



Life Magazine October 31, 1969

MARIJUANA

At least 12 million Americans have now tried it

Are penalties too severe?

Should it be legalized?

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(click image to zoom)



In U.S. Customs "war room" near Los Angeles (above), agents keep track of nationwide marijuana "market." Opposite, guests in a fashionable New York apartment enjoy a pot party. (click image to zoom)

MARIJUANA: the law vs. 12 million people

In New York a group of middle-aged professional people begin an evening with a marijuana "cocktail party." In Detroit some lawyers and executives get together in the small hours for wine-and-pot. In Beverly Hills, at a stately black-tie dinner, the matronly hostess beckons the butler who brings a silver tray with a single after-dinner joint to be passed around.

Marijuana, until recently a conspicuous liturgy of the rebellious young, is spreading into the middle class and fast becoming an institution. An estimated 12 million Americans have now tried It. The consequence is an ironic contradiction reminiscent of the Prohibition era of the 1920s, when ordinary citizens blithely drank bathtub gin while cops pursued the bootleggers. Now as the pot party gets to be fashionable in some circles, authorities are mounting an unprecedented campaign to cut off the supply at the Mexican border, where U.S. Customs agents are bearing down on professional smuggling, with planes, boats and mobile radar units.

A growing body of opinion now recognizes the disproportionate severity of laws that define mere possession of marijuana as a felony and lead to travesties like the case of a 20-year-old college student sentenced to 20 years for possession (p. 3). Last week the Nixon administration reversed its adamant earlier position and recommended reducing the federal penalty for first offenders to a misdemeanor.

As illegal marijuana becomes increasingly "respectable," ultimately the whole question of legalization will have to be faced—although no country in the world officially sanctions it. On [page 5](#) Dr. James Goddard, former director of the Food and Drug Administration, dispels many of the myths that confuse the marijuana debate and renders his verdict on legalization.

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At many parties casual marijuana smoking simply replaces social drinking. In suburban Boston (right) a group of middle-aged business and professional people light up after dinner. In New Orleans (below) the occasion is a garden pot party on Sunday afternoon.

(click images to zoom)



One way or the other it all goes up in smoke

Operation Intercept, the U.S. Customs crack-down on smuggling through popular Mexican border points, outraged thousands of tourists and yielded little marijuana. Now the pressure has shifted to open stretches of the border where the big hauls are made. Below a 500-pound cache of confiscated marijuana is removed from warehouse-like storage vault in San Diego, then burned in the raging furnace, one kilo-brick at a time.



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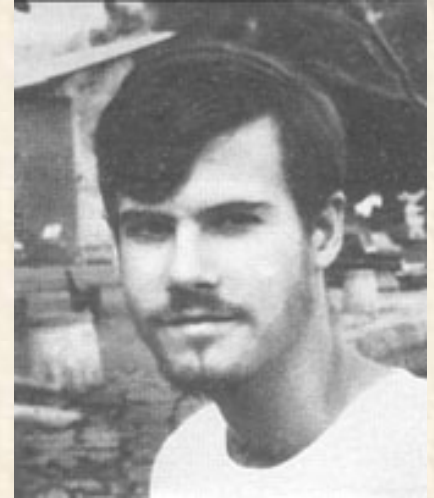
FRANK PROVOST LaVARRE

3909 Whitland Ave., Nashville, Tenn.
Enrolled September 1963 Captain, A Company; Best Drilled Company, 2; Dunlap Rifles, 3; prefect, YMCA, 2, 3, 4; TEPS, 2; Keo-Kio, 4; Monogram Club, 1, 2, 3, 4; Spanish Club, 2, 3; Tornado, 3, 4; Pennant, 2, 3; Photography Editor, 4; Photography Club, 2, 3, President, 4; Fellowship of Christian Athletes, 3, 4; Dramatics, 2, 3, 4, Scuba Club, 2, 3, 4; Walker Casey Award; Varsity Cross Country, 1, 2, 3, 4; Captain, 4; All Mid-South, 1, 2, 3, 4; Most Improved, 1; Most Valuable Runner, 2, 3, 4; Varsity Track, 2, 3, 4; All Mid-South, 3, 4; Monogram Club Award; Clifford Barker Grayson Memorial Medal; will attend the University of Virginia.

