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6645 - 32nd Street, N.W.  
Washington, D. C.  
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Judge Lewis Drucker  
Superior Court  
Los Angeles 12, California

Dear Judge Drucker:

I remember very well our former association in California and was pleased to get your letter with copies of the two reports on narcotics prepared by Judge Lewis R. Burke with you and which you have asked me to evaluate.

Obviously Judge Burke and you have not succumbed to the prevalent hysteria and frenzy about narcotics that have beclouded the minds of so many persons, including some otherwise capable physicians.

I like the two treatment programs, since they clearly set forth that drug addiction is mainly a medical thing, but I shall not try to comment on every suggestion that is made. I believe that some general remarks about addiction based on my fifty years experience with the addict and with law enforcement practices will give you a better idea of what I think the program should be. First, the handling of the problem in the United States, spearheaded by the Federal Narcotics Bureau, dishonors our civilization. Most of the states, including California, have laws that are not justified by the basic facts. Some of the states like Ohio, Michigan, New Jersey, and Texas have vicious laws as have the District of Columbia and the Federal Government. These State and Federal laws are praised by our Commissioner of Narcotics, an able man who knows narcotics from the statistical angle and gets out excellent reports on prevalence, but who unfortunately is not informed on sound medical and rehabilitative aspects of the problem. The praise as well as strong advocacy by him of maintaining mandatory sentences, long sentences, no probation and no parole show how distorted his views are. His attack on the Report of the Interim Committee of the American Medical Association and the American Bar Association and the immediate calling together of the group of people with known views to combat the report; the wide distribution of this vicious, silly report, and the fact that it had to be withdrawn after it was publicized; that one person with only police training had made in the report a foolish, vicious attack on the Supreme Court of the United States and another had made very foolish statements, shows how far afield the Commissioner has gone in his crusades for more and more severe laws.

As to treatment, efforts have been made to forbid treatment of voluntary patients at Lexington and Fort Worth. This effort was fortunately thwarted by some last minute action taken by me. Also there has been re-

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pested effort to compel these hospitals to report to the Bureau of Narcotics about all the voluntary patients who are treated by them.

Incessant propoganda, as you doubtless know, has brainwashed prominent people, including some judges and physicians, so that they believe the nonsense that continuously appears in the papers, lay magazines, radio and television; and which brings about action by legislators and patriotic societies in opposition to sensible measures and in support of extreme measures of control. Unfortunately, all of this has brought about the fact that policies as to narcotics in the United States have fallen into the hands of policemen and police trained people, whereas policies as to the other criminals are dictated by judges, lawyers, physicians, criminologists and others who know something about human behavior and rehabilitation.

As to California, the interim report of December, 1960, seems to be dominated by the acceptance of the reasoning that since Ohio since 1955 has been sending narcotic violators to the penitentiary for up to eighty years with the result that there are now fewer narcotic arrests in Ohio, that this is a proven, just treatment. The same argument could be applied with almost equal justice to those who have warts on their noses or who are suffering from such diseases as muscular dystrophy.

As I said previously, I think that you and Judge Burke have a good program for treatment and rehabilitation; but I also think that it is vulnerable in the fact that it is to be run by the wrong people, when I note that everything is subject to the sheriff, who would be the supreme authority and could practically veto anything that the professional people stand up for. It is of course within the bounds of reason that the right kind of sheriff could run the right kind of program. My own experience with this type of operation is that non-medical people in charge of a medical program are likely to be dominated by the idea of punishment. Of course, I am not quite familiar with all the angles of the Los Angeles City ordinances and the laws under which you have to operate. I have the same objection to the recommendation that a facility should be set up by the state and operated by the Department of Corrections. I know that the Department of Corrections has at its head what is probably the best administrator in the United States, but he will not always be there. I feel that if a man of Mr. McGee's calibre was at the head of the Federal Bureau of Narcotics, the vicious unrealistic features of the narcotic program in the United States would quickly change. In setting up a facility under a correctional department heading we are yielding to the effect of propoganda that drug addiction is a problem mainly for punitive measures. I would advocate legislation that would set up in one or maybe two of the State hospitals a special facility for the treatment of drug addiction. I would have this facility a little tighter

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than the usual facility in hospitals for patients who are ambulant and can work. I would accept the word of the physicians in this facility as to when a patient should be discharged or paroled and I certainly would not pursue these patients afterwards with such procedures as Nalline Tests, but would help them as you and Judge Burke have so wisely suggested by follow-up procedures of social workers from the hospitals. I would also suggest that California should repeal the law which now forbids the treatment of addicts in any but special authorized hospitals and sanitariums. I would also certainly tone down the planned narcotic raids that so often occur and are publicized throughout the United States, giving the people the idea that narcotics addiction must be a much more terrible thing than it actually is. In this connection, I wonder how many people stop to think, or even actually know, that in Los Angeles 80,000 arrests for drunkenness every year and in addition about 8,000 arrests for drunken driving are made, that drunkenness is a much more serious thing, both to the patient and to the general public, than addiction to heroine or marijuana is, and that if the same ferocity was used in the pursuit of alcoholics the number of arrests in Los Angeles alone would probably be several million yearly. I want to emphasize here that I think California is handling its alcohol problem very well and I do not advocate extreme measures. I would, however, in any management procedure equate addiction with alcoholism giving special attention to the fact that addiction to such drugs as morphine and heroine does have a special feature about it that is not present in moderate drinkers, namely, the physical dependence that causes any addict to an opiate to become enslaved by the drug so that he must have it. This impact is the only reason for having special laws about narcotics and it is a good reason. There must be some special police measures but they should be kept within reasonable bounds.

I think that a campaign of education should be undertaken by informed judges and physicians to disabuse the minds of people of the idea that narcotics and especially heroine is a close relative of the atomic bomb. I am enclosing for your information two articles that I wrote largely with this idea in view. They are entitled "Let's Stop This Narcotics Hysteria!" and "The Drug Addiction Muddle." I wonder if you have seen the recent publication Drug Addiction -- Crime or Disease put out by the Indiana University Press. This gives a report on the Interim Committee of the American Bar Association and the American Medical Association. In closing I wish to emphasize again that I think the two reports that Judge Burke and you have gotten out show what is to my mind the correct approach to the subject, but that they do not go far enough.

Sincerely yours,

Laurence Kolb, M. D.