has learned to depend upon this sort of literature as it depends upon the output of fanciful detective mysteries. \* \* \* Among serious students of the problem \* \* \* who have some actual first hand contact with drug users \* \* \* it has always been recognized that the American public is singularly misinformed on this subject. Nevertheless, *the organization of the machinery of justice that deals with this problem is more directly based upon the superstitions of the man on the street than it is upon anything that has*

*been done in the name of impartial and objective analysis.*"

Here is found a direct disparagement of "the organization of the machinery of justice," which must include the United States Treasury Department, under which the Bureau of Narcotics functions, the United States Public Health Service, the Department of Justice, and the office of the Attorney General of the United States. It is an indictment that renders its author's presentation of the subject both puerile and biased. It is, in repetition, the voice of the WORLD NARCOTICS RESEARCH FOUNDATION, the AMERICAN WHITE CROSS ASSOCIATION OF SEATTLE, the INTERNATIONAL WHITE CROSS, Inc., of California, the INTERSTATE NARCOTIC ASSOCIATION, and the AMERICAN ANTI-NARCOTIC LEAGUE, each of which organizations comes to the rescue of the drug addict on the theory that he is America's hounded man and that the alert and never-sleeping governmental agencies dedicated to law enforcement are his oppressors. These dynamic federal agencies, which reflect the service of the Department of State, the Bureau of Customs, the U. S. Coast Guard and the Coastal Patrol, are all made to appear as impotent entities in their concern for the public welfare albeit their alleged conspiracy to distort and misinterpret such laws as the Harrison Narcotic Law.

In closing his article, Dr. Lindesmith states:

"The 'dope fiend' mythology serves, in short, as a rationalization of the status quo. It is a body of superstition, half-truths and misinformation which bol-

sters up an *indefensible repressive law*, the victims of which are in no position to protest."

The "indefensible repressive law" referred to is the Harrison Narcotic Law, which Congressman John M. Coffee, of Washington, (the sponsor of White Cross activities in America) declares is being misinterpreted by our Federal courts, our Federal prosecutors and by the U. S. Commissioner of Narcotics at an "annual cost to the taxpayers of this country \* \* \* of the order of \$2,735,000,000, or about \$80 per family." This figure is the estimate of the AMERICAN ASSOCIATION ON DRUG ADDICTIONS, of Seattle, another narcotic-clinic advocate. As Mr. Coffee further states, in asking for the adoption of House Joint Resolution No. 642, of which he is the author:

"What it does contemplate is an investigation \* \* \* of the origin, development, and continuance of a billion dollar racket, which would disappear almost over night if the Federal narcotic laws were permitted to function, and as the Supreme Court declares they should function."

A like position is taken by the *World Narcotics Research Foundation*, of Washington, D. C., of which Dr. Lindesmith is an Executive-Committee member. The Executive Secretary of this newly formed organization is Elton R. Shaw, who, as published by the *Washington* (D. C.) *Post* on May 26, 1940, is a past president of the American Sunbathing Association, Inc., which operates a nudist camp 17 miles from Washington, D. C., in Fairfax County, Va. By way of indicating the complete unanimity of thought and operative policies that govern these so-called

anti-narcotic organizations, and further to appraise the didactic qualities of Dr. Lindesmith's "'Dope Fiend' Mythology," the following observation is taken from the pen of Iona L. Rowell, who designates herself as "National Lecturer, W. N. R. F.":

"In this connection it is significant that our views are in complete harmony with the five great organizations working in this field, our own WORLD NARCOTICS RESEARCH FOUNDATION, the AMERICAN WHITE CROSS ASSOCIATION ON DRUG ADDICTIONS, the ANTI-NARCOTIC LEAGUE, the INTERNATIONAL WHITE CROSS ANTI-NARCOTIC ASSOCIATION and the INTERSTATE NARCOTIC ASSOCIATION. All are a unit in program, all agree that the Anslinger program is in violation of law, inhuman, diabolical, and the most egregious and reprehensible in our modern life."

The author of this mild stricture is the wife of Earle Albert Rowell, Vice-Chairman of the World Narcotics Research Foundation. And because this declaration of policy has not been questioned by Dr. Lindesmith it must be regarded as having been issued with his approval.

In a further memorandum-release, issued by the same organization, the following statement is offered for public consumption: "All agencies must work constantly on the public at large as well as our school children." Supplementing this intelligence, the Executive Secretary of the same organization issued a written statement on April 20, 1940, to the "Executive Committee Members and Constituents," declaring that:

"We are making some progress with the National W. C. T. U. and the General Federation of Women's Clubs, both of which have endorsed the nefarious

Anslinger program, including the so-called Uniform Narcotic Drug Act which has become law in forty states. \* \* \* Anslinger draws more than a million and a quarter dollars each year to carry on a program which we believe harmful, illegal, and as Congressman Coffee says, 'the most egregious and reprehensible disgrace in our modern life.' Let us present a united front. Do something now."

The formative policies of the World Narcotics Research Foundation, as issued in written form, are offered in part, as follows:

"Formation of the WORLD NARCOTICS RESEARCH FOUNDATION, headed by Dr. Henry Smith Williams, Los Angeles author and physician \* \* \* and more than a score of scientists in the United States and Canada \* \* \* was announced today by Elton R. Shaw, Washington author and lecturer. \* \* \* THE WORLD NARCOTICS RESEARCH FOUNDATION \* \* \* endorsed a joint Congressional resolution of Representative John M. Coffee. \* \* \* It approves Coffee's contention that the present policy of the Federal Narcotics Bureau has failed to reduce the use of and traffic in drugs and *that drugs should be rationed to addicts by State and Federal Clinics* \* \* \* with due precautions against abuses such as *registration and fingerprinting*. \* \* \* The new organization is the result of a split in the ranks of the AMERICAN WHITE CROSS ASSOCIATION ON DRUG ADDICTIONS, whose president is Rev. Mark A. Matthews of Seattle. Most of the officials of the WORLD NARCOTICS RESEARCH FOUNDATION *were formerly identified with the AMERICAN WHITE CROSS ASSOCIATION*, withdrawing because of their disapproval of Dr. Matthews' opposition to Coffee's stand. They not only assail Dr. Matthews, *but also denounce Harry J. Anslinger*, Federal Commissioner of Narcotics."

It will be noted that the Lindesmith-World Narcotics Research Founda-

tion policy includes "*due precautions against abuses such as registration and fingerprinting*," of drug addicts, a protection that would of course redound to the benefit and security of the thousands of criminal addicts who are constantly at war with local and federal authorities! We find here, on the part of these advocates, a singularly interesting distrust of all of the effective State and Federal agencies that work for strict repression of drug addiction. The answer is obvious.

The declaration of policy of the WORLD NARCOTICS RESEARCH FOUNDATION calls attention to its personnel in part, as follows:

"Other leaders of the Research Foundation, aside from Dr. Williams and Shaw, are: \* \* \* W. G. Walker, San Francisco, former chief of the California State Narcotic Bureau; \* \* \* State Senator Paul G. Thomas, Seattle; Dr. Alfred R. Lindesmith, \* \* \* professor of sociology in Indiana University; \* \* \* Dr. Edward Huntington Williams; and Dr. H. J. Williams, Los Angeles.

"Dr. Henry Smith Williams, head of the WORLD NARCOTICS RESEARCH FOUNDATION, charges that the existing policy of forbidding the rationing of drugs to addicts, has resulted in 'setting up a billion dollar underworld racket' \* \* \* which, however, could be obliterated almost over night by stopping the illegal prosecution of doctors for prescribing narcotic drugs when necessary."

Dr. Henry Smith Williams is the author of a book which exploits the question of drug addiction. The book-jacket contains the following observation: "How Bureaucratic Government has Crucified 25,000 Physicians." It also contains eulogistic opinion submitted to the author by Dr. A. R.

Lindesmith, as well as commendatory opinions by State Senator Paul G. Thomas, Seattle, and United States Representative John M. Coffee.

Dr. Lindesmith, in his article "Dope Fiend' Mythology," (Page 204), defines his position along similar lines in stating:

"If our addicts appear to be moral degenerates and thieves it is we who have made them that by the methods we have chosen to apply to their problem. *By making it impossible for drug users to obtain low cost legitimate drugs we have created a huge illicit traffic and impoverished the addict.*"

This language, read in connection with the Professor's observation (Page 208) that the "dope fiend" mythology \* \* \* is a body of superstition, half-truths and misinformation which bolsters up *an indefensible repressive law*" obviously points to a hoped-for re-establishment of dope clinics, a goal toward which all of his associates herein named are vigorously striving!