**For the long-distance runner
who got caught—a 20-year sentence**



AT PREP SCHOOL



IN COLLEGE

by JANE HOWARD



Long-distance running is what Frank LaVarre misses as much as anything, now that he sits in the Danville, Va. city jail serving a 20-year sentence for possessing marijuana.

At his Tennessee preparatory school, Frank broke several track and cross-country records. When he entered the University of Virginia on a full scholarship in 1967, the track coach was glad to see a boy whose idea of a vacation was to ride a bicycle all the way to North Carolina. Often, for the joy of it, Frank ran alone through the Virginia woods—as many as 15 miles a day. Last year, the *Rapier*, an off-campus literary magazine, pretended to have stolen the flame from the Olympic Games in Mexico, and sought relay runners to take a torch supposedly fit from that flame from the Charlottesville campus to the Mexican embassy in Washington, D.C. Most volunteers did one-mile stints;

Frank ran eight, nonstop.

But his next long-distance run was not on his own legs but in a Trailways bus, and his cargo was not a torch but three pounds of what court records were to call "a brown-green grasslike substance"—marijuana. In the Commonwealth of Virginia the minimum penalty for possessing more than 25 grains (about half a teaspoonful) of marijuana is 20 years, the same as the minimum penalty for first-degree murder.

Frank LaVarre was arrested in the Danville bus station Feb. 24, 1969. His bus was bound for Atlanta, where friends awaited the marijuana they had wired him \$700 to buy. Acting on a tip from the police chief in Charlottesville, 110 miles north, where Frank had boarded the bus, Danville detectives took him into custody. In jail, he was invited to "cooperate" by divulging names of all university students he knew of who used drugs. As Frank declined to do this, his bond was raised from \$5,000 to \$8,000 to \$50,000.

In court, he pleaded guilty. On July 30, after several hearings, Judge Archibald Aiken sentenced him to 25 years in the penitentiary, with five years suspended for good behavior. "Now, I want to say to you, young man," the octogenarian judge proclaimed, "that you still have time to mend your ways and make a useful citizen out of yourself." By this the jurist presumably meant that with luck Frank LaVarre might be eligible for parole after only five years, a quarter of his unsuspended sentence. That thought did not console Frank's mother and other kin in Nashville, Tenn. They feared the exposure to veteran criminals and homosexuals that the 20-year-old boy, who had never so much as stolen a hubcap, could expect in the penitentiary.

Until three weeks before his arrest Frank LaVarre had never tried marijuana. "I used to think grass was oh-oh, horrible, dangerous stuff," he says. But he kept hearing a lot of talk to the contrary—in Europe, where he spent a summer, and on campus. He heard it was "a nice way of relaxing and opening your senses, of getting into a real nice thing very quickly, with no hangover." He heard it would deepen his already keen sensitivity to music and arts. Still skeptical, he made many trips to the medical school library to, read all he could find on the subject. (He forgot, however, to read about drug laws.) "He prepared for getting stoned," one of his friends says, "the way you'd prepare for a trip to the moon."

Finally convinced it wouldn't harm his body or his head, Frank tried marijuana and liked it. "When Frank liked something," that friend continues, "he liked it super." So it was with photography ("He'd stay all night working in the darkroom, and hang around all day at train stations taking pictures of old colored guys"), and music (Frank's taste had switched from Mahler to Bob Dylan) and food (he liked to astound his friends by cooking escargots and beef Stroganoff) So it was with his own dark brown hair, which to the woe of his elders grew down to his shoulders.

"I'd have grown it long sooner," says Frank, who has since had a prison crew cut, "but, see, McCallie is a semimilitary school." At McCallie, his preparatory school in Chattanooga, Frank was short-haired and exemplary. "He is very personable," his headmaster wrote to whatever college admissions officers it might concern, "a boy of high ideals and character, cooperative, loyal, interested in good literature and artistic things—a well-rounded, fine young man."

