

People Who Have Provided Letters of Support for Bernard H. Ellis, Jr., MA, MPH

- 1. Physicians and patients who use medical marijuana, and their supporters and family (9)**
- 2. People Mr. Ellis has worked with in Wyoming (10)**
- 3. People Mr. Ellis has worked with in New Mexico (7)**
- 4. People Mr. Ellis has worked with in Tennessee (6)**
- 5. Other professional colleagues Mr. Ellis has worked with throughout the United States (14)**
- 6. Tennessee neighbors (29)**
- 7. Family and Friends (23)**

1. Physicians and patients who use medical marijuana, and their supporters and family

Dr. Doug Anglin, PhD, Associate Director, UCLA Drug Abuse Research Center: *“Your Honor, I have known Bernie Ellis as a respected researcher and colleague in the field of drug abuse research, as a truly decent man dedicated to improving the lives of those around him in any way he could who became my personal friend, and as a humanitarian who supplied me with marijuana in the 1990s, before new medications ... brought a halt to my wasting ... in my tenth year of AIDS. Now I am approaching my twentieth year of living with AIDS and have little doubt that Bernie’s assistance allowed me to reach this longevity, not only due to the demonstrable anti-nausea, anti-headache and appetite-enhancing properties of the drug but also to relief from deep depression with frequent thoughts of suicide during that physically and mentally debilitating period of my life”*

Mrs. Ellen Humphrey: *“...I am the widow of David Humphrey, Jr, who was known as Junior.... I have been Mr. Ellis’ neighbor for the past 34 years. He has always been a good neighbor of ours, and has never bothered anybody.... In July, 1998, my husband Junior was diagnosed with lung cancer. The nurses at the Ambulatory Care Clinic in Columbia told Junior that he should find some marijuana as soon as possible.... Junior went to Bernie Ellis to ask him if he could provide Junior with marijuana. Bernie gave Junior some marijuana, enough to last him until the end. Bernie wouldn’t take any money for the marijuana he gave Junior; he gave it to Junior for free.... When a man like Junior is in pain, he needs whatever it takes to help him stop hurting. The marijuana that Bernie Ellis provided ... helped make (Junior) more comfortable during the last months of his life, made it possible for Junior to rest and to sleep, and it helped him keep his appetite up.... I will be happy to come to court to speak on Bernie Ellis’ behalf.... He is a good neighbor and he does not deserve what is happening to him.”*

Mrs. Margie Aderhold: *“I am writing to you to request leniency in the sentencing of my friend, Bernard H. Ellis, Jr. With Bernie’s direct assistance, I am proud to say that I am a nine year survivor of ovarian cancer. Without Bernie’s help, I might not be here today to ask you for mercy in his case.... I would ask you, Judge Haynes, to please look closely at Bernie’s record of achievement and his lifetime of helping others. Please focus on his value to his friends and family, his community, and to tribal people in need throughout this country.... Before you pass judgment, please consider how you would feel if your own parents or children (or you yourself) were dying from a disease and could be helped to live longer or in less pain by using marijuana. How would you view Bernie Ellis then? Please be as lenient with Bernie as is possible. I owe him my life and I know that many others also owe him a debt of gratitude for his hard work, his caring and the risks he has taken to help others”*

Paul Kuhn: *“... Less than ten years ago, my wife was diagnosed with breast cancer. She waged a valiant battle requiring three regimens of chemotherapy, including the most severe: high dose chemo and a stem cell transplant. The legal anti-nausea drugs failed. A single puff of marijuana completely relieved her symptoms.... Her doctor could not, of course, provide marijuana. We relied on ... someone exactly like Bernard Ellis. The idea that such individuals should be punished is abhorrent and I am ashamed of my government’s laws on this matter. In honor of my wife’s memory and to help other patients in her circumstances, I ask you to show mercy in this case.”*

Ms. Kathryn Maum Garner: *“Your Honor, ...I ask you to focus on Mr. Ellis’ life, the gifts he has shared with other people across this country Please weigh the cost to our society of his imprisonment.... I ask this of you because I know how valuable medical cannabis is to someone ... close to me. She was diagnosed with multiple sclerosis seven years ago. Because she uses cannabis, she has been able to avoid the expensive medications ... needed to treat this disease.... Today, my friend leads a relatively normal life.... There are many other people besides my close friend whose lives have been improved by medical cannabis. None of them are criminals; they are just sick.”*

G.A. Webber: *“... I ask the court to please show leniency in the sentencing of Mr. Ellis. It would be profoundly unjust for the man to lose his farm due to fines ... merely for attempting to alleviate his*

medical symptoms Were this another day, I too might be where he is. I have HIV, and I use marijuana to alleviate the horrible nausea from my anti-HIV medicines, as well as the pain of having had bilateral hip replacements at age 34 (I am now 35). I have had a prescription for Marinol; it is not the same at all. Marijuana aided in weaning me off of ...Oxycontin, Oxycodone and Hydrocodone Putting people like (Mr. Ellis) and me in jail does not make our society safer. Rather, it makes it a remote chance that we may reclaim a future for ourselves....”

Dr. Roger Jackson, MD: *“I am a medical physician and have watched the pathos we allow dying cancer patients and others lapse into in the last months of life. ...If marijuana helps in those situations, then it should be provided. My own father, Dr. James T. Jackson of Dickson, TN died a horrible death due to bladder cancer two years ago.... (A)s he lay dying ... in intractable pain and nausea, he asked my brother - Dr. Robert S. Jackson - if he thought pot might help and would he get him some to smoke! I think what is happening to Mr. Ellis is simply unfair and unreasonable....”*

Dr. Barbara Walker, PhD: *“(Marijuana) has been proven medically effective as a muscle relaxant, analgesic, hypnotic, antiemetic and antinauseant. Marijuana has been used successfully in the treatment for cancer, HIV/AIDS, fibromyalgia, multiple sclerosis, alcoholism, migraine, glaucoma, lymphoma, epilepsy, chronic pain, neuropathic pain, rheumatism, anxiety, depression, spinal cord injury, dystonia, auto-immune diseases, Crohn’s disease, seizures, spasticity, cachexia, anorexia, Parkinson’s Disease and hyperthyroidism.... To date, the National Institute on Drug Abuse has not identified a single death caused by marijuana intoxication. However, there is ample evidence that marijuana prohibition hurts sick people.... Until the early 1990s., Tennessee was ... a “compassionate state” (allowing medical marijuana use), and (we) will work hard to return Tennessee to its former position of compassion Two recent polls ... report that 80% of Americans now favor legalization of marijuana for medical reasons. In this democracy, which is held as the standard for the world to emulate, your ruling on this case may help us move closer toward bringing our legal system more in line with the sentiments of this overwhelming majority....”*