W. G. Walker, former chief of the California State Division of Narcotic Enforcement, was relieved of his office as such by Governor Culbert L. Olson because he, too, advocated a re-establishment of the crime-breeding narcotic clinic.

State Senator Paul G. Thomas, who, like Walker, is a member of the Executive Committee of the World Narcotics Research Foundation, presented to the 1937 session of the Washington State Senate a narcotics-clinic Bill. It was vigorously supported before the Senate Committee by a doctor who was a notorious offender against the narcotic laws, and who, at the time, was fighting a case in which he had been

convicted. Carrying on his fight before the people, as well as before the courts, on the theory that he was "an angel of mercy" catering to the insatiable appetites of confirmed drug addicts, the doctor appeared before the Senate Committee as an advocate of Senator Thomas' clinic Bill, which was defeated by the Senate in 1937. In 1939, however, it slipped through the Senate, but failed to reach the floor of the House. The conviction of the Doctor in the meantime was sustained and he was sentenced to 7 years' imprisonment and fined \$10,000. (See *Traffic In Opium and Other Dangerous Drugs* for the year ended December 31, 1936, U. S. Treasury Department, Bureau of Narcotics, Page 48).

Earle Albert Rowell, of Chicago, Vice-Chairman of the World Narcotics Research Foundation, is also another of its "leaders." On October 23, 1935, he executed a formal "Request For A Permit To Solicit Funds From the Citizens of Dallas," Texas, in the name of "THE AMERICAN WHITE CROSS ASSOCIATION ON DRUG ADDICTIONS." His signature and representative capacity appear therein as follows: "E. A. Rowell, Educational Director."

On the face of his application for a permit he represented that he was "Working with the Public School System, Police Department and *Federal Narcotic Division*", the latter agency being, as herein indicated, the particular target of harsh invective and approbrium from the "Big Five" narcotic associations named. It was undoubtedly this representation that caused the Better Business Bureau of Dallas to

revoke Mr. Rowell's permit in December, 1935, "because monies collected were for Rowell's own personal use." His colorful career in this field of endeavor in such communities as New Orleans, Birmingham, Mobile, Memphis, Wayne, Pa., Evanston, Ill., Hammond and Munster, Ind., Pontiac, Mich., and Toledo, Ohio, is a matter of record in the files of the World Narcotics Research Foundation, and, of course, available to the author of "Dope Fiend' Mythology"!

Dr. Edward Huntington Williams, one of the "leaders" of the World Narcotics Research Foundation, is referred to in one of the release-memoranda issued by the Foundation in the form of "Rob Wagner's *Script*" (Vol. XX, Number 487, Dec. 10, 1938, published in Beverly Hills.) as "Our Hero Goes to Jail"! *Script* leads off with its eulogy in the following language:

"Hay pitching and wrestling gave the Williams their bodies, one six feet, the other six feet five. God gave them their brains. \* \* \* *They were our editors in London* \* \* \* Dr. Edward Huntington Williams has written forty-eight books. Dr. Henry Smith Williams (author of "Drug Addicts Are Human Beings") has written one hundred and twelve books. \* \* \* One day we got the shock of our lives. We read, 'Dr. Edward Huntington Williams was today arrested, charged with writing illegal prescriptions for dope addicts at the Los Angeles Clinic.' Amazing. What could that mean? The work of the clinic had become famous, and Dr. Ed had been contributing his services. Ed Williams couldn't do a shabby thing, let alone a criminal one. Yet darned if he wasn't convicted. And in a Federal Court. We read the testimony, and learned that Ed was merely one of 25,000 doctors who had been soaked. \* \* \* Yes, it was a screwy mess as

you will learn in reading Dr. Henry Smith Williams' one hundred and twelfth book, 'Drug Addicts Are Human Beings' \* \* \*. As you may well guess, Ed's elder brother dashed out from the East, sat through the trial, and then went to bat. And, oh boy, what he tells about the dope racket!"

"The work of the Clinic had become famous," says this commentator. Being one of the affairs of this apprehended physician, let us weigh the Clinic's worth in the language of *League of Nations Bulletin* O. C. 1614, issued at Geneva October 22, 1935, by authority of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs (Page 4):

"Federal officers also visited the clinic at Los Angeles. \* \* \* Investigating officers interviewed the then assistant health commissioner and a neurologist who was at that time head of the clinic board, and both were of the opinion that the clinic was nothing more than a narcotic drug supply house for addicts and that no attempts at a cure were being made and no cures could be effected under the system. The neurologist expressed the opinion that the sooner the clinic was closed the better it would be. Both these clinics (the second in San Diego, California) were closed at a later date.

It should be borne in mind at this point that not only are the Williams brothers "leaders of the Research Foundation," but also that the Shaw Publishing Company, 1405 I Street, N. W., Washington, D. C., the head of which is Elton R. Shaw, (founder and Executive Secretary of the World Narcotics Research Foundations) is the agent of Dr. Henry Smith Williams, author of "Drug Addicts Are Human Beings," and the distributing center for the book.

In advocating the virtues of this literary accomplishment the author of *Script* makes the observation that:

"Here are a few of the things you will learn. That morphine is the greatest boon of all *materia medica*. Everybody has it administered sooner or later, *most of us many times*. \* \* \* It is neither as poisonous as nicotine nor as degrading to the character as alcohol. Indeed, while alcohol renders a man unfit, *morphine restores an even keel to a man who is going nuts with pain or whose personal chemism absolutely requires chemical balance*. \* \* \*

Following this "scientific" conclusion, the former co-editor of the *Doctors Williams* makes the further observation that:

"\* \* \* we have in Washington a weirdly constituted Narcotic Bureau that interprets the Act, (Harrison Narcotic Law) whether wittingly or unwittingly, in the interests of a Dope Ring that cleans up more than a billion dollars a year selling dope for a dollar a grain that should sell for a few cents a grain. \* \* \* Clinics all over the United States have been closed by the Narcotic Bureau, \* \* \*

Here again is found the Lindesmith-World Narcotics Research Foundation philosophy that calls for "low cost legitimate drugs." (Page 204, "Dope Fiend' Mythology") Even the Supreme Court of the United States is stigmatized by the agents of the World Narcotics Research Foundation, which must include the author of "Dope Fiend' Mythology" because of his official connection with and sanction of its activities. The "leader" of the Research Foundation, and author of "Drug Addicts Are Human Beings," makes the statement that:

"Evidently the Grand Old Men of the Supreme Court do not even know that

the lower courts and Federal hirelings play horse with their decisions. Why is it that since 1926, (following the closing of all clinics in the United States) in thousands of *persecutions*, no physician has been able to get a hearing before the Supreme Court? *Is there some one in Washington with his hand in that billion-dollar grab bag?*"

Thus the contumacious advocates of the dope clinic seemingly find its compatible with their adventure into the world of social science and criminal law to impugn not only the learning but the very integrity of America's highest tribunal of justice! That is hardly the proper premise upon which to predicate a thesis concerning "Dope Fiend' Mythology," nor is it the means of solving the problem of drug addiction.

It is observed that the position taken by these several proponents of the drug clinic, each of whom commiserates with the drug user, to the complete exclusion of the crime-suffering public, is one of condemnation for our zealous law-enforcement bodies, particularly the U. S. Bureau of Narcotics. They would relieve the addict-peddler and the racketeering physician of the rigors of prosecution which are felt under the protective provisions of the Harrison Narcotic Law. They would clothe the confirmed drug addict, criminal and otherwise, with complete immunity from public prosecution. They would go so far as to relieve the illegitimate medical practitioner from all legal inhibitions—those safeguards that now offer protection to a public that is the victim of the boldest and most unconscionable criminal racket ever to strike at constituted authority. All of which



gives rise to the suspicion that the highly efficient United States Bureau of Narcotics, and its Chief, Harry J. Anslinger, stand in the way of what otherwise *might become* "a billion dollar racket".

That the user of opiates does become a "dope fiend," and that this anti-social product is involved in the commission of major and shocking crimes, is not a difficult task to establish. Stripped of his mantle of "oppression," which Dr. Lindesmith places about him with impressive solicitude, he is found to be the thief, the rapist, the kidnaper and the killer which court records declare him to be. He is the leader of the Fraternity of Crime that annually costs America fifteen billions of dollars. There is no *mythology* surrounding him. There are no delusions concerning his moral abandonments that mark him as Public Enemy No. 1!

