

Mr. BROWN. To determine whether or not we should change the penalties.

Dr. GODDARD. I don't think we need the research to change the penalties. I think the penalties can be reviewed apart from the research. The research may contribute, but the penalties have been changed.

For example, prior to the Prettyman Commission report, as I recall the penalties for what I will call possession of marihuana, it is really the failure to have the transfer tax paid, you see, and have that paper in your possession. Those penalties were at that time, as I recall, mandatory sentencing for 5 years.

Now, the Prettyman report, as a result of that there was a reduction in the penalty, 2 to 10 for first offense and the judge in his discretion could place the individual on probation for marihuana possession. Now, that was a reduction in the penalty, itself, and those kinds of reductions can be achieved without further research.

Mr. BROWN. Dr. Goddard, I understand you want all penalties removed for possession.

Dr. GODDARD. Sir, may I say except the possession for sale.

Mr. BROWN. Possession for sale. The other possession is for use or just to have as a collection. Now, you want possession for use or ownership made legal?

Dr. GODDARD. What I tried to say——

Mr. BROWN. You want all penalties removed for possession for use or ownership?

Dr. GODDARD. I have not said that. I have said the penalties are too severe and that we should reevaluate them and reexamine them.

Mr. BROWN. I go back to the New York Times article where you were quoted. It says, "Dr. Goddard said he favored removing all penalties for the possession of marihuana, leaving penalties only for its sale or distribution."

I think this is the point, Dr. Goddard. If they remove the penalty itself for mere possession (not for sale, now, or distribution but the possession for use or ownership, collection, or whatever you want to call it) aren't we saying in effect that it is all right to have the demand, it is not illegal?

Dr. GODDARD. No.

Let me make this point, Mr. Brown. We have this problem with LSD and, believe me, it is a serious problem.

Mr. BROWN. I am not talking about LSD, we are talking about marihuana.

Dr. GODDARD. I understand, but there is no penalty for possession.

Now, let me make the point that young people were increasing their usage of it. Our enforcement efforts were directed at sale and distribution. Now, only when the young people began to perceive that there was a possible danger to their health in terms of the effect on chromosomal patterns and unborn children did we begin to notice any diminution in LSD usage.

So, you see, we are able to work in our area of drug abuse without having the penalty for personal possession, with just having executive seizure. I think the individual can be better influenced by educational efforts by getting at whatever it is that motivates him to use these things. What we have always tried to say is don't make the person a criminal, a felon.