Dr. Thomas Ungerleider, MD, PhD, Professor of Psychiatry (Emeritus), UCLA Medical School and a member of the Nixon National Commission on Marijuana and Drug Abuse: *“I have been working in the field of Substance Abuse since 1965 (and) have treated adolescents and adults for ... drug abuse problems, including marijuana, since that time. (I have studied) the efficacy of THC ... in alleviating the nausea and vomiting of cancer chemotherapy and radiation therapy patients (and) spasticity relief in multiple sclerosis patients. We also (studied) nausea and vomiting relief in bone marrow transplant patients.... (Marijuana was) equal to or more effective than the standard drugs In addition to my own research, marijuana has been proven ... effective in treating ... multiple other medical conditions by researchers around the world.... I have read a number of letters written to you on (Mr. Ellis’) behalf and I have been ... impressed and moved by his efforts to alleviate suffering ... (and) the support of both the professional and lay communities for him. I would very much like to think that some compassion will be offered to him by you....”*

2. People Mr. Ellis has worked with in Wyoming

James M. Gamble, MS, MPC, NCC, former Commissioner of Corrections, Montana & Wyoming: *“... I have had the pleasure of working with Bernie for the past 5 years, and it is impossible to measure*

the impact Bernie has had on the State of Wyoming ... and most significantly, the Wind River Indian Reservation, the home of the Eastern Shoshone and Northern Arapaho Tribes.... (Bernie was) unconditionally devoted to the projects he ... assisted in creating to address substance abuse and related mental health and economic issues. Besides procuring funds to initiate the projects, (Bernie) actively administered three of the projects that were stuck because of various administrative roadblocks. These administrative responsibilities involved no remuneration and required twelve to fourteen hour days, seven days a week.... Bernie Ellis has done more in Wyoming for substance abuse (reduction) than anyone in the history of the State.... I have seen the number of people (Bernie) has helped, and it would be such a travesty of justice to have this man not be allowed and encouraged to provide the services to others who benefit from his talent and skills....”

Charles R. Katz, Director, Fremont County Youth Services and Administrator, Juvenile Services, Fremont County Detention Center: *“I began a professional relationship with Bernie Ellis in 1997.... Over the next three years, Bernie’s work became a catalyst for legislation and development of arguably the most comprehensive substance abuse (reduction) plan enacted by any state in the union.... As a direct result of Bernie’s efforts which were not compensated, Fremont County received an initial federal ... Drug Free Communities grant which has received continued funding, and a much needed Alcohol Crisis Center which provided on demand detoxification services and counseling.... Bernie has provided data and research that has been invaluable in developing and successfully funding our Ninth Judicial District Juvenile Drug Court... as well as our collocated Fremont County Juvenile Detention Center.... (T)hrough his tireless effort, Bernie Ellis has himself initiated a positive impact on our community that will pay dividends for years to come. I consider Bernie to be of high moral character, and he is someone who has no doubt learned his lesson regarding the power of the state to enforce its policies. As a taxpayer, I strongly encourage the federal system to reserve its federal penal beds for those who would be a danger to society and in this matter respectfully urge your use of judicial discretion.”*

Dr. Charles Ksir, PhD, Professor of Psychology, University of Wyoming: *“... Bernie Ellis has always impressed me as a hard-working and very capable professional epidemiologist. I saw him accomplish in months projects in Wyoming that I would have said would take years. He was able to work with a variety of professionals to obtain the necessary data to develop the first integrated (law enforcement, physicians, hospitals, treatment programs) approach to understanding the magnitude of our substance abuse problems in the State.... He has a strong sense of integrity. When there were easy paths to obtain grant funding or finish a project but he felt there were better approaches, he pushed for better methods to obtain more complete understanding rather than taking the easy way out.... If Mr. Ellis provided cannabis to another person, I am certain that he was motivated by compassion in doing so. It would be an unfortunate waste of Mr. Ellis’ skills and talents for him to remain incarcerated for a long period of time, and it is hard to imagine how society would benefit from such an outcome.”*

Dr. Douglas Bonett, PhD, Professor of Psychology, Iowa State University: *“I have known Bernie Ellis for about eight years.... During this time, I saw that Bernie was an extraordinarily caring and generous person. He is one of those rare individuals who is truly committed to helping others, both personally and professionally.... (S)omeday, (using cannabis for medical purposes) may become perfectly legal. The possibility that ... Bernie’s actions will not be viewed tomorrow as they are today would surely make anyone want to err on the side of leniency in this unusual case.”*

Ernest C. Over, former editor, Wind River News and Wyoming State Journal: *“... Mr. Ellis’ work in Fremont County, Wyoming, was the seminal event for widespread recognition of a significant alcohol and substance abuse problem here. A number of treatment and prevention programs tackling that problem now owe their existence to Mr. Ellis.... Statistics which showed our county to have one of the worst alcohol and substance abuse related mortality and criminal rates in the country are now beginning to trend downward. Great progress is being made.... (Bernie Ellis) has literally saved lives here.... I would ask as you prepare to sentence him to consider the great good his work has done to benefit literally hundreds and hundreds of people here.”*

Kathleen Masis, MD, Director, Regional Chemical Dependency Program, Indian Health Service, Billings, MT: *“Bernard Ellis has worked to improve and save lives of American Indians suffering from chemical dependency. The impact of his work is significant. I have seen positive effects from projects he assisted. I believe his continued availability to communities as a consultant would benefit society more than his serving his sentence in prison.”*

William (Tony) Glover, Senior Analyst, WY Department of Employment: *“... I believe it unlikely that society would benefit from the imprisonment (of Mr. Ellis) and/or forfeiture of Mr. Ellis’ assets.... Mr. Ellis put forth extended effort (beyond the requirements of his contract) in helping my community ... address its substance abuse issues. He has done this through numerous trips from Tennessee ... that were not necessary for completion of (his contracts) ..., but he felt were imperative to the success of the programs Mr. Ellis has a knack for generating enthusiasm and support for drug abuse prevention, and I believe it unlikely that society would benefit from (his) imprisonment and/or forfeiture of Mr. Ellis’ assets.... I would ask that during sentencing you consider Bernie’s lifelong work and the numerous people whose lives were changed for the better.”*