In going to the rescue of the drug addict (not including, for some unexplained reason, the cocaine and marihuana user) Dr. Lindesmith's pliant pen draws substance from the work of Dr. Lawrence Kolb. In stating that: "Drug addicts are often regarded as the most dangerous and heinous criminals and are linked with killing and rape," and that "this delusion has been smashed so many times that it is useless to devote serious attention to it," (Page 199, footnote 3, "Dope Fiend Mythology.") Dr. Lindesmith refers to an authority who, as far back as 1924, stated that:

"Another factor not to be lost sight of in influencing the relative size of the average dose is the effect which recently enacted laws have had in preventing innocent, *normal people* from becoming

addicted. Because of this factor, addiction is becoming more and more a vicious practice of unstable people, who, *by their nature*, have abnormal cravings which impel them to take much larger doses than those which were taken by the average normal person who so innocently fell a victim to narcotics some years ago. *Normal people* now either do not become addicted or are, as a rule, quickly cured, *leaving as addicts an abnormal type with large appetite, \* \* \**" (Reprint No. 924, p. 13, *Public Health Reports*.)

Indeed, in the very issue of *The Journal of Criminal Law and Criminology* in which Dr. Lindesmith's article appears there is found a contribution by Fred Otto Erbe in his "*Study of the Social Backgrounds of Life Inmates at Fort Madison Penitentiary*," wherein the author observes:

"Four per cent of the murderers were given to the use of dope," (Page 171).

This percentage is based upon an analysis of 150 Iowa lifers. Although he does not say what kind of "dope" was involved in the commission of these murders, the conclusion to be drawn is that if this situation actually exists in the agrarian State of Iowa *with its low addiction record*, it brings into serious question Professor Lindesmith's assumption of the small part which addicts play in major crimes.

The drug addict, indexed by Dr. Kolb as the "abnormal type with large appetite," is he who forms the regiments of the criminal world. That drug addicts constitute a large part of the recruits for this army is indirectly conceded by Dr. Lindesmith in stating:

"If our addicts appear to be moral degenerates and thieves it is *we who have made them that* by the methods we have chosen to apply to their prob-

lem. \* \* \* It is the desperate attempt of the drug user to meet these enormous prices (the cost of drugs) that he resorts to theft and prostitution. If we were to set about *deliberately to produce thieves and prostitutes we could scarcely improve on this situation.*" (Page 204, "Dope Fiend' Mythology.")

In thus admitting the abandonment by the addict of the moral inhibitions the author omits to mention the commission of such crimes as burglary, robbery, forgery, kidnaping, rape and murder. In failing to do so he permits a somewhat drab and depressive picture to remain unfinished. The Professor's article calls up certain "bogey men" only to dispel them by the magic of his argument, a situation perhaps harmless enough if read by physicians, law-enforcement officers, social workers, and the like, all of whom have some practical acquaintance with the drug traffic, but to the uninitiate his doctrine is a dangerous one. In proceeding on the premise that "if our addicts appear to be moral degenerates and thieves it is we who have made them that," and that "if we were to set about deliberately to produce thieves and prostitutes we could scarcely improve on this situation, he pursues a tangent hardly consistent with his further observation that:

"In general, drug users are harmless, except that they steal. They rarely carry guns. \* \* \* The G men who deal with criminals like Dillinger have dangerous occupations, *but the narcotic agent who deals with addicts does not. The public stands in virtually no danger of violence at the hands of drug users.* \* \* \* addiction is rather infrequent among underworld characters who utilize force or the threat of it. \* \* \* (Page 200, "Dope Fiend' Mythology.") Even in those cases when an

addict is also a gunman the danger resides, not in the use of the narcotics, but in the presence of the gun. *The use of narcotics probably inhibits more than it encourages the use of violence.* \* \* \* The drug addict driving a car is *not a dangerous person*—not nearly as dangerous as the respectable citizen who has had a couple of cocktails or a few glasses of beer. Assuming that the addict has his usual dose there is no evidence to indicate that *his skill* at driving would be any greater if he were not using the drug." (Page 201.)

Paracelsus, a famous physician of the middle ages (1490-1540) held opium in such high esteem that he called it "The Stone of Immortality." The pathology and psychosis incident to drug addiction indicate that the average narcotic user feels that *he* has attained "Immortality" while under the influence of dope. Dr. Lawrence E. Detrick, Professor of Chemistry, University of California, who has spent years in research work in the field of morphine addiction, states that "men and women by the thousands are seeking the narcotic path to *paradise*," that through drug addiction they are trying to escape the realities of the modern world—a path that "leads deeper and deeper into the canyons of degradation."

The distortions of the mental processes, the disorientation that accompanies the confirmed use of drugs, "immortalize" the addict only so long as he is the victim (to use the words of Dr. Kolb) of his own "abnormal cravings" for drugs. Congressman Coffee, in addressing the House of Representatives, stated that the "*integrity of mind and body*" of the "human derelicts" *depend upon the narcotics which*

*the addict cannot now "legally secure"* because of what he terms the illegal enforcement of the Harrison Narcotic Law. The great Paracelsus and Mr. Coffee agree on the alluring and sedative qualities of opiates. And, in similar vein, Dr. Lindesmith theorizes on the "skill" and "harmless" characteristics of the addict when he is under the hypnotic spell of narcotics.

Likewise, on pages 201-202 of his "Dope Fiend Mythology," the Professor borrows the authority of "a recent authoritative study conducted by well known biochemists, medical men and physiologists," of an examination of 96 cases in an effort to show that morphine addiction is not characterized by physical deterioration or impairment of physical fitness "aside from the addiction *per se*," but in this he fails to supply his reader with cumulative evidence from the same publication that its authors regard drug addiction as far from innocuous; for example, the authors regard "hooked" (Page 13, "Opium Addiction") as an apt expression for the drug addict's plight; these authors "believe that the problem of securing and maintaining an adequate supply of the drug comes to be *the* major purpose of his (the addict's) existence," (Page 7, "Opium Addiction"); and with respect to the conduct of the addict when there is an attempted withdrawal of drugs, the authors state:

"It has been our frequent experience to leave the wards with the firm conviction that these men are not organically sick, the whole picture being an emotional one and that *the viciousness attached to the picture could best be coped with in penal institutions*. Just

as frequently we have entered the ward and found these men suffering with violent muscular twitches, vomiting, perspiration and yawning and showing such a sickly appearance that we have been convinced that there must be an organic basis for their apparent suffering." (Page 64 "Opium Addiction.")

Such evidence of horrible suffering (which the writer has several times observed in court cases assigned to his department) Dr. Lindesmith studiously excludes. One wonders, too, why he makes no reference to such a publication as "Does Opium Smoking Shorten a Man's Life?" by Leonard L. Lyall, President of the Permanent Central Opium Board at Geneva, who concludes from a studied consideration of figures on thousands of opium smokers, that a license to smoke opium (generally considered to be the least harmful way of taking narcotics) "*is in truth a warrant authorizing a man to cut off a third of his life.*" The findings of this outstanding authority would indicate that it is "Professor Lindesmith, as well as his World Narcotics Research Foundation and White Cross associates, who create a mythology. They do not offer solutions, except the narcotic clinic and "low cost legitimate drugs," which they boldly advocate. Acceptance of this doctrine would put us at the mercy of the criminal type of addict, the remarkable gains made in suppressing addiction would be completely wiped out, and the normal course of *addiction-contagion would run unchecked.*

Dr. Lindesmith's assertions that "the public stands in virtually no danger of violence at the hands of users, \* \* \*" and that "even in those cases when the

addict is also a gunman the danger resides, not in the use of the narcotics, but in the presence of the gun"; and that "the drug addict driving a car is \* \* \* not nearly as dangerous as the respectable citizen who has had a couple of cocktails or a few glasses of beer," come into immediate and sharp conflict with many of the penal laws of our States.

The California Vehicle Code relating to drug addicts (Section 269 b), provides that no operator's or chauffeur's license shall be issued to "any person \* \* \* addicted to the use of narcotic drugs". Section 506 of the same Code provides that "It is unlawful for any person who is addicted to the use or under the influence of narcotic drugs to drive a vehicle upon any highway." Conviction under this law is a felony, as well as punishable in a county jail. From long experience with drug addicts operating vehicles, the people of the State of California have found them to be potential killers on the highway, their "skill at driving," as referred to by the author of "Dope Fiend' Mythology," being wholly non-existent.

Section 2, of the California Concealed Weapon Act (Stats. 1931, p. 2316) provides that:

"No person \* \* \* *who is addicted to the use of any narcotic drug or drugs* shall own or have in his possession or under his custody or control any pistol, revolver or other firearm capable of being concealed upon the person \* \* \*."

