

The pot lobby

By Patrick Anderson

WASHINGTON. The capital's most improbable lobbyist, 29-year-old Keith Stroup, was sitting at his cluttered desk beneath his "Reefer Madness" wall poster, sipping a Pepsi and recounting with his usual enthusiasm how he came to start NORML, the National Organization for the Reform of Marijuana Law:

"I got into it in 1970 when a friend of mine was busted for grass here in the District. He'd been in an auto accident and he had long hair so the police searched his car. He called me for help and when I got to the police station I was bothered by the difference between the way he was treated as a long-haired freak and the way I was treated as a relatively short-haired lawyer from the suburbs.

"I eventually got his case dismissed because of illegal search and seizure. But I was smoking then, and I'd been wanting to get into public-interest law, so I began to think about working on marijuana law. The only people working for reform then were freaks who wanted to turn on the world, an approach that was obviously doomed to failure. I wanted an effective, middle-class approach, not pro-grass but antijail, and I began to think in terms of a national organization.

"One of the first people I talked to was Ramsey Clark. I'd read 'Crime in America' and been turned on by his compassion. I called his office and finally convinced his secretary that he ought to talk to me. I wanted to use his name, to have him on our board or something. He couldn't do that, but he gave me ideas and suggested sources of money, and every time I left his office I was fired up.

"I applied for money to about 10 foundations and they all turned us down. Then a friend of mine who works for Ralph Nader suggested the Playboy Foundation. I talked to them several times. They wanted to do something on marijuana-law reform and they liked the idea of a professional operation in Washington with a lawyer in charge. They weren't going to give their money to a bunch of freaks.

"I was asking for \$50,000 or so for the first year. Playboy said they'd give us \$5,000. I told them I couldn't do it. I had a good job and a wife and child and I'd just bought a house and I wasn't going to jump out into the hard cruel world on \$5,000. But the head of their foundation advised me to take it; he said the first money is always the hardest. So I figured that the worst that could happen was I'd have to sell my house and I could always do without a house.

"So we took the \$5,000 and in a few months they gave us another \$5,000. They also gave us a free ad in Playboy and we began getting money and letters from that. Soon we were answering a lot of letters but nothing else. So I went back to Playboy and said, 'Look, I don't want to be part of a sham; let's either get into it or get out of it.' The Playboy Foundation then agreed (which is to say Hugh Hefner agreed; a friend describes Hefner as "absolutely freaked out" by the fact that people go to jail for smoking marijuana) to give NORML \$100,000

Patrick Anderson, a frequent contributor, is the author of "The President's Men" and "The Approach to Kings."

Perhaps the most improbable lobbying effort in Washington is the serious attempt to reform the nation's marijuana laws.

employed one of the bureau's former lawyers to file a lawsuit which, if successful, would force the bureau to reclassify marijuana from its present most-dangerous-drug status (along with heroin) to the least-dangerous class (along with cough syrup), or to declassify it entirely. The suit is now pending in the D.C. Court of Appeals.

NORML is in decent shape financially, if hardly in a league with most national lobby groups. Its present \$150,000 annual budget includes the Playboy Foundation's \$100,000, plus some \$50,000 from 7,000 people who have sent in \$7 annual dues in response to newspaper and magazine ads. But Stroup is not satisfied and he is using his considerable entrepreneurial skill to raise more money.

"If we had twice the money we could have 10 times the impact," he says, "because all of it would go to hire full-time paid staff. As long as we have to rely on volunteers in most places, we'll have some people who are great and some people who aren't doing anything, or at least anything we want them to."

He is at present embarked on two ventures that may well double NORML's budget. First, NORML has acquired the distribution rights to "Reefer Madness," a 1936 film that depicts a group of high-school students trying marijuana, with murder, rape, prostitution and madness as the swift result of their folly. Today's smokers find the film sufficiently amusing that it attracts sizable crowds wherever it appears, with most of the profit going to support NORML's local chapters. "Reefer Madness" was shown in some 20 cities in 1972, both on campuses and in commercial movie houses, and grossed about \$100,000, Stroup says.