Scott Ratliff, Eastern Shoshone Nation leader, former Wyoming State Legislator and Tribal Liaison for Senator Mike Enzi (R, Wyoming): *“... Justice is not being served by the action being pursued by the legal system in Mr. Ellis’ case and, rather, displays for me the irrational approach of the criminalizing system (not criminal justice system). Incarceration and forfeiture of property are far too harsh and unreasonable.... Many of us in Wind River Country and Fremont County owe Bernie much more than we know. If he is incarcerated, our progress will be dealt a serious blow.... Lastly, Bernie’s ... commitment to sobriety in his life stands as a model of hope for many of us fighting substance abuse Bernie is as proud of adhering to the principles of AA as he is of his commitment to help the disenfranchised and suffering. Therefore, along with others who attest to Bernie’s character, love of people and devotion to helping, I also ask for leniency....”*

Dr. Karen Saylor, PhD, Director of Research and Evaluation, Native American Health Center, Oakland, CA: *“... Bernie Ellis’ contribution to the field of substance abuse treatment has been enormous.... I have learned much from him ... and would like to ... testify to his integrity and spirit. Professionally, Bernie Ellis is the best epidemiologist I’ve ever met.... He has the ability to help mobilize communities through his presence, knowledge and generosity to them.... I fully believe that Bernie made the decision to help sick neighbors negotiate their pain ... mindfully and responsibly.... I vehemently support that (he) is taking a public and political stance for alternatives to the cycle of penalization that we perpetuate here ... around medical marijuana use....”*

Reverend Rodger McDaniel, Commissioner, Wyoming Department of Family Services: *“I live in Wyoming, a state that has been particularly plagued in recent years by a high level of drug abuse.... Bernie Ellis helped to change that.... As a result (of Bernie’s efforts), Wyoming enacted the largest, most comprehensive challenge to the drug problem of any state in the country. Many people are to be credited for that but it has always been clear to me that at the bottom of it all was Bernie.... It was not just (his) understanding of how to use (data) to drive public policy, but I believe he cared deeply about our state and the families ... devastated by drugs. For him, it was personal....”*

3. People Mr. Ellis has worked with in New Mexico

Raymond Daw, MS, Navajo Nation leader; Director, Na’nizhoozhi Center, Gallup, NM; and former Executive Director, Northwest New Mexico Fighting Back: *“The victim in this case is the government’s unyielding and out-of-date set of laws that are being rigidly applied in the name of justice. Laws that prohibit easing the suffering and pain of sick people are unethical and go against the grain of many of us in the health professions. Laws should be based on the ethics and values of the community, and in the arguments for and against medical marijuana, I have yet to hear sound reasons not to be compassionate toward the suffering and pain of the chronically ill. This brings the question of whether the people provided marijuana by Bernie are victims? Certainly, I believe, the folks Bernie helped by making medical marijuana available to ease their pain and suffering would all attest to not being victims*

of Bernie's compassion.... As a Native American, I see daily the devastation caused by problematic and chronic chemical dependency. Bernie, fortunately for me and my community, has chosen for ten years to unselfishly aid our efforts and we have benefitted from his expertise and enthusiasm for our efforts. Bernie has personally footed the cost of researching and publishing the results of social indicators that we use to keep momentum and focus in our efforts in Gallup and McKinley County. He has done this because he knows that this area is one of the poorest counties in the United States and his compassion for my (Navajo) people is strong and unwavering.... I offer my prayers to you and justice."

Dr. Matthew J. Kelley, PhD, Clinical Director, Na'nizhoozhi Center, Gallup, NM: *"For the last ten years, the scientific (and personal) efforts of Bernie Ellis have provided Gallup, NM with both 'rationale and means' to combat substance abuse in a more aggressive manner than any other city in the U.S.... Without his generous and persistent work, hundreds of people would be lost.... In my opinion as a well-educated health professional, marijuana is sometimes justified for medical reasons – especially in illness with few effective alternatives.... A little more maturity and critical thinking would be useful in our strategy against drug abuse. This kind of arbitrary and reckless enforcement – especially when so many dangerous and difficult forms of abuse, exploitation and predatory crimes go largely unchecked – certainly undermines our credibility and resources.... I suspect that (Mr. Ellis) was a pretty 'soft' and 'impotent' target when compared to those hundreds of dangerous criminals selling drugs for profit in Tennessee.... This type of enforcement can ultimately erode social progress.... Bernie Ellis is a great man with unusual generosity, a high moral code and a huge heart. He's a wonderful asset to his local community, to Tennessee, and to the Nation. He has a remarkable history of social service and has provided countless hours of help to less fortunate people at no personal gain – and even at great expense. Mr. Ellis has helped several large, impoverished and historically exploited communities that most others have largely ignored.... This man is a friend and asset to your court – and for the principles of all the court ultimately stands for. I'm sure that Gallup, Wind River or some Tennessee community could better utilize his talent...."*

Herb Mosher, MA, Director, Rehoboth-McKinley Christian Hospital, Gallup, NM: *"I am writing to request mercy in the sentencing of my friend, Bernie Ellis.... Even casual visitors to our community referred to Gallup (NM) as 'Drunk City' because of the epidemic of alcohol addiction in our region. In order to change the environment of abuse, our community needed accurate and timely data on the problem and its impact. After being rejected by numerous university experts who considered Gallup a hopeless case, Bernie Ellis agreed to work with us.... By documenting the disease, Bernie opened doors to resources, personnel, programs and results that have changed the entire region. Bernie's data helped us build the nation's largest detoxification/assessment center and close Gallup's infamous drunk tanks.... We were able to close drive-up liquor windows in Gallup and eventually across the State through legislative testimony based on Bernie's data. In the recent decade, alcohol-related morbidity and mortality ... has been reduced by over fifty percent.... During his time in Gallup, Bernie has saved lives, inspired hope and never broke the law...."*

Hedy Emery, Navajo Nation leader and Education Coordinator, Navajo Nation TANF Program, Window Rock, AZ: *"I first met Bernie in the summer of 1991.... From that time on, I have had more opportunities to work with Bernie as the northwest New Mexico communities sought relief and viable solutions to an 'alcohol epidemic' in the Gallup, NM and surrounding tribal communities in the 1990s to early 2000s. As a tribal member of the Navajo Nation and with my long personal and professional commitment to drug-free communities, I am deeply concerned about my friend Bernie, whom I've had the pleasure of knowing for the last 12 years.... I have discovered Bernie to be a very versatile individual who is selfless, reliable, stable, hardworking, very compassionate and with full integrity. He demonstrates these 'endearing' qualities in every facet of his life; his passion for organic berry farming; his innovative influence and mark in the study and field of substance abuse prevention/treatment; not to mention his endless contribution to the tribal, state, national and nonprofit organizations in helping to mobilize communities against substance abuse. Bernie is not a criminal or a drug offender and incarceration is not*

the answer. Should there be a conviction in his case, there are numerable ways Bernie can better serve his time....”