Violation of this law is a felony, as well as punishable by imprisonment in a county jail. Section 4 of this Act, mandatory in its provisions, provides that "No probation or suspension of

sentence" shall be granted in any case coming within the provisions of Section 2 of the Act—the people again, from experience, regarding the gun-toting addict as one of the most dangerous of criminals.

Stuart J. Fuller, Assistant Chief of the Division of Far Eastern Affairs of the Department of State, and a world-recognized authority on drug addiction, in addressing the Rotary Club of Washington, D. C. on February 2, 1938, stated:

"What, essentially, is the illicit traffic in narcotic drugs? It is poisoning one's fellow man for gain! It is making a customer of your friend, your wife, your son, your daughter, with the full knowledge that once they begin the use of these poisons *they will quickly reach a state in which they literally cannot live without the ever increasing daily dose—a dose which inevitably reduces them to pitiable wrecks of humanity—a dose to obtain which those who have started as high-minded, upright, courageous, influential members of society, will, when addicted, lie, steal, murder—do anything.*"

As the American representative appearing before the 1937 session of the Opium Advisory Committee, at Geneva, Mr. Fuller called to the delegates' attention the grave opium situation existing in territories under the domination and influence of the Japanese military machine. Pondering the situation, he said:

"Last year I characterized the situation in Manchuria and Jehol where, as we were informed by the Japanese representative, there is no legislation to control manufacture of or trade in opium derivatives, as 'terrifying.' According to information received, the condition in that area is now almost beyond belief. \* \* \* The degradation of the population of Manchuria through

*increasing use of opium and its derivatives* has actually come to pass where even Japanese newspapers published in that area have been moved to protest."

Following a conference of provincial governors in January, 1937, at Ksing-king, the seat of the central government in Manchuria, Mr. T. Kikuchi, the Japanese editor of the *SHENG CHING SHIH PAO* Chinese language daily of Mukden, openly criticized the Government's narcotic policy. He charged that:

"(1) The licensed opium retailing system has not checked the spreading use of that drug, (2) large numbers of young people have taken to narcotics (3) it is inconsistent for the Government to advocate the improvement of public health and yet permit the population to be poisoned by narcotics, (4) opium and its derivatives are a blot on 'Manchukuo's' honor."

Dr. Lindesmith argues (Page 204 "Dope Fiend' Mythology" that: "By making it impossible for drug users to obtain low cost legitimate drugs we have created a huge illicit traffic and impoverished the addict." By indirection he counsels the authorities in America to place within the reach of drug users "low cost legitimate drugs" so the addict will not become "impoverished." But what of the impoverished and dying Chinese who suddenly have found themselves decimated by the strong surge of the Japanese narcotic invasion? The professor quotes Terry, Pellens, Chopra and Bishop to sustain his self-contradictory point that drug users do not become "impoverished," that it is a "false notion" that addicts "are easily recognizable either by reason of peculiar irresponsible behavior or unusual external appearances or

both." (Pages 201, 203 "Dope Fiend' Mythology"). He states further:

"In other words, *it is not the effect of the drug* that produces the alleged deterioration of character in the addict, but rather *the social situations* into which he is forced by the law and by the public's conception of addiction which does the damage." (Page 203 "Dope Fiend' Mythology.")

The ash heaps at Mukden and Harbin, mutely pointing to the cremated remains of thousands of opium addicts, should cause the Lindesmiths, the Rowells, the Coffees, the Williams' and their fellow-leaders and "scientists" in the so-called anti-narcotic groups, to reflect upon their advocacy of narcotic-clinic dispensaries.

Editor Kikuchi, as quoted by Stuart J. Fuller, further states:

"\* \* \* Both the provincial governors and the bureau directors were unanimous in their opinion that the people's health should be improved and that opium can make Manchukuo perish."

In an editorial appearing in Kikuchi's paper under date of January 27, 1937, this independent crusader against narcotic clinics, observed that:

"The danger of opium is known by everyone. There has long been talk of *racial and national perdition through opium smoking*. \* \* \* Opium, together with heroin and morphia, cause many deaths in Manchuria. \* \* \* It is, after all, a shame for any civilized country to permit the open sale of narcotics."

These observations do not, of course, coincide with those cited by the author of "Dope Fiend' Mythology," but they come from areas that cry aloud to the world of the moral and physical degeneration, pestilence and death, that are caused by "legal" distribution of what

Dr. Lindesmith calls "low cost legitimate drugs." And is not a clear line of demarcation found between these findings and the statement made by Dr. Lindesmith to the effect that:

"\* \* \* it is not the effect of the drug that produces the alleged deterioration of character in the addict, but rather the social situations into which he is forced by the law and by the public's conception of addiction which does the damage."

To further negative the dangerous doctrine of the drug-clinic advocates, and to place the Lindesmith "Mythology" in the category where it belongs, consider the following from the pen of editor Kikuchi:

"The number of deaths in the Mukden Municipality during January (1937) due to narcotic poisoning has been investigated by the Public Health Section of the Shenyang Police Bureau and is as follows: \* \* \* 171."

Adopting that ratio for the population found in this particular Public Health Section, the total deaths from narcotic poisoning for the year 1937 would be 2,052. In closing Stuart J. Fuller's message from the Geneva conference of the Opium Advisory Committee, we find another editorial from Kikuchi, which should excite profound thought on the philosophy that threads its way through Lindesmith's "'Dope Fiend' Mythology." On February 18, 1937, this courageous crusader wrote:

"Everyone knows the danger of morphia. There are many people who die from its poison each year. It is lamentable to say that these people in becoming addicted to morphia, are digging their own graves. The ash heap at Kung Fu Shih, outside of the large west city gate, is the morphia center of Mukden. It is general knowledge that almost daily drug addicts die there. It is

now learned that at the foot of the ash heap there were found dead during the several days after the Lunar New Year thirteen young men of about twenty years of age, \* \* \* it was a pitiable sight. On the morning of the 16th instant, these dead bodies were still lying at that place."

Ben Marcin, in his "Social Destruction of India," states that, "\* \* \* hand in hand with India's widespread poverty and ignorance is the diabolical evil of opium, \* \* \*". It should be remembered that the inertia of India is attributable in no small degree to existence there of 7,000 opium shops. Sir Wilfred Scawen Blunt, a member of the 1925 British Government Retrenchment Commission, which emphasized "\* \* \* the importance of safeguarding opium sales as an important source of revenue and recommended no further reductions \* \* \*", further stated:

"India's famines have been more severe and more frequent, \* \* \* its rural population has become more hopelessly in debt, their despair more desperate, \* \* \*" and, "though myself a good Conservative, I own to being shocked at the bondage in which the people of India are held, *especially from drugs.*"

In his magnificent contributions to the cause of illicit narcotics suppression, Director Russell Pasha, Chief of the Central Narcotics Intelligence Bureau of Egypt and Commandant of the Cairo Police Department, strikes deeply into the ranks of those who would temporize with the drug peddler and the criminal addict. In his 1936 report to the Minister of the Interior of Egypt, (through which country he states "\* \* \* the majority of the Manchukuo heroin destined for America is now being routed from the Far East ports

through the Suez Canal") he states, in connection with the illicit drug racketeer:

"Their continued existence and ever-green activity is a sad reflection on the world's lack of joint determination to be done with these plague carriers."

In his annual report for 1937, Director Russell Pasha, in further addressing himself to this grave problem, observes that:

"The whole question of the drug situation in the Far East was so fully and strikingly dealt with by the representative of the United States of America (Stuart J. Fuller) in the 1937 Session of the Advisory Committee at Geneva, that I do not propose to enlarge upon the subject except to say that it is rapidly becoming the most serious menace of the civilized world."

And, in dealing with the peddler of narcotics, as does Dr. Lindesmith, Director Russell Pasha confesses the widespread and dangerous activities of a group of some 500 drug traffickers who were deported from Egypt, in the following language:

"Many of them are rich and imagine that their riches will help them. I trust that the Egyptian Government will stand firm and be adamant in refusing re-entry into this country of these incorrigible foreigners who so nearly brought Egypt to its death." (1937 Report to Minister of the Interior, Cairo, Egypt.)

This observation by one of the world's outstanding authorities on the illicit drug traffic should serve to repel the position assumed by Professor Lindesmith, who states that:

"The peddler of drugs, contrary to a widespread belief, does not ordinarily attempt to induce non-users to try the drug. \* \* \* The reasons for this are obvious once they are considered. \* \* \* He does not try to seduce non-users

because it does not pay and because it is too dangerous." (Page 205 "Dope Fiend' Mythology.")