Second, NORML is starting to market a line of marijuana-related paraphernalia, such as "Liberate Marijuana" buttons, bumper stickers and T-shirts, that will be sold in "head shops" across the country. Stroup agonized over this step, because of the aura of commercialism involved, but finally decided to go ahead, a friend of his says, "because you can't play polite image games while people are rotting in jail."

NORML's failures included the ill-fated First Annual People's Pot Conference, held in Washington last summer. "The name was a mistake," Stroup concedes. "The word 'people's' had the wrong connotations; it sounded like a meeting of doped-up Communists. We held the conference because the quality of work being done around the country is so often poor—the 'let's turn on' approach. We had a good program—we showed our films and had speakers on the legal and medical issues. But we made the mistake of holding it during the week, and not charging admission. Middle-class people have jobs during the week, so we ended up with 90 per cent freaks, the very

(Continued on Page 65)

a year, and at that point Keith Stroup and NORML were very much into the business of marijuana-law reform.

Today, with Stroup as its \$18,000-a-year executive director, NORML has a paid staff of seven (four in Washington, two in New York, one in Boston) and several hundred volunteer organizers in 40-odd cities. NORML's local volunteers include lawyers, housewives, students, freaks (as Stroup more or less affectionately calls his long-haired supporters) and at least one Jaycee chapter, in Hamden, Conn., that is a NORML affiliate.

NORML did not create the marijuana-law reform movement—credit for that must go to the millions of people who persist in smoking the stuff—but by stepping into a leaderless national cause it has been able to operate with some success (and with some failures) as a spokesman, catalyst, clearinghouse and gadfly. Its successes have been mainly at the local level, in giving aid to reform-minded legislators, in building an organization and in focusing attention on the issue. NORML's program has reflected not only Stroup's legal background, but his skill, rare among lawyers and somewhat reminiscent of Ralph Nader's, in dealing with the media. One example of this came in 1971, soon after NORML began operation. The staff director of the National Commission on Marijuana and Drug Abuse told Stroup that NORML could not send witnesses to testify at the commission's hearings. Stroup's was the classic Naderesque response: he leaked the story

to Jack Anderson, whose inquiries led the commission to make an abrupt about-face.

"We have to give visibility to the issue," Stroup says of his role as publicist. "We have to communicate moral outrage, the pain of what it's like to be locked up. The facts are so strongly on our side we just have to get them to the people. We try to create a climate in which legislators can be honest. We tell them, 'Look, reform is no longer a radical stand; you can do it.'"

NORML has produced a number of proreform messages for public-service airing on radio stations. Some feature a statement by John Finlator, the former deputy director of the Federal Bureau of Narcotics and Dangerous Drugs, who upon retiring in 1971 joined NORML's advisory board, a move that caused considerable displeasure among his old colleagues at B.N.D.D. "We ripped off the number-two narc," Stroup says, although in fact Finlator's defection was quite voluntary. Late in 1971 Finlator, the veteran of 36 years in government service, said in a speech that marijuana had come to stay and that it was irrational to put people in jail for smoking it. Stroup quickly called Finlator and asked if he'd like to work with NORML. Finlator told him to call him back after Jan. 1, when he retired, and Stroup did. On Feb. 9 NORML announced that Finlator was joining its board, and released a statement in which Finlator called for the immediate decriminalization of marijuana.

B.N.D.D. was further displeased when NORM

The pot lobby

(Continued from Page 9)

thing we didn't want. It was a missed opportunity."

In all this, Keith Stroup emerges as one of the more colorful figures on the Washington scene, an outlaw lobbyist, a turned-on Nader, seeking to serve as an emissary between two hostile cultures, sometimes suspect in both camps, yet respected and sought-after nonetheless simply because he has made himself as well-informed as anyone in America about the far-flung movement for more rational marijuana laws. Stroup's friends at Playboy call him Mr. Marijuana; he might also be called the first politician of pot.

It is a strange sort of politics. Stroup's basic constituency is the 24 million Americans who have smoked marijuana (by the Commission on Marijuana's year-old and probably conservative estimate) and who are therefore technically criminals. Stroup himself, as an admitted smoker, is among these unapprehended criminals, and he is not unaware that, as Dr. Joel Fort noted in an article a few years ago, "People who publicly oppose the marijuana laws and marijuana mythology of our narcotics police have an unusually high arrest record."