Judy Marks, MA, MSS, Chemical Dependency Services, St. Vincents Hospital, Santa Fe, NM and Daniel Marks, VMD: *“... I have worked in the field of drug abuse/alcoholism since 1972.... I was introduced to Bernie over ten years ago, when he was doing research on chemical dependency treatment efficacy in New Mexico.... As a result of this contact as well as our common participation in Alcoholics Anonymous, Bernie became a personal friend of both my husband and myself. Bernie’s work here in New Mexico was of vital importance in aiding local communities in providing treatment to addicts and alcoholics that was practical and cost effective. His epidemiological methods represented a landmark approach to evaluating the societal effects of substance abuse. Communities that adopted his suggestions reported significant harm reduction as demonstrated by arrest records, hospitalizations, deaths, employment history and other criteria.... I respectfully request that Bernie’s many contributions to this community be considered in this case as well as the fact that he does not represent a threat to the community but rather a valuable asset.... I am not a lawyer, but as an involved citizen, consider the level of the charges and possible penalties to be unwarranted....”*

Rita Getty, Esq., New Mexico State Legislature (retired): *“(I am a) former member of the New Mexico House of Representatives, during which time I met and worked with Mr. Ellis.... I want to request that you consider Mr. Ellis to be a community asset who would be wasted, should he be incarcerated and/or stripped of his home and other modest assets.... The Albuquerque, NM legislative district I represented was middle to lower class, ethnically mixed and with the biggest concentration of drug-related crime in the State of New Mexico. I was elected to do something about it.... The New Mexico news media tabbed me the most knowledgeable and toughest crime legislator they had seen in at least a decade. Much of the criticism my initiatives received was from ... criminal defense attorneys of both parties serving in the House and Senate (who) attempted to curtail my efforts (by denying) me resources so ... I was unable to hire expert witnesses for research and hearings. It was within this context that I met Mr. Ellis ... (whose name I received from) the Albuquerque sheriff. Over a period of months, Mr. Ellis consulted with me for free and greatly assisted me in devising a plan ... for drug testing and treatment of prisoners; ... within 3 months of implementation..., drug use in our prisons dropped nearly 60%. In addition, Mr. Ellis agreed to present his research findings on the positive effects of closing drive-up windows for alcohol sales in McKinley County. As a direct result of the research evidence which Mr. Ellis ... presented (pro bono), we were able to ... close all drive-up windows for alcohol sales statewide in 1998.... I wish to respectfully suggest that you consider Mr. Ellis’ ability to contribute further to the reduction of ... substance abuse when you pass sentence on him Speaking for my fellow New Mexicans ..., we would be especially gratified if the Court were to direct that Mr. Ellis do community service vis-a-vis our State’s substance abuse reduction efforts, which he helped initiate in the early 1990s....”*

4. People Mr. Ellis has worked with in Tennessee

Laurel H. Wood, MPA, former Director of the Tennessee AIDS Program and Director, Immunization Program, Alaska Department of Health: *“During my tenure as Director of Tennessee’s HIV/AIDS Program, it was my honor to supervise Bernie Ellis.... No one excelled at the analysis of ... complicated data more than Bernie. He was able to take mounds of data and turn it into understandable information that, in turn, helped guide Tennessee’s HIV education and prevention efforts. Perhaps even greater than Bernie’s exceptional gift for assessing ... data ... was his ability to remain in touch with the impact of this disease on human beings. He was not just a ‘numbers’ man.... (H)is compassion for the persons dealing with this disease was clear, and it greatly assisted his ability to obtain the trust of persons working in the HIV/AIDS community.... I am confident that his basic integrity and compassion remain unchanged.... Bernie was (and is) a man of strong convictions and it is no surprise that his convictions have led to his current situation. His belief in the importance of marijuana use for medical purposes is one that is being adopted by many state governments, including my own state of Alaska. And his desire to help others in need is in keeping with the basic values he has displayed over many years of work in public health....”*

Matt Nelson, MSW, former Program Director for Support Services, Tennessee AIDS Program and Hospice Social Worker, Mat-Su Hospital, Wasilla, Alaska: “... (Bernie) and I worked together for four years in the late 1980s, when we were both with the Tennessee Department of Health’s AIDS Program in Nashville.... I knew Bernie to be a man of honor and substance.... During the years that I have known Bernie, his one and only concern has been to be able to help those who were sick obtain what they needed to help them medically.... As you grapple with all the information you will receive in (deciding) what to do with Bernie, let me please add that clearly there are many people in many states who recognize the medical value of marijuana. I am very grateful to currently live in one of those states. We not only have voter approved medical marijuana laws, but we have had a recent ruling by our State Supreme Court decriminalizing small amounts of marijuana for personal and private use. I regularly receive questions from current patients ... (regarding) its use. Fortunately now, I don’t have to preface everything with the statement that it is illegal, thus potentially hindering someone with terminal cancer or other painful disease from seeking every opportunity to find relief. Hopefully, one day in the future, we will see that at least the use of marijuana for medical purposes is not only acceptable, but also open and public....”

