



TOM MCCALL
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 12, 1972

Mr. Allan Hytowitz
Eugene MELO
Post Office Box 5474
Eugene, Oregon 97405

Dear Allan:

Thank you for your recent letter in which you expressed your views on the legalization of marijuana.

It appears that harsh legal penalties have had little impact on drug-using behavior, particularly in the young. However, there are medical, psychiatric, ethical, economical, and legal factors which must be studied carefully before the major step of legalization of marijuana could be undertaken. The Mental Health Division has recently appointed a Task Force to consider these issues, among others, and to develop recommendations regarding both the legal and illegal use of drugs which affect people's emotions, thought, and behavior.

As with other complicated social problems, we must rely upon the democratic process and the collective wisdom of our courts, legislators, other elected officials, community groups, and concerned citizens if we are to reach a satisfactory, long-term solution.

At the present time, I do not favor legalization of marijuana; but I will continue to study any new developments. You may be assured that no hasty decision will be made regarding its legalization. I do favor decriminalization as opposed to legalization.

I appreciate your concern and thoughtful letter.

Sincerely,

Governor

TM:da

Drugs

*File unannounced
(none expected)*

June 21, 1972

Honorable Tom McCall
Governor
State Capitol Building
Salem, Oregon 97310

JUN 26 1972

Dear Governor McCall,

Thank you for the opportunity to talk to you about the status of marijuana in Oregon.

Our desire for urgency in changing the present law is from concern for the thousands of people in Oregon who will be arrested between now and the time when marijuana is legalized. We respect your understanding of the political realities of the issue, but like thousands of Oregonians who have discovered the hypocrisy of keeping marijuana illegal, we are impatient with the political process in maintaining such criminal laws.

The present marijuana laws are in no way based upon factual characteristics of marijuana itself, but rather upon mistaken beliefs about marijuana's properties, the conviction that alcohol should remain the traditional (as well as the only) intoxicant of Western man, and attempts at repression of the ethnic and social groups who have traditionally used marijuana. Such factors cannot rationally justify continued sanctions. It is unfortunate that when the normal channels of society have been wrong for 40 years, it takes so long for them to change after the need for change is apparent.

Research has found (what a lot of people already knew) that there is no correlation between marijuana usage itself and criminal activities or personal harm. We are confident that further research will show that there is no harm caused by the

long term use of marijuana as a mild and enjoyable intoxicant. A close reading of the National Commission's Report shows that marijuana might even be useful to counter violent behavior. In comparison, alcohol not only is potentially addictive and physically and psychologically harmful, but possibly is the "stepping stone" to other physically addicting drugs (as indicated by its metabolic interaction with heroin), and is directly linked to violent behavior if not criminal activity.

Our concern is not with the potential 10 to 40 million dollars in annual state tax revenues from marijuana legalization, nor the five to ten million dollars spent each year in Oregon trying to enforce the present law. Taxation and distribution are more properly the concerns of the state legislature.

Our concern is with the nearly 2,000 of the estimated 300,000 Oregon marijuana smokers who will be arrested in the next year. The risk of getting caught is so small that few of them regard the possibility of arrest as much of a deterrent. And few of them appreciate in advance the social approbation, the financial cost, nor the psychological harm which results from a marijuana arrest. The biggest harm of marijuana criminalization is putting the arrested smoker in league with persons of actual criminal inclinations and experience.

Despite the urgency of getting marijuana legalized, we feel that we have time and the facts on "our side." Unfortunately, having gotten started with so little and so late, the chances of our being able to use the initiative process now seem very remote.

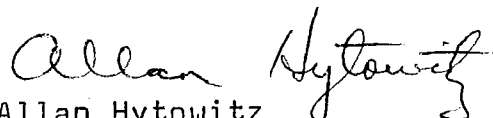
Governor McCall - 3

We find ourselves having to rely on the legislature to change the law or the courts (People v. Sinclair - Michigan; People v. McCabe - Illinois; Jensen v. United States - U.S. District Court for Colorado) to rule the present restrictive laws unconstitutional.