Here Dr. Lindesmith is found both using and repudiating the work of Terry and Pellens to support his thesis. In support of his theory that the use of opiates does not alter the physical and mental constitution of the drug addict he refers to Terry and Pellens as "students" who "have reached similar conclusions," (Page 202 "'Dope Fiend' Mythology") but abandons them as inept and unreliable contemporaries in stating that:

"The whole blame for addiction is sometimes placed upon the shoulders of the well known 'bogey man' the dope peddler, who is blamed for spreading the habit for the alleged purpose of extending his market." (Page 204 "Dope Fiend' Mythology.")

In footnote "21" the author naively qualifies this observation by stating:

"Even Terry and Pellens are guilty of repeating this sort of thing re peddlers (*op. cit.*, p. 87). They also say that peddlers give away enough of the drug to addict a person and then charge enough to make up for their losses. No evidence has been produced to show that this sort of thing has actually been done."

It is a sort of *ignis-fatuus* which obviously is meant to sustain the portrayal of a scene that has neither plot nor rhyme.

The Professor further observes:

"Moreover, most of the peddlers who are arrested and sent to prison are poor." (Page 205 "'Dope Fiend' Mythology.")

The author's footnote, No. 24, page 205, cited in support of the foregoing, states:

"It may safely be asserted that the persons who profit from the drug traffic

are not addicts and that they do not spend much time in prison,"

an observation which must be characterized as pure invention and a libel on the law enforcement officers of the country, for the most casual inquiry would disclose that the Federal and State penitentiaries hold a large number of non-addicted drug peddlers. In those ranks one will find a substantial proportion of "big shot" racketeers ranging from the recent arrest and conviction of persons like Louis (Lepke) Buchalter, "Big Bill" Hildebrandt, who for several years had been known to be the dominant figures among illicit drug dealers in the Minneapolis area where his gang enjoyed virtual monopoly of the drug traffic, and the Newman (Neiditch) brothers of New York City (which latter were important enough to have at one time corralled the entire illicit drug supply being exported from France to this country), and extending back into the past to the capture and imprisonment of figures like "Black Tony" Parmagini and the notorious Ezra Brothers. There is ample evidence that few of the non-addicted "big shots" in the dope traffic finally escape the law.

"It may be argued," states Dr. Lindesmith, "that addicts are thieves and prostitutes before becoming addicts, and no doubt that is sometimes true. A large number of investigations indicate, however, that more than half our addicts have no criminal records of any kind prior to addiction."

The author (footnote 19) refers to Pescor in support of this theory, but contrary to Pescor's findings, certain

observations set out in the annual report of the U. S. Bureau of Narcotics on Traffic in Opium and Other Dangerous Drugs for 1939, Page 16 *et seq.*, are as follows:

"In a study being made of a representative group of narcotic law violators, it has been found that many criminals who had long previous police records of a non-narcotic nature later became drug addicts.

"Records selected at random from recent files of 119 narcotic trafficker addicts showed that 83 per cent *had previous criminal records*, some of them exceedingly lengthy, for other offenses before the first narcotic crime was committed.

"In another study by the Treasury Department, it was noted that of all narcotic violators sentenced during a 6 month period (1,263) 33 per cent of the non addicts had records (of violations of laws other than narcotic laws), while 67 per cent of the addicts had such records; in other words, from these cases it appears that the addict is twice as likely as the non addict to have had a criminal record before his first narcotic offense.

"Of one group of 225 criminal addicts studied by the United States Health Service, every one among them had committed crime before the use of narcotics was begun. The drug addiction shows up as one of the later phases of the criminal career rather than a predisposing factor."

Dr. Lindesmith again briefs his case for the addict by overlooking factual records so voluminous that they admit of no confutation. His statement that: "\* \* \* the belief that a drug addict automatically becomes a moral degenerate, liar, thief, etc., because of the direct influence of the drug, is simply nonsense quite on a par with a belief in witchcraft," is a challenge of the record.



The February, 1938, Enforcement Bulletin of the Federal Bureau of Investigation of the United States Department of Justice published a statement issued by U. S. Commissioner of Narcotics, H. J. Anslinger, in which the Commissioner finds:

"That crime and narcotics are interwoven is illustrated by the fact that narcotic drug violators head the list of all criminals in the United States having previous fingerprint records, which include crimes ranging from vagrancy to robbery, forgery, counterfeiting, burglary and other serious offenses. Of this class, 64 per cent have previous records; \* \* \* a study of the criminal history of (1,268) narcotic violators sentenced during the first six months of 1936 shows that 40 per cent were recidivists having records of from 1 to 13 narcotic violations to their credit and 38 per cent had previous records of other crimes ranging from murder to vagrancy. \* \* \* There are more arrests of second and third offenders against the narcotic drug addicts than any other law."

Captain E. A. Chitwood, former commanding officer of the Narcotic Detail of the Los Angeles Police Department, in formally addressing himself to H. S. Seager, (January 6, 1938) former Deputy Chief of Police of Los Angeles, stated:

"As you know, and as all narcotic officers have found from experience, at least 98 per cent of all narcotic addicts are also engaged in other criminal activities, such as robbery, burglary, shoplifting, forgery, and are also found to be very active in bunco and pickpocket work. This course was shown very clearly during the approximate two years (from March 1934, to May, 1936) during which the narcotic and robbery squads were combined. A great many of the bank bandits, drug store bandits, kidnapers, etc. were found to be narcotic addicts."

In support of these observations, that come from local and State law enforcement officers, the annual report of the Treasury Department (Bureau of Narcotics) on Traffic in Opium and Other Dangerous Drugs for 1936, page 69, states:

"The fact that for the most part narcotic law violators are major criminals is evidenced by the Uniform Crime Reports for 1936, issued by the *Federal Bureau of Investigation* (see table 5 in appendix of 1936 Report), wherein it will be noted that 64.5 per cent of the violators of the narcotic drug laws during the year had previous fingerprint records and arrests, whereas in the general arrests 39.7 per cent of the persons had previous records. In the records of 2,047 narcotic cases showing one or more prior convictions, there were also shown 5,669 *prior convictions of major offenses*, and 2,309 prior convictions of minor offenses, or a total number of 7,978 prior convictions. \* \* \* On April 18, 1936, narcotic agents and detectives of the New York City Narcotic squad arrested Charles Ash, (alias Jim Ash, alias 'Doc,' alias Jimmie Strong, alias Charles T. Bean, alias Thomas Hastings, alias Parker), Joseph Imbelli, (alias \* \* \*), and Patsy Napolitana (alias \* \* \*) for possession of 130 grains of smoking opium and a complete smoking opium outfit. *Ash had in his possession a loaded revolver. All of these defendants were addicts, and had long and varied criminal records.* \* \* \* Ash was wanted for the hold-up of a Washington bank, and was at liberty under a 2½-year parole from Sing Sing prison. He was described as a dangerous criminal, *usually armed, and an habitual opium smoker.* His record extended back to 1922, \* \* \* including \* \* \* convictions and sentences served for about eight different offenses, including \* \* \* safe blowing. Napolitano when arrested was at liberty under a 7-year parole from Sing Sing Prison. He had a record of about 15 arrests on various charges, such as assault, robbery, and

burglary. \* \* \* Imbelli had a record of 21 arrests since 1919, most of which were for burglary, and he had been convicted to five previous sentences in penitentiary. \* \* \*

The Treasury Department's (Bureau of Narcotics) annual reports on Opium and Other Dangerous Drugs for 1937, 1938, 1939, contain like references to the activities of the perverted criminal-addict, including such underworld characters as Harold Normandale, with a record of over 90 arrests, including convictions of "burglary, bootlegging, assault, carnal knowledge, robbery of a United States mail truck, and conspiracy to steal the United States Mail." The 1938 Treasury Report, page 16, states:

"It is noteworthy that for every agent in the narcotic field service, there are confined in the Federal penitentiaries and other institutions ten convicted narcotic law violators. This is a high record. Many of these convicts have some of the worst criminal records in the United States for major crimes."

