

## UPDATE ON LSD CARRIER WEIGHT ISSUE

Rick Doblin, MAPS President

TO EXPRESS  
YOUR  
OPINION WRITE:  
THE  
HONORABLE  
JANET RENO,  
ATTORNEY  
GENERAL OF  
THE UNITED  
STATES,  
DEPARTMENT  
OF JUSTICE,  
TENTH &  
CONSTITUTION  
AVENUE NW,  
ROOM 4400,  
WASHINGTON,  
DC 20530  
OR CALL (202)  
514-2001  
AND ASK FOR  
THE PUBLIC  
COMMENT LINE.

PAST ISSUES of the MAPS newsletter have reported on the U.S. Sentencing Commission's discussions concerning one of the main aspects of the criminalization of LSD, namely how the weight of any seized LSD is to be calculated. This issue is of critical importance in determining the length of jail sentences imposed on convicted LSD sellers. Since the current laws against LSD are tragically punitive, a good portion of many people's lives is at stake in this definitional question. Dennis Cauchon, a reporter for USA Today, estimates that there are about 500 people in Federal prisons for LSD offenses (5% for three years, 30% for 5 years, 50% for 10 years, 15% for 20 years), and about 1500 people in State systems, for an average of three years.

One of the sadder aspects of working for MAPS is reading the many letters from people in jail for LSD asking for help in mitigating what they see as their unduly harsh sentences. Unfortunately, there is little that can be done in the short run. MAPS' long-range strategy is to conduct scientific research into the beneficial uses of LSD (such as LSD's efficacy in treating drug abuse and in enhancing psychotherapy), in order to provide the public with accurate evidence about the actual (rather than mythological) benefits and risks of LSD. If the public can be provided with access to honest information, it is possible to hope that panic-generated penalties will be reconsidered, and reduced or eliminated. For now, however, people convicted of LSD offenses can only petition the Sentencing Commission for changes in the carrier weight.

Currently, the weight of LSD is determined by combining the actual number of doses of LSD seized (each dose arbitrarily considered to weigh 50 micrograms) with the weight of whatever carrier medium is used to distribute the LSD. For example, one dose of LSD on blotter paper is considered for sentencing purposes to be less LSD than one dose of LSD on a sugar cube, which weighs considerably more.

The US Sentencing Commission has held hearings on this matter and found some merit in the argument that sentences were often disproportionate to the actual amount of LSD involved. The Commission recommended that Congress change the

process by which LSD is weighed and proposed a compromise position between continuing to weigh the carrier or completely removing the carrier weight from the LSD. The Commission's recommendation was that each dose *arbitrarily* be considered to weigh 400 milligrams, combining 50 micrograms for the LSD and adding an additional 350 micrograms for the carrier weight (even though standard blotter paper actually weighs about 5 to 10 milligrams per dose). This recommendation will result in lower sentences for people convicted of selling LSD.

In addition to changing the way future LSD offenses will be calculated, the Sentencing Commission has proposed that the new way to calculate the amount of LSD be made retroactive to people previously convicted of selling LSD. Both of these recommendations will be voted on by Congress at the end of 1993. Both are very likely to pass.

To express your personal opinion on this matter to Attorney General Janet Reno, please call the Department of Justice at (202) 514-2001 and ask for their public comment line. You will be connected to a tape machine which will record your comments. You might also wish to comment on reducing or removing minimum mandatory sentences, prioritizing violent crimes rather than drug offenses, and treating drug problems as a public health issue rather than a criminal justice issue. •••