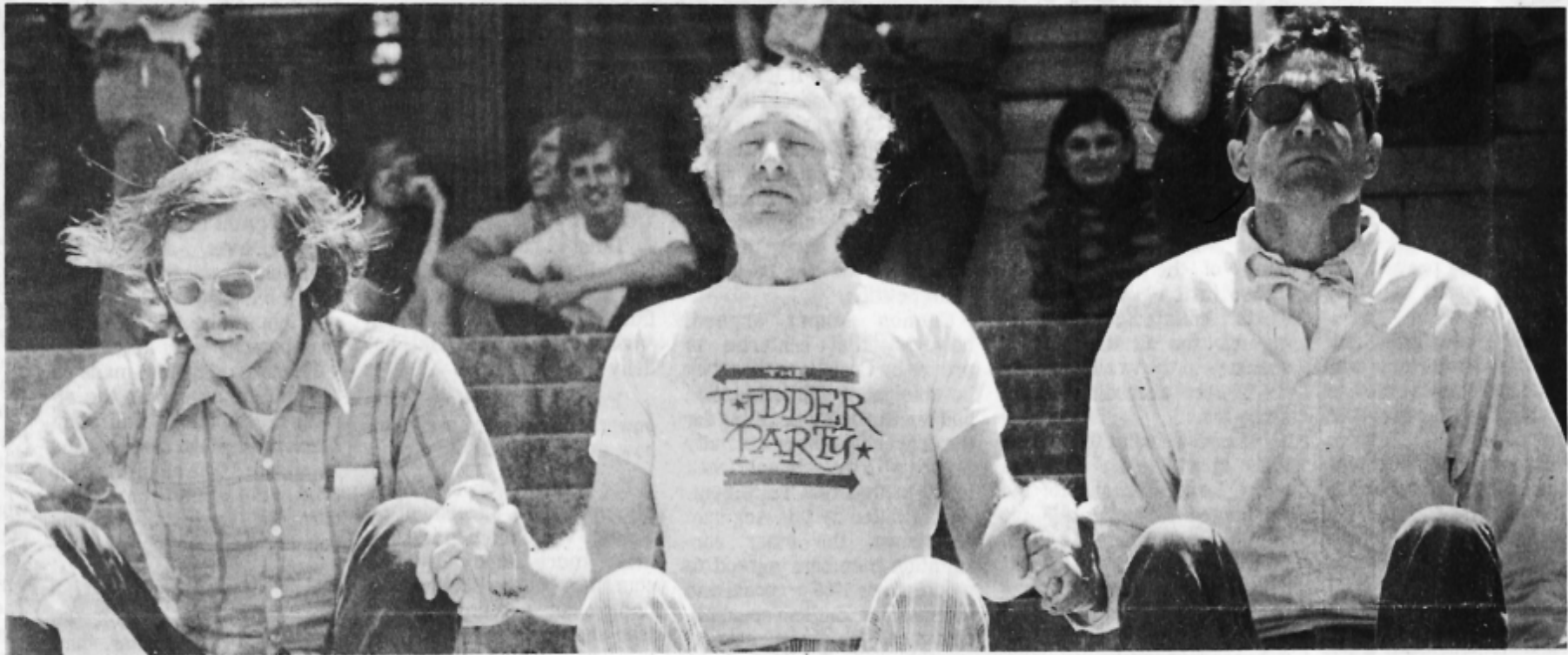
But the groundwork for the coming changes must be laid as soon as possible. There are some things which you can do to help prepare for future changes in the law without inciting the approbation of the general (and generally misinformed) public. One of these is to encourage Oregon courts to keep a record of and differentiate between the circumstances of marijuana arrests. Second is to have the Department of Corrections circulate a questionnaire through the state institutions to locate persons convicted of marijuana offenses. Third, every public official in the state who might come into contact with marijuana or marijuana users should be encouraged to read the Shafer Report and should have a copy of the Congressional Record summary. While the Shafer Report (from our point of view) does not go far enough towards legalization of marijuana and its conclusions severely water down the facts as to the harmlessness of marijuana, it is a constructive step to ending marijuana's unjustifiable repression.

Thank you for your consideration in listening to our position. If there is anything we might be able to do to assist you, please contact us.

Yours truly,



Allan Hytowitz
Eugene MELO
P.O. Box 5474
Eugene, Oregon 97405



Ken Kesey (center) grasps hands to display unity and strength at OSU.

Legalize Dope, Author Urges

By Connie Whitaker
Of The Gazette-Times

The United States needs to legalize marijuana for the sake of "the old folks," Ken Kesey said Friday.

The author of "One Flew Over the Cuckoo's Nest" and "Sometimes a Great Notion" told Oregon State University students that "old folks" need to slow down and "grass slows us down."

Speaking in support of MELO (Marijuana Education for Legalization in Oregon), Kesey said the older generation moves too quickly and passively. Motorists don't even stop to pick-up hitchhikers or to help drivers with car trouble, he said.

"They (older people) can only deal with others by being drunk or by acting like John Wayne."

Marijuana would help these people out, according to Kesey, because it develops "a creative frame of mind."

Kesey urged student support of MELO, which seeks legalization of marijuana, and a reduction of penalties for its use.

Forty-thousand signatures are needed on petitions circulating throughout the state in order to get the proposal on a referendum in November's general election.

In Corvallis, signatures will be collected at each of the voting precincts during Tuesday's primary election.

Praising marijuana, Kesey said the

weed should not only be legalized but be given away to everyone who wants it.

The reason it costs so much now, the author explained, is because it costs so much to arrest and prosecute drug users. He estimated it takes \$3,000 to convict a person for marijuana usage.

"We can't afford it," Kesey told the students.

Before his OSU appearance, Kesey spoke with Gov. Tom McCall on behalf of MELO.

✱ He said it seemed strange to be talking to the governor about legalizing marijuana and him standing there listening like he might do it.

With a grin, Kesey added, "We were high in the governor's office but he didn't

know it and we didn't let him know it. If you can't smoke a joint before you go to see the governor about a referendum, there's no issue anyway."

Disgusted at what he considers too stiff penalties for drug use, Kesey said a prison sentence is too harsh a punishment.

"I have done time and it's a bummer," he said.

He was arrested twice for possession of marijuana — in April of 1965 and January of 1966.

Kesey said if a person serves long enough, he "comes out crazy." He feels David Harris (husband of Joan Baez who refused military induction) is "mad" as a result of his prison sentence.