Dr. William Schaffner, MD, Chairman of Preventive Medicine and Chief of Infectious Diseases, Vanderbilt University School of Medicine: “... I became acquainted with Mr. Ellis during the ... 1980s when he worked at the Tennessee Department of Health in the then newly-established AIDS surveillance and prevention program.... I worked closely with Mr. Ellis as he and his colleagues established the first public health responses in our state to this new and mysterious disease. Many things we take for granted today were then frightening, sensitive and contentious. Mr. Ellis provided steady, determined leadership. Invariably pleasant, always informed, he and his staff reached out to patients As a consequence, Tennessee established a rigorously confidential AIDS reporting system that soon ranked among the best in the country for completeness.... Mr. Ellis led the public health effort to establish ... a highly regarded, rigorous and confidential (AIDS) testing program..., testing over 110,000 persons each year. Mr. Ellis was the vital sparkplug for getting this new and difficult program up and running, avoiding the pitfalls that occurred in other states. Several of us advised and supported his efforts, but he was the person who got the job done, working day-to-day with independent initiative. His goal-oriented true grit was key to the program’s success. When he left the Tennessee Department of Health to pursue other public health activities, he left a leadership vacuum. As the old saying goes, it took at least two new persons to do his job almost as well as he had done it.... I (urge) your Honor to think positively about Mr. Ellis’ future. He has very substantial public health experience that would be very beneficial to our society....”

Dr. Anderson Spickard, MD, Chancellor’s Chair in Medicine, Vanderbilt University School of Medicine: “... Bernie was a close associate with us here at Vanderbilt when I was the National Program Director for FIGHTING BACK: COMMUNITY INITIATIVE TO REDUCE DEMAND FOR ILLEGAL DRUGS AND ALCOHOL, a program funded by the Robert Wood Johnson Foundation to reduce the use of illegal drugs and alcohol in 14 communities in the US.... During that time, we asked Bernie to assist us in evaluating the alcohol and drug problems in Gallup, NM among the Native Americans on the Navajo Reservation.... Bernie did a spectacular job evaluating the programs in Northwest New Mexico, particularly reviewing the driving under the influence citations of the people in that area. His work was so well received that he has become a consultant to other Native American groups in Wyoming. Bernie is dedicated to helping those in difficulty. He has been very generous with his time and talents. I am certain that his motives were good in giving marijuana to those with illness not responding to conventional therapies. I hope that as the court reviews his case, his contributions to society will be taken into consideration.”

Gregory L. Dixon, former Administrator, Drug-Free Communities, Office of National Drug Control Policy/The White House: “I have known Bernie since 1990 when our paths first crossed while working on a national project of the Robert Wood Johnson Foundation called FIGHTING BACK Bernie was an epidemiology consultant to the Northwest New Mexico Fighting Back Project. We became friendly colleagues over the next several years and Bernie also directly consulted with our program at Vanderbilt. I came to know him ... well and we have remained in ... contact after I came to ... work ... in the White House.... I do think Bernie has many redeeming qualities as a human being and as a

responsible citizen.... (He) is ... a highly skilled epidemiologist who has done some of his best work in Indian Country, especially in New Mexico, Montana and Wyoming. His reports on alcoholism among Indian tribes in New Mexico have had broad public health impacts and have helped change significant public policies around the taxation of alcohol sales. I would feel proud to have left the high-quality professional legacy that (he) has earned with his important contribution to the epidemiology of alcoholism.... Bernie is a man of his word. If he tells you, under oath in a court of law, that he will no longer attempt to grow or distribute marijuana as long as such actions remain illegal, I would believe him.... (He) has much to offer any community and I would be happy to have him live next door to me at some point in the future. He is fundamentally a good man. As it happens, today is my last day here in the Office of National Drug Control Policy. I retire at the end of the day and this will be my last piece of correspondence....”

Reverend Janet Wolf, Director of Public Policy and Community Outreach, Religious Leaders for a More Just and Compassionate Drug Policy: *“I am writing to you as a United Methodist clergyperson appointed ... to ... Religious Leaders, a national interfaith coalition. We are deeply concerned about the impact of current drug policy and work for a more just and compassionate policy – one which incorporates a restorative justice, harm reduction and public health approach to drug policy.... I met Bernie Ellis a little over a year ago during a national conference on theology and drug policy.... While I was already aware of some of his work in substance abuse prevention and treatment among Native American communities..., I had not met him personally and knew nothing about the charges against him. However, during the conference, I became aware of some of the details of his case and shared them with a number of conference participants. Everyone ... was alarmed at the contradictions in this case and the potential waste of human resources and life if Bernie is sent to prison. It seems ironic that we would lock up someone who is probably one of the top people in this country in organizing communities to effectively prevent and treat substance abuse – especially in communities that are hardest hit Bernie’s compassion and creativity, generosity and gentleness, intelligence and effectiveness are clearly documented and time after time have been invested in communities who otherwise had no access to the urgently needed resources he brings. I know Bernie Ellis is an invaluable community asset, bearing gifts that are urgently needed....”*

5. Other professional colleagues Mr. Ellis has worked with throughout the United States

Joseph Drop, M.Ed., MS, Branch Chief, Substance Abuse Services Division, Alabama Department of Mental Health and Mental Retardation: *“I have had the distinct pleasure of working directly with Bernie ... (when we) collaborated on the creation of (the Alabama Substance Abuse Treatment Outcome and Process (STOP) Study), one of the earliest innovative data linkage studies in the U.S. I also worked with Bernie on clinical assessment and evaluation issues and on residential capacity management issues.... It was during these opportunities that I had the pleasure of getting to know him in both a personal and professional capacity. I find Bernie to be a bright, articulate, capable individual with an enormous appetite for knowledge.... I know Bernie to be warm, caring, responsive, and to possess powerful integrity. He is generous with his time and affection, genuine in his concern, ritualistic in his dependability and will follow through on his word.... Bernie Ellis is an individual I would support at the highest level of confidence and with ... pride....”*

Mac Prichard, Communications Director, Reclaiming Futures, Portland State University: *“... I am familiar with Mr. Ellis’ work through my position as Communications Director at Reclaiming Futures, a national initiative of the Robert Wood Johnson Foundation.... to improve drug and alcohol treatment services for young people.... One of the challenges Reclaiming Futures faces is documenting the success of our work.... In tackling this problem, I have studied – and been impressed by – the evaluations done by Mr. Ellis of alcohol and drug reduction projects in New Mexico and other states. The reports he produced used simple, cost effective methods that could easily be replicated by our grantees. Last March, I was fortunate enough to attend presentations by Mr. Ellis in Chicago sponsored by Join Together, another initiative of the Robert Wood Johnson Foundation. In these meetings..., Mr. Ellis shared with me ideas*

that I have taken back and incorporated into the evaluation of Reclaiming Futures.... Mr. Ellis is an important and recognized contributor in the fields of public health and program evaluation. I urge you to give his case every consideration.”