Professor Lindesmith, in his kindly estimate of the character of the addict gunman (Page 201, "Dope Fiend' Mythology") confesses a want of knowledge of official records that are open to those who care to read. With respect to major criminals *who are addicts* we go to the remarks of Mr. M. L. Harney, Assistant to the Commissioner, Bureau of Narcotics, United States Treasury Department, before the Annual Convention of the Pacific Coast International Association of Law Enforcement Officials, Reno, Nevada, August 27-29, 1940, in which reference was made to such characters as Philip Chadwick, who was convicted at Ft. Worth, Texas,

in July of this year. He was arrested by G-men as he stepped from a train in Chicago. He laughed and said that they had made a mistake. But they looked in his brief case and found *four loaded revolvers*. He was wanted as a national bank robber in Seattle, and was under indictment as a member of a narcotics ring in Ft. Worth, Texas. In his apartment they found \$75,000 worth of contraband narcotics. There is also the case of Moe Liss alias Tommy Cooper, who was indicted as a member of Chadwick's "Green Dragon" gang. When arrested in December, 1938, by the New York Police he was in possession of an unregistered loaded revolver. Papers found in his possession at that time included *a veritable directory of most of the major criminals in this country*. His record includes arrests for grand larceny and numerous gun charges. During the prohibition era Moe Liss had the reputation as being employed by alcohol syndicates as a strong-arm man and paid killer.

Then there is the case of Oscar Bragg, an addict murderer. No doubt the widow and orphans of his victim wish that Professor Lindesmith's surmise about narcotics *inhibiting violence* was more accurate. This case received considerable publicity in the Chicago area and it should have reached the attention of the author of "Dope Fiend' Mythology." Bragg, 35 years old at the time he killed Vito Addante, world war veteran, in an armed robbery of the victim's grocery store in Chicago, stated that he was "on the dope" when he killed Addante. In a letter dated November 29, 1939, ad-

dressed by narcotic agents Klein and Carson to District Supervisor James J. Biggins, Bureau of Narcotics, Chicago, regarding Bragg's crime, the following statement is found: "The subject stated that he has been addicted to the use of heroin for approximately three years. He further stated that he had had two shots of heroin, each of four 2-grain capsules, on the afternoon on which the holdup and murder took place." The "social background" of this killer should interest Dr. Lindesmith, who states "\* \* \* it is not the effect of the drug that produces the alleged deterioration of character in the addict, but rather *the social situations* into which he is forced by the law and by the public's conception of addiction which does the damage." (Page 203 "Dope Fiend' Mythology"). Bragg, the addict-killer, was a singer and showman. He said to his captors: "I'm a pretty good bass, *and I used to be in a church choir a long time ago.*" Did this "social situation" contribute to his downfall? And again the victims of such killers as Bragg hear Professor Lindesmith's voice assuring America that: "The G-men who deal with criminals like Dillinger have dangerous occupations, but the narcotic agent who deals with addicts does not." (Page 200 "Dope Fiend' Mythology").

The case of William A. Owen is that of another addict gunman, who attempted to murder police officers Charles O'Brien and Frank Petersmark of the Detroit, Michigan, Police Department, when intercepted in an attempted jewelry robbery. The scene of action was not far distant from Dr.

Lindesmith's cloistered study—the State University at Bloomington, Indiana. It is to be suspected that the police officer who was shot by Owen might have valid ground for taking exception to some of the Professor's conclusions. Strangely enough, it never occurs to those who theorize about the "calming effect" of narcotics on criminals that these very individuals may have resorted to narcotics partially for the purpose of acquiring the aplomb, unconcern, and heartless disregard of natural consequences necessary for them comfortably to pursue their lawless activity.

In a letter addressed to the writer on October 4, 1940, by Homer B. Cross, Deputy Chief of Police and Director of Investigation, for Chief of Police Arthur C. Hohman, of the Los Angeles Police Department, the following observations are made:

"\* \* \* many opium, morphine and heroin users also use cocaine, which more or less counteracts the effect of the opiate and allows the addict to over-indulge *and further excites his criminal tendencies.* \* \* \* It is the belief of our narcotic officers that the continued use of any narcotic, whether it be opium, morphine, heroin, cocaine, marijuana, etc., *does contribute much to crimes of violence.*"

These police authorities quote the following paragraph from the book "Dangerous Drugs" by Arthur Woods (Page 46):

"It might be said of narcotics in relation to crime that they are like weapons; they are liable to do the most damage *when put in the worst hands,* and as long as they are lying about there is constant danger of calamity. To the criminal-minded, they serve as a coefficient of power, heightening courage

to bravado, and deftness to lightening-like rapidity. By chemistry they add further instability to those who are already by nature unstable. They induce a state of irresponsibility which can readily suggest acts dangerous to society, and they can supply the excessive spontaneity which leads to the prompt carrying out of such suggestions. The criminal, under the steeling influence of these drugs, can become still more professional, and particularly in his earlier apprenticeship can derive from drugs the sang-froid he has not yet attained from experience."

From the Los Angeles Police Department comes a staggering record of major crimes committed by opiate users. Will the author of "Dope Fiend Mythology" say that "the social situations into which he (the addict) is forced by the law and by the public's conception of addiction" caused "the damage" in these cases?: Jimmy Burns, burglar, hi-jacker bandit, (opium smoker); Verne Miller, gangster and killer, (hop-head); this addict gunman mowed down several Federal officers with their prisoner, at the railway station in Kansas City, using machine guns and cutting down these men without warning; John Jackson, burglar, gunman and killer (morphine addict); Hardy Lee Trice, bandit, pickpocket, murderer (morphine and heroin user); Allen L. McNeese, bandit and would-be murderer (morphine addict); Joseph Mackin, burglar and bandit (hop head); Bert Warren Miller, burglar, bank bandit (morphine addict); Peter Pianizzi, burglar, bandit, bank robber and murderer (hop head); Joe Peppas, smuggler, bandit (morphine addict); Thomas G. Poggi, bank bandit, burglar and forger (morphine addict); Jose

Bariel Rameriez, burglar and killer (morphine addict); Telford M. Cooper, rapist, forger and bandit (morphine addict); Armando Tercero, thief, bandit and would-be murderer (morphine addict); Phil Alguin, alias "Little Phil," gunman and two-time murderer (morphine and marihuanna addict); Clarence Reid, alias "Tuffy" Reid, robber, murderer (morphine addict); Louis Perry and Montijo Perry, bank bandits and murderers (morphine addicts); Oscar Perry, bank bandit (morphine addict); Ventura Rodriguez, robber, murderer (morphine and marihuana addict). Supplementing these cases are many recent ones to be found in the files of the Federal Bureau of Investigation and the Federal Bureau of Narcotics, including such addict-gunmen as Frank Carreira, with a long record of crimes of violence; heroin was his avenue of "escape". Herbert Cohen, with a robbery and deadly weapon record, Alfred Carnahan, with an assault and robbery record; Frank Calamia, with a robbery, assault and gun history; Salvatore Cavallero, with an assault and robbery history; William Boyd, a highway robber; Joe Tobin, robber, burglar and dope fiend (morphine user) with a record dating back to 1905; Willie Rowles, alias "Chick" robber, would-be murderer; Henry Cohen, alias "Kewpie" Cohen; burglar, bunco artist; J. F. Christie, burglar and purveyor of knock-out drops, whose record dates back to 1915, and innumerable others,—all join the vanguard of desperate criminals who found surcease of fear in the dope markets of America.

Will the author of "‘Dope Fiend’ Mythology" consign these cases and their many counterparts to the realm of fiction and "mythology"?

In urging public consumption of the theory that drug addicts live "respectable" and exemplary lives, Dr. Lindesmith states:

"In Formosa, for example, in 1905 more than 90% of the addicts are reported as having regular occupations and about 70% were reported as married and living with their families."

The Senate Interim Narcotic Committee of California, (whose chairman, State Senator Sanborn Young, retired, is a nationally acclaimed authority on narcotics) reporting to the State Legislature in 1937, page 26, made the observation that:

"The most valuable and informing contribution to our knowledge of the relationship between drug addiction and crime is the statistical research regarding opium smokers of the Japanese colony of Formosa by Dr. Somei To, of the Health Commission of Formosa. *After classifying 57,073 crimes committed during seven years by natives of Formosa, his records show that, based upon the relative proportion of opium smokers to nonsmokers, we find 70.83 per cent criminality among opium smokers as against 29.17 per cent criminality among nonsmokers.* (See Table V.)