Two years later the fine young man was in police custody, being asked to name names. "I guess they figured Frank for a big-time head, the brains behind a ring of dope pushers, who was planning to make a big profit," a friend speculates. "But he wasn't even going to earn his bus fare. He was incredibly naive. In a way I envied his innocence. Friends asked him to carry them some pot, and he didn't want to be the low man on the T.P.—totem pole—so he was going to do it."

"He may not have been pushing," says one Danville official, "but he was doing right much transporting." Right much indeed-enough so that the court was little swayed by the 50 or so letters that poured in commenting on the boy's dazzling potential, lamenting his unlawful act, and respectfully requesting leniency. One letter offered to arrange group therapy sessions if the boy could be paroled to Nashville. Another, from a corporation president, offered him a job. "We need young men like him," the letter said.

Though some of Frank's friends regard him now as a romantic martyr-hero, others make it clear that he is, as one says, "no rose." Frank "didn't always make his bed or balance his checkbook," his

roommate says. "Sometimes he'd do things, like letting his hair grow, just to rile people." He also was suffering an extreme case of a syndrome known to his mother as a Sophomore Slump, and to his contemporaries as a Freakout, or Zapout. His grades had slipped so badly that the university had suspended him for a semester.

Frank hoped to work that semester as a photographer in Atlanta. His arrest en route there was instigated by a tip to the Charlottesville police chief. The tipster, suggests a classmate, "had to be a close friend of Frank's, who was worried about him and thought it would be doing him a favor to get him busted. Some favor."

"I think it was a nark [undercover narcotics agent]," another classmate speculates. "Remember, Frank was a loudmouth. All his broadcasting around town about how great grass was could have got to the wrong ears. With pot, he was like a kid with a new go-cart: cautious at first, but then reckless. He wouldn't listen when I told him it was conceivable to be busted. The funny thing is, he didn't need grass to turn on with. Before he ever tried it he'd just sit sometimes and stare at a candle."

"I've always been," as Frank says, "a staunch individualist," And so the individualist was into pot, with as much abandon as he had got into photography and Buddhism.

Now he has plenty of time to read of Zen and Gandhi and Asian wisdom, jailed in a city where the phone book lists 208 clergymen and 124 churches to serve 49,900 souls, where a boy recently died from inhaling Bactine sprayed into a paper bag. Danville people fear, as a prominent citizen puts it, "that the marijuana seed might get loose and grow wild in this part of the country."

"It worries the goose eggs out of me," the man says. "But we're not going to put up with any foolishness, and everybody knows it."

An honor student at the university disagrees. "The older generation had better get used to pot," he says, "because it's here, and I don't think it's going anywhere. If they're going to lock up people like Frank LaVarre, they're going to have a violent revolution on their hands."

"We went to college in the Depression," says Frank's mother, "but these kids had so much handed to them on a silver platter." She and her husband, who died six years ago of cancer, gave their three children an exceptional childhood. Mr. LaVarre represented the Singer Company in South America, and raised his family there in what apparently was a cheerfully bilingual atmosphere, with servants, and, as Frank puts it, "a lot of cultural enrichment."

It puzzles many people that so promising a scion of so enriched a background should now face two decades—or at the very least five years—behind bars. Among the puzzled is a minister in Danville, who comments that "the law Frank was tried under was meant to catch very heinous persons." Clearly the minister has doubts that Frank, whom he has often visited, is "very heinous." In fact, he seems to detect in the young prisoner a certain contemporary valor. "Nobody's going to sing Homeric chants about most of the bravery in today's world," the minister says, "is Frank religious? He might not want me to say so, but he is, in the best sense of the word."

In jail, right much though he longs to be elsewhere, Frank quotes a Japanese haiku: "My storehouse having burnt down, nothing obscures my view of the bright moon."

"See," he says, "I love life. I love the world. Everything about it fascinates me. I'm stoned all the time on nothing, just on being alive. The food here is a gastronomical disaster, sure, and I miss a lot of things, but I have to try to learn something from the experience."