Stroup claims to have gotten past the usual "I'm-doing-something-illegal" paranoia that is the one undisputed ill-effect of marijuana use, but he is still, one might say, extra-careful. He assumes, as do many more conventional politicians these days, that his

phone is tapped. He keeps NORML's membership lists hidden, away from his office, lest the G-men spirit them away and use them to harass his people. When a middle-aged man from the suburbs, after a few days' volunteer work in NORML's office, told Stroup he'd like to buy a pound of marijuana, Stroup groaned, "Oh, come on, guy," and chased him off, suspecting the worst. He says he doubts that the Federal narcotics people would go after him—"They're too sophisticated for that"—but he thinks it not unlikely that in his travels some zealous local sheriff might plant some marijuana in his bags and then arrest him. His sense of security in his travels is not improved by the habit of some of his local constituents of meeting him at the airport with samples of their "special stash." Stroup is less than overjoyed by these offers, both because his new friends might attract the police (or, for that matter, might be the police) and because he doesn't believe in smoking on the job.

There is an element of sheer adventurism in Stroup that suits him for his present work. Arriving in Mobile one recent evening, and knowing no one there, he decided to see how long it would take to "score some grass"; it took about 30 minutes. But he also sees smoking-and-telling as necessary to his work: "We've got to be aggressive on the issue," he says. "I don't just mean smoking—we could do a good job without smoking—but if we don't smoke it

should be because we don't want to smoke, not because of the fear of harassment. I've come to grips with the fact that I might spend a few weeks or months in jail. If you take a job like this you have to assume that you'd come out of jail doing a better job than when you went in. Part of our job is to make smoking legitimate. We say that smoking isn't shameful, just illegal, and if you smoke, be careful."

Stroup's primary concern, however, is to make laws, not break them, and the focus of that activity is now on the score of states that this year will be considering further reduction of their marijuana penalties. State marijuana laws have for several years been in a state of flux, largely because of two major developments at the Federal level. The first of these was the passage of the Drug Reform Act of 1970, which reduced the Federal penalty for the private use of marijuana from a felony to a misdemeanor, with a maximum punishment of a year in jail. Federal law is not binding on the states, but often serves as a model, and the 1970 law touched off widespread reform at the state level, so that today first-offense marijuana use is a misdemeanor in all but two states, Texas and Rhode Island.

The second milestone was the publication last March of the report of the Nixon-appointed National Commission on Marijuana and Drug Abuse, which was chaired by former Pennsylvania Governor Raymond P. Shafer. The commission concluded, after an exhaustive study, that marijuana, smoked in moderation, is harmless, and it therefore recommended a national policy of "decriminalization" of marijuana-use penalties. Such

(Continued on Page 70)

All about pot

Among the findings of the President Nixon-appointed National Commission on Marijuana and Drug Abuse were the following:

- There is no evidence that experimental or intermittent use of marijuana causes physical or psychological harm. The risk lies instead in the heavy, long-term use of the drug, particularly of the most potent preparations.

- Marijuana does not lead to physical dependency. No torturous withdrawal symptoms follow the sudden cessation of chronic, heavy use. Some evidence indicates that heavy, long-term users may develop a psychological dependence on the drug.

- The immediate effects of marijuana

intoxication on the individual's organs or bodily functions are transient and have little or no permanent effect. However, there is a definite loss of some psychomotor control and a temporary impairment of time and space perceptions.

- No brain damage has been documented relating to marijuana use, in contrast with the well-established brain damage of chronic alcoholism.

- A careful search of literature and testimony by health officials has not revealed a single human fatality in the United States proven to have resulted solely from use of marijuana.

- The overwhelming majority of marijuana users do not progress to other drugs.

(Continued from Page 65)

a policy would reflect some disapproval of marijuana, that its growth and sale would remain illegal, but private would not be subject to criminal penalties. Although words are sometimes used synonymously, decriminalization is not the same as "legalization," which would mean that marijuana could be sold commercially.