Jenna Caplette, Marketing Consultant and Shaun Phoenix, Project Director, Gallatin (County, Montana) Responsive Interventions Program (GRIP): *“‘When are fun and games anything but? Get a GRIP.’ GRIP. That’s Gallatin Responsive Interventions Partnership, a project that Bernie has been instrumental in naming, and developing a ‘brand’ for. Including great tag lines like the one you see above. Distance hasn’t made any difference. Bernie was more active in developing the brand for our project than marketing team members who lived right here in Gallatin County, Montana. So (we) stopped working with them, knowing (we’d) get high quality (free) input and a quick response from Bernie.... We can’t tell you how valuable this support has been, how much it has helped shape a strong and dynamic personality for our project to both ‘... increase the number of people in Gallatin County getting quality prevention, intervention and treatment for substance abuse disorders; and increase the number of community, health and self-referrals for substance abuse programs and services in Gallatin County.’ ... Over the months, our experience of Bernie has been of a top-level professional, passionate about this field and generous of his expertise. It’s been an inspiration to have a professional exchange with this caliber of professional.”*

Dr. Cheryl Perry, PhD, Professor of Epidemiology, University of Minnesota School of Public Health: *“When (Bernie and I) first met (25 years ago), he was in charge of the cigarette smoking prevention program dissemination for the National Cancer Institute. He worked tirelessly to create an agenda for more smoking prevention research within that Institute.... (We next worked together when) Bernie was in charge of advising and implementing smoking-related programs for the State of Mississippi Again, I was very impressed with his commitment to the greater good of the people of Mississippi ... and the outcomes of his efforts.... I hope that all that Bernie has contributed to society will be considered and recognized during his hearing.”*

Dr. C. Anderson Johnson, PhD, Director, Institute for Health Promotion and Disease Prevention Research, University of Southern California School of Medicine: *“I have known Bernie Ellis professionally for more than 20 years, primarily through his work in drug abuse prevention. He is widely respected for his tireless contribution to communities in developing and evaluating community-based programs for substance abuse prevention, especially among underserved populations. Over the last five years..., I have followed Mr. Ellis’ contributions to Native American communities.... This work has gained the respect of prevention and control researchers and practitioners nationwide. It is notable that in addition to his work as a highly valued paid consultant, Mr. Ellis has contributed significantly through voluntary consulting contributions to a number of underserved high need communities. His selfless contributions have made significant contributions to the health and well-being of the people of these communities....”*

Dr. Joyce C. Lashof, MD, Professor Emerita and former Dean, School of Public Health, University of California, Berkeley: *“I became acquainted with Bernard Ellis when he was a student at the School of Public Health, University of California, Berkeley. Bernie was an outstanding (student), receiving A or A- in all of his classes. He graduated in 1987 with the degree of Master of Public Health in Epidemiology. Since graduation, he has had a successful career serving as a consultant to both federal and state governments in the area of substance abuse and HIV/AIDS programs and policies. It is disturbing to see him facing a prison sentence for the medical use of cannabis and the provision of cannabis free for medical use. The medical use of cannabis is clearly a controversial subject, is under scientific study, and is legal in California (I)t is hard to see how society will be served by the imprisonment of Mr. Ellis. I hope ... you will consider his excellent professional record and potential to continue to contribute to the field of public health.”*

Dr. Warren Winkelstein, MD, MPH, Professor of Epidemiology (Emeritus), University of California, Berkeley: *“Mr. Bernard Ellis will soon appear before you for sentencing in a medical*

marijuana case. I hope that you will give consideration to his substantial professional contributions to public health in deciding his case.... Mr. Ellis' consultation services related to substance abuse control ... have been provided to such diverse agencies as the American Medical Association, the Department of Health and Human Services, the Department of Justice, the Department of the Navy and the Institute of Medicine of the National Academies of Science, to name but a few. His writings and group presentations have been wide-ranging, substantive, and I believe influential. My colleagues and I hope that our educational efforts make a difference. Mr. Ellis has fulfilled our hopes and we trust that he will be able to continue his contributions to public health."

Mary Barr, Executive Director, Conexions, Inc., Guttenburg, New Jersey: *"... You may receive other letters on (Mr. Ellis') behalf and I wondered what I could say differently. I can say I am a successful ... human being, but I achieved this in spite of the justice system, not because of it.... Even in the best conditions, most people feel worse about themselves and their opportunities – not inspired. My last incarceration cost taxpayers \$60,000 and made it even more difficult for me to transition. My story is very different from Mr. Ellis but the conditions have not changed. No matter what your opinion on marijuana for medical or recreational use, please do not waste the potential of Mr. Ellis or taxpayer money. Please recommend a more reasonable approach..."*

John Chase, Advisor, The November Coalition, Palm Harbor, FL: *"While I do not know Mr. Ellis personally, I am aware of his credentials and the good work he has done for others.... I happen to think that most federal anti-drug law causes more societal harm than it prevents, but I know that is irrelevant to Bernie's upcoming sentencing. I hope you will decide to put Bernie to work doing some sort of community service so society can continue to benefit from his demonstrated talents. Meanwhile, I will continue to press for change to federal anti-drug policies...."*

Dr. Paul Jellinek, PhD, former Vice President, Robert Wood Johnson Foundation: *"... I am writing to request respectfully that (Mr. Ellis') positive contributions to the nation's fight against substance abuse be taken into account in the determination of his sentence.... (Mr. Ellis') research support in helping us to understand the impact that the (FIGHTING BACK) program was having in ... Northwest New Mexico was of great value to the program, to ... Northwest New Mexico and to other rural Native American communities around the country afflicted by substance abuse.... I hope that in determining his sentence, you will be able to take into consideration the significant contributions Mr. Ellis has made to addressing the nation's substance abuse problem."*