Frank's attorney has filed an appeal to the Virginia State Supreme Court. Frank sits waiting and doing calisthenics in the Danville city jail, pallid as your belly from having been outdoors only three days since last February 24, but, he says, "incurably hopeful."

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A bust at gunpoint and an armed search at sunset



This bust was the climax of a bigtime smuggling case that began with an informer's tip: a quantity of marijuana was due to come across the Rio Grande at Laredo. Two nights later, agents hidden on the bank watched as several sacks were floated across in a raft made from two welded car hoods, then loaded into a car. They followed the car 150 miles to San Antonio where the driver turned it over to a buyer outside a supermarket. The buyer spotted the agents and sped off. At 50 mph the agents drew alongside (above), stopped him at gunpoint and clamped on the handcuffs (below). In the trunk of the car (right) they found \$157,000 worth of pure Acapulco Gold.



The recent easing of Operation Intercept, after pressure from the Mexican government, was only a shift in



At sunset, customs agents, armed with shotguns, scour the darkening waters of Falcon Lake, Texas—a favorite border crossing point for smugglers.

Colo., then leaped out with a sawed-off shotgun when the buyer opened the trunk.

Agents depend heavily on informers—their "snitch" or "little finger"—who ply a dangerous, \$100-a-squeal trade. Six were slain gangland-style in Tijuana last year. One informer recently called an agent to finger half an ounce of heroin that was coming across the bridge hidden in the air filter of a car. When inspectors searched the filter they found a note inside, carefully addressed to the agent by name. "Dear Mr. Kilman," it read. "You have just lost your little finger."

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emphasis. Hundreds of extra customs agents are still stationed along the border, but they are intent now on the bigtime professional smugglers instead of tourists. At the same time the U.S., in an attempt to stop drug traffic at its source, is making available to Mexico an undisclosed amount of equipment—aircraft, devices that "smell" marijuana and opiate crops in the fields, and, reportedly, napalm—along with American "advisory personnel." On the U.S. side of the 1,933-mile border customs agents have mobilized Air Force radar units, sensor gadgets, small aircraft on 24-hour alert, Navy and Coast Guard cutters and even a speed boat seized during an arms run to Cuba. A favorite smuggling technique is to bury the marijuana among the catch on shrimp boats, then deep-freeze it along with the shrimp for shipment to U.S. cities by refrigerated trucks.

The territory south of the border is chopped into fiefdoms by the families who, for a set price per pound, get the drugs into the U.S. The family heads, known by such names as "The Coyote," "The Possum," "The Painter" and "Martha," guard their domains jealously. The same families have offered murder contracts of up to \$5,000 on certain agents and their informers. One agent today drives a souped-up Dodge formerly owned by an assassination squad sent to fulfill a contract. The agents get there first.

Occasionally agents persuade the "mule" (the man who drives drugs into the U.S.) to finger his buyer. Then the agent hides in the trunk of the car, with the goods, while the mule makes his delivery. Recently, one agent rode all the way to Pueblo,

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A former director of the U.S. Food and Drug Administration, Dr. Goddard now conducts research into applied medical technology.



Should it be legalized? 'Soon we will know'

by DR. JAMES L. GODDARD

Man has used marijuana both socially and medicinally for several thousands of years and yet today there is little scientific knowledge of its dangers or merits. In spite of our lack of knowledge, an estimated 12 million Americans have used the drug in recent years. Now we are in a near crisis caused by ignorance and the blanket of misinformation which governmental agencies have used to cover their ineptitudes.

One thing we know about marijuana is that it is definitely not a narcotic even though our federal laws (and most of our state laws) restricting its usage erroneously define it as such. The effects of the drug are variable, depending largely on the experience of the user, his mood, the quantity smoked or eaten, the potency of the plant and the form the drug is used in-leaf (grass) or resin (hashish). The drug effects sought by the user are a state of relaxation, an enhancement of sensory stimuli, particularly sound, an apparent expansion of time, a dispelling of the problems of the day. He may also experience a marked increase in appetite, a slight increase in pulse rate, a pronounced dryness of the mouth and throat, a sensation of heaviness of the extremities. He may even experience a mild period of depression and in some rare cases, an acute panic reaction which may lead to brief hospitalization.