President Nixon rejected the commission's recommendation to have accepted it would have made his position the same as George McGovern's, and thus defused a significant election year "issue." Nevertheless, reform groups see the report as a major boost to their cause and decriminalization bills will be introduced in a score of state legislatures this year, including New York and Massachusetts.

NORML's role at the state level was suggested by Stroup's recent activities in Texas, where possession of marijuana is still a felony, punishable by two years to life in prison. A bill to lower the possession penalty to a misdemeanor is to be introduced in the Texas Legislature this month, and Stroup visited the state twice recently to do what he could to help its chances.

Stroup's visits combined publicity and politics. He talked with reporters in a half-dozen cities. He generally gets a good press, partly because he is articulate and laden with statistics, partly because he says things that are still somewhat shocking in Texas (that he smokes marijuana and likes it), and perhaps partly, it seemed to one observer, because many of the young reporters who interview him have reason to be sympathetic to his cause.

At Austin, the state capital, Stroup met with two young men active in the reform effort, Griffin Smith, a legislative aide who worked on last year's unsuccessful reform bill, and Ron Waters, a handsome, modish, 22-year-old from Houston who was elected to the Legislature last November on a pro-marijuana platform. (Asked if he smoked, Waters replies, "That's irrelevant.") To Smith and Waters, Stroup is useful as a source of information on legislative developments in other states, tactics used, on fall-back positions adopted, and also as a supplier of outside experts who might testify before legislative hearings.

From Austin, Stroup drove to the state prison at Hurlockville, accompanied by Griffin Waters and three reporters. There were, at last count, 100 people in Texas prisons on possession charges, with an average sentence of nine and a half years. The purpose of Stroup's trip was to encourage the inmates, some of whom had written to NORML to find an inmate whose first person story might be used in a NORML television spot, and to draw press attention to the inmate's plight.

The visitors were permitted to talk with virtually any inmates they wished, and a dozen they met with seemed a fair cross section. There was a 20-year-old who was arrested for the possession of 21 pounds of marijuana when he was a freshman at the University of Texas; he said a district attorney wanted to give him 42 years, "two years for each pound," and his eventual sentence was 25 years.

There was a very strange young man from a small town who was a cemetery-lot salesman and bowling instructor before being sentenced to 10 years on his second conviction for possessing a few ounces. There was a handsome Latin-American who grew up in an orphanage, was about to enter college on a football scholarship when he was convicted for selling several ounces of marijuana; he told the story, his judge noting that he had no family, said, "Son, we'll give you home," and then sentenced him to 40 years.

The prisoners told depressingly similar stories: widespread marijuana use among their friends; an "It can't happen to me" attitude; arrest by undercover agents; lawyers

who demanded huge fees; promised that there was nothing to worry about; heading off seeking district attorneys; finally conviction; wives and children left behind; and the reality of long, long sentences. Many of them added, despite the presence of the assistant warden, that they felt they had done nothing wrong, that it was the law that was wrong, and that they'd smile again when they got out.

Stroup's belief that reform can best be accomplished by pragmatic, "middle-class" means sometimes brings him into conflict with counterculturists who, as he sees it, are more interested in an Establishment gesture than in getting results. In his view, this problem was now more evident than in last year's California Marijuana Initiative, in which a coalition of reform groups got a criminalization referendum included on the Nov. 7 ballot. NORML contributed so

The freaks took over and they insisted that the initiative be not just for decriminalization, but also include a grow-your-own provision — 'Free Backyard Grass' was the slogan. They were setting up groups with names like 'Grannies for Grass' and 'Mothers for Marijuana' and 'Jocks for Joints.' At one point the 'Jocks for Joints' challenged some straights to a softball game, with the Jocks to play stoned, to prove that grass doesn't impair you physically. That blew my mind. I told them, 'My God, we're killing ourselves to make this a legitimate issue and you want to decide it with a softball game.'

"It was an incredible mess, a classic struggle between the middle-class reformers and the people who think they're fighting the revolution. We found ourselves in the unlikely position of being seen as the enemy. The counterculture is so paranoid about the middle-class wanting to take over.

\$20,000 to the C.M.I. venture which on election day was rejected by the voters by a 2-to-1 margin. In retrospect, Stroup regards the effort as a qualified success, in that he'd hoped for, was a respectable showing. Mostly, he calls the C.M.I. campaign typical of the disunity within the reform movement.