Dr. Robert Wilson, Director, Health Services Policy Research Group, University of Delaware: *"... I have known Mr. Ellis for approximately 15 years, primarily in conjunction with epidemiologic studies which he conducted under contract with the federal Center for Substance Abuse Treatment.... Over that time, he demonstrated both exemplary character and ethics and a strong commitment to law enforcement – particularly with respect to the Wyoming methamphetamine initiative He also demonstrated a deep commitment to developing programs to prevent substance abuse and treating addictions in Wyoming and in New Mexico. During that entire period, Mr. Ellis also demonstrated a solid commitment to solving the problems of alcohol and drug abuse in the United States. At no time was there any indication that he was involved in any illegal activity...."*

Bruce Mendelson, Director of Data Analysis & Evaluation, Alcohol and Drug Abuse Division, Colorado Department of Human Services: *"... I am writing this personal letter ... for my friend, Bernie Ellis.... Bernie did a wonderful job on the Wyoming project producing a number of important documents that helped Wyoming plan for substance abuse treatment and prevention services. In all of my business and personal interactions with Bernie, I have always found him to be honest, straightforward and industrious. However, most importantly, I have always found Bernie to be a warm and compassionate man. Accordingly, when I read the charges leveled against Bernie, and his explanation that he was distributing marijuana for those in medical need, I have no reason to doubt him. I hope that the court will see fit to be lenient with Bernie Ellis, so that he can return to his public health endeavors for which he has so much aptitude. Please be fair to this competent and compassionate man, so that he can continue to*

help others....”

Dr. John Halpern, MD, Associate Director, Substance Abuse Research, Harvard Medical School:
“... (M)utual colleagues of ours ... encouraged me to reach out to Mr. Ellis and to learn more about his current predicament and about his years of advocacy on behalf of those who continue to suffer from the ravages of drug addiction and his efforts to inspire real reform of our Nation’s poorly functioning drug and alcohol treatment system.... I am sure that your review of the record and the many other statements offered on behalf of Mr. Ellis demonstrate to you that his is not a typical case of illicit drug manufacture. Had Mr. Ellis been one of the legally-savvy drug dealers, I actually wonder whether he would be before you right now. ... (U)nlike the career criminal, Mr. Ellis has acted in a forthright, honest manner (if not naive) in his subsequent dealings with the officers and officials of the USDOJ.... That this highly accomplished, non-violent individual with no history of prior felonious behavior has had his farm seized, and, moreover, that the AUSA involved in this case is recommending any prison incarceration should show you how far prosecutorial discretion has fallen in furtherance of our government’s ongoing War on Drugs.... Mr. Ellis is not alone in his belief that marijuana has bone fide medical applications; as an expert in drugs of abuse..., it is my opinion that, in time, responsible, legal research will ultimately confirm his position.... I believe Mr. Ellis’ case is one example of the critical role a Federal Judge can have in protecting the people from the egregious excesses of the State.... I strongly encourage you to take advantage of this case before you and remind the U.S. Attorney of the true meaning of exercising prosecutorial discretion and restraint; please consider disregarding the plea agreement that is before you and instead weigh in with a downward departure sentence of no prison time....”

6. Tennessee neighbors

Gerald Atkison, Sheriff’s Deputy and Maury County Commissioner, Santa Fe, TN: *“... Bernie Ellis has been a member of the Santa Fe Square Committee since 1996.... Bernie has been a faithful caretaker of all the flower beds on the Square for all seasons. He is doing an outstanding job keeping the Square beautiful for everyone to enjoy. Bernie serves his community in many ways. He has helped our Santa Fe Unit School sports program and participated in other things.”*

Kenneth and Shirley Thompson, Santa Fe, TN: *“We are writing this letter in support of a long time friend and a hardworking, respected community member. We have seen the kind, gentle spirit of this man manifested in many ways. Bernie serves on the Santa Fe Square Committee which has made a big difference in our small community of Santa Fe. The place that is now our Square was only a rock pile with thorns and thistles. Bernie has made a huge difference with his many long hours planting, weeding and caring for the flower beds during the entire year.... Bernie worked very hard on the Time Capsule Burial in 2000.... Your Honor, we would ask you to consider and weigh the good things Bernie has and will accomplish before condemning him. We cannot imagine any court of law that would punish a man with (Bernie’s) character..., who has only tried to spend his entire life helping others.... May God bless you and give justice where justice is due. We can only pray God will intervene and guide the hearts of those who hold the life of a person in the balances.”*

James M. Taylor, U.S. Postmaster (retired), Santa Fe, TN: *“I have known Mr. Bernard Ellis for a number of years and was closely associated with him on the Santa Fe Square Committee. Mr. Ellis was very valuable to the Committee as the development proceeded. Through his expertise and plain manual labor, this undertaking was a success. Today, through his efforts (with others), this town square has a National Historical Marker. Mr. Ellis developed the flower beds and has maintained them over the years. Through his efforts, ideas and labors, this square has developed from just a plot of ground to a beautiful area where families come for photographs and where the community gathers several times a year for programs attended by many churches and students from our local high school. Mr. Ellis has been a valuable asset to this community, bringing not only ideas but a willingness to work hard to see dreams become reality. May I urge the honorable Court to be as lenient as possible, not only for Mr. Ellis but for our community as well.”*

J. W. Shouse, Santa Fe, TN: *“... I am a 70 year old man who doesn't have any titles before or after my name. I spent 36 years in the telephone service.... I don't remember the first time I met Mr. Ellis. He was still in school. Over the years, I got to know him better. Being an early riser, I have had breakfast many, many times with him at the local diner. I found Mr. Ellis to be very dedicated to the tasks he undertakes. He gives 150% to anything he does, whether it is working on his farm or planting and maintaining the flower beds in the little park in the center of our rural community. During our conversations, I learned that Mr. Ellis is very concerned about people with AIDS, substance abuse, cancer and other forms of human suffering. He also has a great concern for the environment. This man has a brilliant mind and tries ever so hard to help his fellow man. I believe you would be helping the world by allowing Mr. Ellis to pursue his work, if at all possible.”*

Elton and Pat Mitchell, Santa Fe, TN: *“Bernie Ellis has been a customer and friend of ours for many years. We have found him to be honest and upright in all his dealings with us. He has also been a good neighbor and a willing, helpful community worker. We certainly do not condone drug abuse in any form, but we don't feel that a harsh punishment in this case would be necessary or appropriate. Bernie's contributions to society have, for the most part, been very commendable. Please take into consideration his community service and the good neighbor that Bernie has been in the past before rendering a sentence.”*