"In Formosa opium smoking and the use of heroin and morphine are legalized and their users are licensed by the government. The cost of opium, morphine and heroin is *very small*, the chief restriction being that only government taxed narcotics may be sold or used and only legally registered and licensed individuals may buy or use them. Under these conditions the only attributable cause for greater criminality among narcotic addicts than non-addicts is the

*direct effect of the use of narcotics upon the character of the user."*

Dr. Somei To concluded that drug addiction caused a relentless destruction of character and releases criminal tendencies. This is particularly interesting in view of the fact that some of the "clinic" advocates in this country claim that addicts become anti-social after addiction because the high cost of contraband drugs practically forces individuals of marginal economic status to resort to illegal sources of income, usually through the sale of narcotics or larceny, whereas the studies of the Federal Bureau of Narcotics confirm the fact that drug addiction shows up as one of the later phases of the criminal career rather than a pre-disposing factor. (See pages 16-17, U. S. Treasury Report on Traffic in Opium and Other Dangerous Drugs for 1939).

Dr. Lindesmith adopts a diametrically opposite course, in holding that:

"By making it impossible for drug users to obtain low cost legitimate drugs we have created a huge illicit traffic and impoverished the addict. The price of illicit drugs is ordinarily estimated at anywhere from ten to twenty times the cost of legitimate drugs. It is in the desperate attempt of the drug user to meet these enormous prices that he resorts to theft and prostitution." (Page 204 "‘Dope Fiend’ Mythology.")

This can only be construed as a plea for a supply depot of "low cost legitimate drugs," a doctrine that is abhorrent to the canons of ethics and fundamental principles of the medical profession of America, and in contravention of Federal and State law. To carry into effect the Hague Convention of 1912 "to limit exclusively to medical

and legitimate purposes the manufacture, sale, and use of morphine, cocaine and their respective sales," the Congress of the United States enacted, in 1914, the Harrison Narcotic Law. It stopped the indiscriminate purchase across the counter in the United States of drugs for the purpose of satisfying drug addiction. Under this law the responsibility for the proper prescribing and dispensing of narcotic drugs, rests upon the physician in charge of any given case. Without reference to the question of addiction, a physician acting in accordance with proper medical practice may prescribe or dispense narcotics for the relief of acute pain, or for any acute condition. Mere addiction alone is not recognized as an incurable disease. The "clinic" advocates, as already noted, assert that our Federal courts, as well as other governmental agencies vested with authority to invoke the provisions of this law, "are persecuting 25,000 physicians" and visiting "inhuman" and "diabolical" treatment upon the drug addict. In the application of the Harrison Narcotic Law to our domestic narcotic problem, we are told by these proponents of cheap narcotics for the confirmed drug user that "a billion dollar racket" has developed, and that it is costing the people of America "\$2,735,000,000, or about \$80 per family," and that "evidently the Grand Old Men of the Supreme Court do not even know that the lower courts and Federal hirelings play horse with their decisions." Dr. Lindesmith refers to this law as an "indefensible repressive law, the victims of which are in no position to protest."

The U. S. Treasury Department (Bureau of Narcotics) Regulation No. 5, issued under the Harrison Narcotic Law, Chapter VIII, Sec. 2, provides:

"\* \* \* Nothing contained in this section shall apply—(a) To the dispensing or distribution of any of the aforesaid drugs to a patient by a physician, dentist, or veterinary surgeon registered under this Act *in the course of his professional practice only* \* \* \*"

Article 166, Chapter VIII, of the Regulations, provides that: "A prescription for narcotic drugs may be issued only by a physician, dentist, veterinary surgeon, or other practitioner, who has duly registered, \* \* \*"

Article 167, Chapter VIII, of the Regulations, provides that: "A prescription, in order to be effective \* \* \* must be issued *for legitimate medical purposes*. \* \* \* An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of the Act; and the person filling such an order, as well as the person issuing it, may be charged with violation of the law."

As early as 1919 the United States Supreme Court, in the case of Webb and Goldbaum (249 U. S. 96) was called upon by the Circuit Court of Appeals for the Sixth Circuit to answer a question framed for the purpose of determining the duty of a practicing physician in the treatment of narcotic addicts. The question, identified in the decision as question No. 3, was as follows:

"If a practicing and registered physician issues an order for morphine to an habitual user thereof, the order not being issued by him in the course of professional treatment in the attempted

cure of the habit, but being issued for the purpose of providing the user with morphine sufficient to keep him comfortable by maintaining his customary use, is such order a physician's prescription under exception (b) of Section 2 (Harrison Law)?"

To this question the Supreme Court replied:

"As to question three—to call such an order for the use of morphine a physician's prescription would be so plain a perversion of meaning that no discussion of the subject is required. That question should be answered in the negative."

Again in 1920 the Supreme Court had before it for decision the question as to the application of Section 2 of the Harrison Narcotic Law to the practice of a physician in prescribing narcotics to drug addicts. The Supreme Court held in part (*Jin Fuey Moy*, 254 U. S. 189) as follows:

"Manifestly the phrases 'to a patient' and 'in the course of his professional practice only' are intended to confine the immunity of a registered physician in dispensing the narcotic drugs mentioned in the Act, strictly within the appropriate bounds of a physician's professional practice, and not extended to include a sale to a dealer or a distribution intended to cater to the appetite or satisfy the craving of one addicted to the use of a drug. A prescription issued for either of the latter purposes protects neither the physician who issues it nor the dealer who knowingly accepts and fills it."

A like opinion was rendered by the same Court in the case of *United States vs. Morris Behrmann*, (1922) 258 U. S. 280, in which the Court held:

"\* \* \* the quantities named in the indictment are charged to have been entrusted to a person known by the physician to be an addict, without restraint upon him in its administration or dis-

position by anything more than his own weakened and perverted will. Such so-called prescriptions could only result in the gratification of a diseased appetite for these pernicious drugs, or result in an unlawful parting with them to others, in violation of the Act as heretofore interpreted in this Court, within the principles laid down in the Webb and Jin Fuey Moy cases."

Thus we find the voice of the Supreme Court raised against the narcotic-clinic principle advocated by such organizations as the American White Cross Association of Seattle, the International White Cross, Inc. of California, and the World Narcotics Research Foundation and their executive officers. It is by them that caustic and unjustified criticism is addressed toward responsible Federal Bureaus and their executives because they perform a high duty in the interests of the public welfare. The plan of these critics and contemners for, as Professor Lindesmith says, "*low cost legitimate drugs*" contemplates the elevating of a most despicable trade to the avowed status of an honorable business; under it drug addicts would multiply unrestrained to the irrevocable impairment of the moral fiber and physical welfare of the American people. Such a plan would be not only in direct contravention of the spirit and purpose of the international drug conventions, which the United States solemnly entered into with sixty-four other nations of the world, but would also constitute a complete reversal of settled national policy of more than twenty years standing with respect to narcotic drug traffic control—a national policy that is firmly rooted in the national leg-

isolation as interpreted by the highest Federal Court, and supplemented by concomitant State narcotic legislation. The American Government would never tolerate such a system based on the degradation of its citizens. Nor would it thus abrogate the two treaties into which it solemnly entered along with sixty-four other nations.

Nearing the period when all narcotic clinics in the United States were being closed, a special committee of physicians prepared a report on the ambulatory treatment for drug addiction, which was adopted by the American Medical Association and printed in its Journal on June 14, 1924, reading in part as follows:

"Your committee desires to place on record its firm conviction that any method of treatment for narcotic drug addiction, whether private, institutional, official or governmental, which permits the addicted person to dose himself with the habit-forming narcotic drugs, placed in his hands for self-administration, is an unsatisfactory treatment of addiction, begets deception, extends the abuse of habit-forming narcotic drugs, *and causes an increase in crime*. Therefore, your committee recommends that the American Medical Association urge both Federal and State Governments to exert their full powers and authority to put an end to all manner of such so-called ambulatory methods of treatment of narcotic drug addiction, whether prescribed by the private physician or by the so-called 'narcotic clinics' or dispensary."

It is significant that, when this subject was discussed at a session of the Opium Advisory Committee of the League of Nations, some five years ago, the Canadian delegate stated, if such a proposal were contemplated in Can-

ada, it would be comparable to the establishment of smallpox infection centers during a smallpox epidemic.

Can it be that, because of the conviction of several physicians under the Harrison Narcotic Law, as reported in the several annual reports of the Treasury Department (Bureau of Narcotics) on Opium and Other Dangerous Drugs, *the cry is growing ever louder* that "Bureaucratic Government Has Crucified 25,000 Physicians," that "\* \* \* all agree that the Anslinger program is in violation of law, inhuman, diabolical, and the most egregious and reprehensible in our modern life," and that, as stated by Dr. Henry Smith Williams, (head of the World Narcotics Research Foundation and fellow-associate of Dr. Lindesmith in the promotion of its work) "the existing policy of *forbidding the rationing of drugs to addicts* has resulted in the setting up of a billion dollar underworld racket \* \* \* which could be obliterated almost over night by stopping the illegal prosecution of doctors \* \* \*?"