"A California lawyer called me late in 1971," he says, "and asked what I thought of trying an initiative. I told him it would be a major struggle and a national election year might not be the best time for it. I said we'd support it and went out and helped put together a group. But we didn't keep control. A freak group called AMORPHIA that sold cigarette papers got involved

They were saying, 'Watch out for NORML, Hugh Hefner wants to take over the marijuana market.' I don't doubt the sincerity of their trip, but I doubt their political judgment. I think they hurt the cause more than they helped it."

Another instance of Stroup's problems with the counterculture came last year when he was contacted by a group in Washington called BLOSSOM (Basic Liberation Of Smokers and Sympathizers Of Marijuana) that wanted to gather signatures for a statewide referendum there. "They asked me to come out for a rally at the state capital at Olympia," Stroup says. "I went, not knowing what to expect, thinking it was straight. But there on the steps of the Capi-

tol I found 300 street freaks. The guy who introduced me said, 'I'm going to turn on,' and lit a joint and handed it to me. I thought, 'Oh, God, the worst has happened; I've come to a smoke-in.' But I smoked it. Everybody was smoking. The police drove by but didn't bust anybody. If I hadn't smoked, it would have been absolute proof to those people that NORML wasn't to be trusted.

"Those people had no organization, no press, no political understanding. Yet they were the most sincere, intense people I've worked with. They just didn't know how to go about it. Needless to say they didn't get the signatures they needed. The final week they were all busted. Now they realize they were only talking to themselves, only appealing to other freaks. The next time around they'll bring in middle-class people."

Keith Stroup is not only caught between cultures in a professional sense, in that he tries to be an emissary between the Establishment and the counterculture, but in the personal sense that at age 29 he is old enough to embody the work-hard-get-ahead ethic of the older generation, but young enough to share the political disenchantment of a younger one. In this, he shares the generational tension that has produced many of the new breed of public-interest lawyers, whose special role it is to use Establishment techniques to advance anti-Establishment causes.

Stroup's early life was pure Middle Americana. He enjoyed a conventional, Southern Baptist upbringing on a 160-acre farm in Southern Illinois, the son of a building contractor who was prominent in local Republican politics. He was vice president of his class at the Mt. Vernon, Ill., high school, and went on to the University of Illinois, where his main social concern was his fraternity. Then budding political ambition led him to Washington's Georgetown University Law School. "I was the usual aggressive middle-class boy on his way up," he says. "I thought I'd study law, work for a Senator, and go back home and run for office."

He did study law and work for a Senator (Everett Dirksen, in a part-time job obtained through his father's Republican connections), but by the time he finished law school he realized he couldn't return to Southern Illinois, which he had come to regard

(Continued on Page 86)

(Continued from Page 72)

as a "cultural abyss." Instead of having become interested in consumer law, he took a job with a Congressional commission on product safety.

Meanwhile, like many of his generation, he had discovered marijuana. "The first time I smoked was in 1967," he says. "I was on a skiing trip with friends and I didn't even get high. But a few months later a fellow I worked with at the commission on product safety had some and I began smoking with him. I began to get into the subculture process, spending less time in my suburb and more time smoking with friends in the city and going to see 'Yellow Submarine' and things like that.

Stroup says he smokes "because it's fun and it doesn't give a hangover," but he doesn't regard marijuana either as harmless or as bestowing any special perceptions on the user. "There's never been a harmless drug," he says. "The major potential for harm is the guy who stays stoned all the time and can't function in society. Research hasn't shown any organ disfunction caused by marijuana, the way alcohol destroys the liver and the brain cells, but the potential for abuse is there. The thing is, people like to get high, one way or another, and I think society has to develop alternative highs. I don't mean softball; I mean things like meditation.

"I don't see that grass gives anyone any increased perceptions. It's not a holy sacrament. Some heavy smokers say, 'If we could only turn on the world we could save it.' I don't believe that. I think the goal should be a drug-free society. But in the meantime we shouldn't lock people up for smoking grass."