Marijuana, unlike narcotics, does not produce tolerance, requiring higher dosages to produce the same effect. Nor does it produce addiction, which is true of narcotics. But this does not mean it is without its dangers. The

A test subject puffs on marijuana cigarette, research psychiatrist at University of California applies electrodes to his head to monitor brain responses. Earphones record sensitivity to sound.

principal danger is that one may become psychologically dependent on marijuana and, instead of coping with the everyday problems, withdraw through frequent use of the drug.

Adolescents are particularly vulnerable to this danger because of their limited experience and less well-developed habits of living.

Though marijuana has been the drug first used by 90% to 95% of heroin users in the U.S., there is nothing inherent in it to cause people to switch from it to the addictive and more potent drugs. Rather it is thought that personality factors are responsible. I find parents to be most concerned about this one facet of the problem, and the only reassurance I can offer them is that while marijuana usage has skyrocketed in the last decade, heroin addiction has increased only gradually.

Some of the questions we must answer are:

- Does long-term usage of marijuana have harmful effects?
- Does it affect the reproductive processes?
- What type of treatment will be most effective in rehabilitating chronic marijuana users?
- What conditions favor continuation of marijuana use as opposed to moving to hard drugs?
- What kinds of educational approaches are most effective in reducing misuse?
- Does marijuana affect human chromosomes?

Steps are being taken to obtain answers to these and other questions. The major support for this research comes from an element of the U.S. Public Health Service—the National Institute of Mental Health. Its program was initiated early this year, although limited studies had been supported in earlier years, and involves providing funds (\$1 million in fiscal year 1969) and supplies of the drug in both natural and synthetic forms to scientists in institutions across the U.S.

Phase I of the program—assuring adequate supplies of the drug for testing—has been largely completed. Phase II—study of the effects on various animals—is under way. Parts of Phase III—clinical tests on humans—have been started. Answers to some of our questions will be forthcoming within a matter of months. Within two to three years, according to Dr. Stanley Yolles, director of NIMH, most of what we need to know will be available.

Our laws governing marijuana are a mixture of bad science and poor understanding of the role of law as a deterrent force. They are unenforceable, excessively severe, scientifically incorrect and revealing of our ignorance of human behavior. The federal and state laws should be revised to reflect the fact that marijuana is a hallucinogen and should be classified as such. The federal statutes should be repealed, and the Food, Drug and Cosmetic Act should be amended to bring marijuana under the jurisdiction of that act, thereby automatically de-escalating the penalties for simple possession to a more reasonable level (a misdemeanor, with the judge being given considerable authority to adjust the penalty to more nearly fit the circumstances). At the same time sufficiently serious penalties should be provided to handle the major traffickers in the drug. State laws should then be revised in conformance with a model law containing similar provisions.

I do not believe that marijuana should now be legalized, and the steps which I have suggested will not satisfy those who seek to legalize it. Their arguments are that the laws are not enforceable, that the use of marijuana is a private act and does not harm society, and that marijuana is less a danger than alcohol. These are attractive arguments but they begin to break down upon closer examination. First, although not precisely defined, law may have a deterrent effect. Second, although the use of

marijuana is a private act, it has the potential to cause harm to society. One has only to visualize marijuana being more freely available and more widely used by adolescents who have not learned to cope with the problems of daily life, and it is not difficult to reach the conclusion that cannabism would become a societal problem. Our inability to keep cigarettes away from minors should serve as a reminder that we would not be able to keep marijuana out of their hands.

I know that my stand on marijuana may seem contradictory. If the *known* harmful effects of alcohol and tobacco are greater than those of marijuana, and those substances are legal, why do I not advocate legalizing marijuana? I believe that if alcohol and tobacco were *not* already legal, we might very well decide not to legalize them—knowing what we now know. In the case of marijuana, we will know in a very few years how harmful it is or is not. If it turns out to be relatively harmless, we will be embarrassed by harsh laws that made innocent people suffer. If it turns out to be quite harmful—a distinct possibility—we will have introduced yet another public health hazard that for social and economic reasons might become impossible to dislodge.

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