What interest has this self-designated group of "scientists" in re-establishing dispensaries for "the rationing of drugs to addicts"—for their obtaining "low cost legitimate drugs"? Can it be that the fabulous profits of the illegitimate practitioner have been pegged by the Anslinger program? Can it be that, as stated in Dr. Kolb's, *"The Prevalence and Trend of Drug Addiction in the United States and Factors Influencing It,"* "some of the physicians who have been practicing for years in small towns and rural communities speak of addicts they have cured by the aid of the Har-



rison Law \* \* \*” (Page 19) and, that “Another factor which has caused addiction to take a downward course is the enforcement of the restrictive laws enacted by the State and Federal Governments.” (Page 21.) And can it be further, that:

“The first result of the Harrison Law was to cause large numbers of addicts throughout the country to seek treatment. Many who were relieved of their addiction then have no doubt remained cured. The rigid enforcement of the law continues to impel addicts, even those who started the habit viciously in recent years, to seek relief. \* \* \* Efficient as these laws have proved to be from a curative standpoint, *their greater value lies in their effectiveness as preventive measures*”? (Page 22.)

In League of Nations Bulletin O. C. 1614, issued at Geneva, October 22, 1935, under the direction of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, and containing memoranda transmitted by the representative of the United States of America, the following observation is made in connection with “profits” attending the operation of drug clinics:

“The clinic at Albany, New York \* \* \* was one of the largest in the State. \* \* \* A number of them stated to Federal Narcotic officers that prior to attending the clinic they (addicts) had not been users of cocaine. \* \* \* An estimate based on their activities \* \* \* indicated that the physician in charge and his assistant were each receiving from their work at the clinic a net income at the rate of \$11,000.00 a year, and the druggist who was filling the prescriptions and who had a monopoly on the business was deriving therefrom a profit at the rate of \$20,000.00 a year. A number of the addicts being supplied had criminal records. Some of the ad-

dicts were known to be peddlers of narcotics, \* \* \*.”

The single case of Dr. Claude B. Williams, Elizabeth City, N. C., who was convicted of violating the Harrison Narcotic Law, will illustrate the corrective and far-reaching work being accomplished by the U. S. Bureau of Narcotics. In its 1939 report on “Traffic in Opium and Other Dangerous Drugs,” Page 51, the following is stated:

“Dr. Claude B. Williams, a physician of Elizabeth City, N. C., was indicted in April 1939, having been charged with the illegal sale of tax-paid narcotic drugs to addicts *who had no medical need therefor*, as disclosed by an investigation conducted by the Bureau of Narcotics over a period of several months. \* \* \* The inquiry was commenced when it was discovered that Elizabeth City had become a rendezvous for a horde of ‘transient’ drug addicts from all sections of North Carolina and from adjacent states. \* \* \* During a three-year period leading to the investigation, Dr. Williams sold by means of so-called ‘prescriptions’ 110,784 tablets of morphine sulphate, ½ grain each. During the comparable period, the 12 other physicians regularly practicing medicine in Elizabeth City, disposed of a total of only 429 grains of morphine sulphate.”

At a price of \$1.00 to \$1.50 per grain, the profit inuring to Dr. Williams can readily be computed. This is but one of many of the alleged “persecutions” of physicians to which the “Big Five” narcotic associations refer.

Although some forty-four narcotic clinics that operated in the United States were closed during 1923-1924, because of the vicious circle of degradation and crime they created, recent attempts have been made to revive the

system. In 1931, a bill was introduced in the California legislature which purported to authorize the sale of a regular daily supply of narcotic drugs to addicts. It received the support of the International White Cross Anti-Narcotic League, Inc., a California organization, the field secretary of which is Eunice Callender Fisher, who, incidentally, is an associate officer with Professor Lindesmith on the Executive Committee of the World Narcotics Research Foundation. The proposed legislation was defeated.

In leaving Professor Lindesmith's "Dope Fiend' Mythology," brief consideration should be given to his observation that:

"Another current myth is that all addicts, in accordance with the proverb 'misery loves company,' have a positive mania for making new addicts. This is nothing but gratuitous slander of an unfortunate and helpless group." (Page 206 "Dope Fiend' Mythology.")

By a process of ratiocination which for deviousness is unquestionably brilliant, the Professor leans away from a fact so obvious to all law enforcement officers—that addicts make addicts (by whatever process is immaterial) and that a plentiful supply of drugs makes a plentiful supply of drug users. A rendezvous of addict-association stimulates the old and creates new addiction. Professor Lindesmith says something about this "myth" being current only in the United States, but just recently there arrived from the General Secretary of the Department of Public Health, Mexico, D. F., Mexico, a statement reporting on observations made with respect to 150 drug addicts in the

Federal Penitentiary, in which it is stated that:

"In almost all of the cases the prisoners give as the reason for their addiction their having been influenced by vicious friends to enjoy 'artificial paradises.'"

In the U. S. Treasury's 1939 report on "Traffic in Opium and Other Dangerous Drugs," Page 8, it is stated: "Over 60 per cent of addiction today is due to association with other addicts."

An excerpt from the Report of the Committee on Drug Addiction, of the Conference of State and Provincial Health Authorities of North America for 1938 reads:

"The isolation and segregation of drug addicts with the object of treatment instead of punishment appears desirable and necessary, for their presence and contact with others in the community is a potential damage *and a causative factor in the production of further addiction*. Their segregation and isolation should be for an indefinite period, contingent upon the individual concerned in somewhat the same way as the insane are segregated, \* \* \*"

Captain E. A. Chitwood, of the Los Angeles Police Department, states:

"\* \* \* another reason for making war on the narcotic addict, is that every addict, knowing himself to be a moral and social outcast, delights in bringing others into the outcast fold; \* \* \* it is a well known fact that they are, every one, potentially the makers of other addicts. In this respect I feel that these people are in the same category as lepers, and that the only defense society has against them is segregation and isolation whenever possible."

A like opinion is expressed by Captain H. S. Seager, of the Los Angeles Police Department, an officer who distinguished himself as Chief of the California State Division of Narcotic En-

forcement against such odds as were placed in his way by organizations of the International White Cross type.

The American representative to the 1935 Geneva conference on Opium and Other Dangerous Drugs, submitted to the Advisory Committee the statement that:

"The theory on which they (Narcotic Clinics) were established took no account of the well demonstrated fact that *association with addicts is one of the most fertile causes of the spread of addiction*, nor did it envisage the profit which an addict could easily make by drawing more of the drug than he would need for his own use and selling the balance in the illicit traffic. These two factors quickly made themselves apparent and it was soon obvious that the maintenance of clinics *tended to spread addiction rather than to reduce it* and provided a cheap supply for the illicit traffic which increased rather than decreased under the system."

M. L. Harney, Assistant to the U. S. Commissioner of Narcotics, in his address before the annual convention of the Pacific Coast International Association of Law Enforcement Officials, at Reno, Nevada, August 27-29, 1940, stated:

"There has been a revival of this 'feeding station' idea in one of our western states, and I understand that not long ago legislation was seriously considered which would permit the feeding of regular rations of narcotics to addicts to gratify addiction. \* \* \* as all law enforcement officers who have had contact with this class of people

know, *addiction is in effect a contagious vice*. Report after report coming over my desk with respect to the manner in which addiction was acquired shows with monotonous regularity 'association with addicts,' 'bad associates,' 'bad company' and the like. The contagious nature of narcotic addiction can be readily demonstrated in the family history of the victims. \* \* \* In one remarkable case \* \* \* we found with respect to a female addict, that there had been a history of narcotic addiction as to her grandmother, her mother, her father, three aunts, a sister, two brothers, and four cousins, the cousins having been closely associated with this family. \* \* \* The 'spotty' incidence of addiction is the strongest testimonial of this characteristic. It is difficult to conceive how anyone with full knowledge of the facts could advocate the establishment of a *center of infection*."

This, too, is the story that now comes in tragic cadence from Chinese territories under Japanese influence. The young in America shall not be permitted to falter and die as they do in the Far East under the demoralizing weight of drug addiction. Neither narcotic monopolies nor narcotic clinics, with their "low cost legitimate drugs," as advocated by Dr. Lindesmith, will be permitted to gain a foothold in America as long as we have the protection of such dynamic agencies as the United States Public Health Service, the Department of Justice and the Federal Bureau of Narcotics, nor will any narcotic racket of the pseudo-scientist be permitted to flourish in our midst.