Stroup sees the reform movement continuing to gain momentum, despite the defeat of the California referendum and President Nixon's rejection of the Commission on Marijuana's recommendations. He thinks the movement received two major postelection boosts when in late November the Consumers Union called for the legalization of marijuana and William Buckley's National Review spoke out forcefully for a policy of decriminalization, the latter a statement that reformers hope will help win conservative lawmakers to their cause.

The political strength of the reform movement will be tested at the Federal level, as well as the state level, in the

next few months. Senator Javits and Hughes plan to introduce their 1972 bill, which calls for decriminalization along the lines set out in the Commission on Marijuana's report.

The Javits-Hughes bill got nowhere last year. It found only one cosponsor, Fred Harris of Oklahoma, who was tiring from the Senate, and no hearings were held on it. Senate aides involved with the bill attribute its 1972 failure in part to election-year pressures and, while they do not expect passage this year, they are hopeful that more cosponsors will come forward. Hearings will be held and the bill paved for passage in the not-too-distant future.

For his part, Keith Stroup believes that decriminalization, and eventual legalization, are coming in some states in the foreseeable future. He concedes that in his job it is sometimes difficult to distinguish between fact and fantasy ("You lose perspective. You try to cut a line. Is my hair getting too long? It probably is. Maybe we're having those letters from people in jail. Do I go get rich as a lawyer while my friends are in jail? Morally, I can't do it. I see the legal sale of marijuana at the end of the road.

"I think five or six states will pass decriminalization laws within the next few years," he says. "And I think the Federal Government will eventually leave marijuana law up to the states, as it does whisky laws. At that

point, you'll have tremendous pressures for legalization, so the states can control quality and because of the millions of dollars to be raised by taxing legal grass.

"I see eventual support for legalization from the cigarette industry and opposition from the liquor industry—the former because they'll expect to take over the business, the latter because they'll expect to lose business to a superior product. I don't like the idea of the tobacco industry taking over, but it's better than having people in jail. Ideally, I think marijuana should be sold by the Government, or by nonprofit corporations, with the profits going to drug research or heroin rehabilitation programs."

Whatever happens, Stroup sees himself staying with the politics of pot until the fight is won. "If they freed all the prisoners tomorrow, I'd quit," he says. "But short of that I can't leave. If NORML fired me, I'd do it on my own. You get caught up in it, every moment of your life. You get all those letters from people in jail. Do I go get rich as a lawyer while my friends are in jail? Morally, I can't do it. I love this job, but it hasn't all been fun. When I go home, my parents don't want to talk about my work. I tell them, 'Don't be ashamed of me. I think I'm doing a moral thing. You don't have to agree with me, but I wish you'd just think I'm a nice person who's doing something he believes in.'"

"... A MAJOR INFLUENCE IN FORMING THE ATTITUDES THAT LED TO THE PRESENT LEGAL SITUATION REGARDING MARIJUANA ... HILARIOUS WHEN VIEWED FROM THE OTHER SIDE OF THE GENERATION GAP, A GAP THIS FILM DID SO MUCH TO CREATE..."

KEVIN SAUNDERS, ABC-TV



THE NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS

presents

MARIJUANA

WEED FROM THE DEVIL'S GARDEN!



One *MOMENT* of *BLISS* -
A *LIFETIME* of *REGRET!*



HUNTING A THRILL,
THEY INHALED A DRAG
OF CONCENTRATED SIN!



A *NORML* FILM FROM *RONINFILM*



"Reefer MADNESS"

A 1936 CLASSIC

**WAKE UP AMERICA! HERE'S A ROADSIDE WEED
THAT'S FAST BECOMING A NATIONAL HIGH-WAY!**



Pot lobbyist Keith Stroup in his Washington, D. C., office. An enlargement of the poster above his legs appears on the facing page—an ad for “Reefer Madness,” a 1936 classic that links marijuana to murder, prostitution and madness. It is shown now to raise money for the pot-reformers’ operations.

Dope fiend



The star of "Reefer Madness," a 1936 movie now shown by marijuana-reformers for laughs and fund-raising. The weed has led him to murder and lifetime incarceration in an asylum.

The New York Times

Published: January 21, 1973

Copyright © The New York Times