

# Terrell on Drug Laws

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## Should Government be forced to tell the truth?

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### MEDICAL MARIJUANA ACTIVISTS CITE LITTLE-KNOWN LAW IN SUIT

Medical marijuana advocates tried a new approach Wednesday in their tug-of-war with the federal government, filing suit under a law that requires the government to correct its own misstatements -- including, the advocates say, the assertion that marijuana has no medical value."Citizens have a right to expect the government to use the best available information for policy decisions," said Alan Morrison, a Stanford Law School lecturer and an attorney in the lawsuit by Americans for Safe Access.

The suit was filed in federal court in San Francisco under the Data Quality Act, a little-known statute signed by President Bush in 2001. It directs federal agencies to allow members of the public to "seek and obtain correction" of false or misleading government information that affects them.

Morrison said the law was originally pushed by businesses that objected to government statements taking dim views of products or entire industries, notably Clinton administration reports that listed industrial activities among the causes of global warming. He said he knew of only two lawsuits filed under the statute, neither of them successful.

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Should the government be forced to tell the truth?  
Bush, Cheney, and their cronies in the energy industry were frustrated

## About Me

Name:

Buford C. Terrell

I'm a retired law professor teaching fields included drug law and sex, First Amendment legal history. I also host a interest television show in called "Drugs, Crime, and P intend to select current ne stories each day about drug drug laws and comment on

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early on by the scientific evidence supporting global warming. Bush was also mad about information put out by government health-related agencies embarrassing to him about stem cell research and morning-after contraception.

In order to shut down these sources of embarrassing information, he pushed through a law that would have the effect of placing the political appointees at the heads of agencies responsible for all information released. This statute was called the "Data Quality Act"; and in true Orwellian double speak, the operative language called for agencies to, in effect, verify the truthfulness of any information they released or published.

Well, global warming is now virtually uncontravertible, we have next-day contraception, and stem cell research continues in spite of the White House.

But these aren't the only things the government has been less than truthful about. (We'll leave out the mess in Iraq, because enough other people are talking about it). The government has been concealing its own publications about illegal drugs since at least 1930.

In 1930, the Surgeon General of the Army published a report about the use of marijuana by soldiers in Panama, and even did research involving giving marijuana to some soldiers. The Army's conclusion was that marijuana presented no risk and no laws or regulations against it were needed.

In 1972, The Shaffer Commission, appointed by Nixon at the direction of Congress, reported that marijuana was therapeutic and presented no social dangers and should be criminalized.

In 1975, The National Institute on Drug Abuse conducted a three-day conference on the pharmacology of Cannabis and published the proceedings in 1976 as a 2-volume NIDA Monograph: *The Pharmacology of Cannabis*.

You can look long and hard at government publications and web sites and will find no references to any of these three basic reports or to their results; nor can you find reference to the 1942 Department of Defense film *Victory through Hemp*, encouraging farmers to grow hemp (cannabis) in support of the war effort.

Nor can you find either of the two white papers on drugs, pointing out the problems of prohibition, prepared for President Kennedy.

You may still be able to find references to the 1998 NIH report on needle exchange programs, finding that they promote public health and do not encourage IV drug use, or the 1999 IOM report on medical marijuana finding that it has real therapeutic value and other probable values that need testing and that it should be made available, even in smoking form, to patients in the last stages of certain diseases. You may find quotes out of context and misquotes from the latter on several government web sites better known for propaganda than for

fact.

What would the White House and Congress do if they were forced to face the facts that their own agencies had determined?

What if Congress required that any government report or publication, or any report or publication sponsored or financed by the government had to be immediately released on the Internet?

Perhaps our drug laws would, for the first time in over 90 years, become a little bit rational.

posted by Buford C. Terrell @ 9:55 PM

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