Dale and Wanda Pigg, Santa Fe, TN: *“We have known Bernie Ellis for twenty three years, when he moved into our community. We have heard rumors about his association with marijuana over the years, although we have never heard of one person he has sold drugs to.... We have never seen him live anything but a very meager lifestyle.... Bernie's contributions to our local society have been innumerable.... (W)e have no objection to drugs being used for comfort or pain relief to those who are in medical need.... From all information we have been able to gather, Bernie's marijuana growing was strictly for medical purposes. We know of numerous drug arrests in our county. Some of the people are arrested two or three times a year, and most are back home the same day. This past year, one very prominent citizen of our community was raided by an out-of-town drug task force. Large amounts of drugs were found, but because of his political ties, the whole episode was swept under the table.... Bernie has always contributed to the good and well-being of our community. We see NO benefits whatsoever from confiscating his farm, fining him large amounts of money and then spending thousands of dollars to keep a man in prison who is no threat to society whatsoever.... Bernie Ellis is a good citizen and an good neighbor, and we are proud to call him our friend....”*

J. Raybon Kelley, Santa Fe, TN: *“I have known Mr. Ellis for many years. I have never heard anyone say he was a drug dealer. Everyone has always said that he was a hard-working man.... I know nothing about any marijuana (but) since I grew up in the vicinity of Bernie's farm, I know what 'moonshining' is.... Bernie has a very brilliant mind and a good education. It seems to me that your resources should be spent on the ... Maury County 'Boss-Hogs' that control all the drugs coming into Maury County. I believe Bernie and I could have an agreement with a handshake and it would be honored years from now. I believe Bernie Ellis is an honest man.”*

B. Wilson Fly, Fly, TN: *“I own a country store in the community of Fly, TN. I run my store twelve hours a day, seven days a week; so I see drug abuse first-hand, every day. I do not condone the growing of marijuana, but I am not so close-minded that I cannot see the medical uses of marijuana. I think our laws and our governing bodies are moving too slow in allowing the medical use of marijuana. Bernie Ellis is a hard-working and honest man. I have seen Bernie almost every day for the past twenty years, either on his land where I hunt, in my store or in the community. In all that time, I have never seen him high on drugs or marijuana. I have never seen him mistreat a man or a dog.... Now in Bernie's time of need, I would ask of you that Bernie's time would be better spent in a community way, and that sentencing him to probation and community service (instead of prison) would be more valuable to our communities. Thank you for your time....”*

N.O. Potts and family, Fly, TN: *“This letter is in regards to ... a very respectable friend and neighbor, Mr. Bernie Ellis. My family and I have lived near this man for thirty years. He has never caused any grief or concern to my family or the surrounding community. He has always been an outstanding citizen to our small community and a very hard-working and honest man. This man has accomplished so many great things so far in his life. Why take that away from the out-of-control society in today’s times? Most people now days will not even try to help someone in need.... This man should not (lose) the rest of his life and his accomplishments to and for the public because of this incident of growing this plant. Why not search for and punish the people that are really committing horrible crimes? This man would never hurt anyone or anything intentionally.... All of this drama and upset over a man and his personal business should not have occurred, when the drug task force should be investigating and prosecuting the people who sell/force any type of drug substance to society, especially children.... Please reconsider the results of this man’s supposed horrible crime and ask yourself this question: what would I do if I was in severe pain and no doctor could help me be comfortable with the horrible cancer or whatever health issue is going on?.... The rest of the community and I can only hope that you will reconsider the charges against him and not take everything he has worked for. Please give this man a chance in life and set him free.”*

James and Sharon McDaniel, Fly, TN: *“(Bernie) was one of the first people to welcome us to ... the Fly community (in 1988). We have found Mr. Ellis to be a very good neighbor who is always willing to give a helping hand. (He) is quite involved in our community.... We have never observed anything unusual about those coming and going from his property, which is right across from us. Mr. Ellis is a very caring person who has a tremendous educational background and he uses his knowledge for the good of others. It would be very sad to see him punished for helping those who are in pain.... He has given much of himself and has much more to give. No purpose would be served by taking him away from those who might benefit from his years of education and experience....”*

Tony and Pheebie Anderson, Fly, TN: *“(We) have known Mr. Ellis for approximately 20 years. He owns a farm next to ours with the public road separating us. In these 20 years, I have never seen anything to make me believe he is a ‘drug dealer’. A walk on his farm will take you back to the past.... Mr. Ellis has spent most of his life working with extremely ill people who have no future and just want to leave this world gracefully.... It takes a very special person to work with people that are slowly dying and not walk away from it all. I would think that his farm is a stress relief for him and he deserves it. He gives 100% to everything he does. Taking Mr. Ellis’ farm and putting him in prison would not only hurt him, it would hurt the community he is from and the people throughout the United States he has helped. The next time we look someone in the eyes that is hurting and say, ‘If there is anything I can do to help, please call’, think what we mean by this. I feel sure in talking with Mr. Ellis over the years, his means are sincere, only to help others and not for personal gain.”*

Andrew L. Dial, Fly, TN: *“... I have known Mr. Ellis for over 20 years. We have been neighbors for all of this time and Bernie has been a great neighbor and a great member of the Santa Fe community. He has always been a peaceable neighbor. Always had a friendly hello and was always kind to people. I think it would be a shame to take away everything that he has work(ed) so hard for when there seems to be others in this area doing a lot worse and walking the streets. Thank you.”*

Daniel and Joan Brault, Fly, TN: *“We are writing this letter to you in support of our friend and neighbor, Bernard H. Ellis, Jr. My wife and I have known Bernie for twenty-three years.... Throughout the years and (in) many varied circumstances, we’ve found Bernie to be forthright, honest and willing to help in times of adversity. As neighbors, we’ve had a great appreciation for the environmental sensitivity and care with which he’s managed his property. This ethos has extended to (the) local community where Bernie has consistently put forth tremendous effort aimed at improving the local quality of life. He was instrumental in getting the Maury County School Board to turn over the old Bethel schoolhouse ... for use as a Community Center. Since then, the Community Center has hosted everything from regular monthly musical performances to locally produced plays to an annual community-wide Homecoming. More importantly, the Community Center has sponsored dozens of benefits for local families stricken by serious*

illness and burdened with staggering medical bills.... It is our hope that you will give full consideration to the strength of Mr. Ellis' character, and the value of his work in our community in your deliberations."

Douglas and Sharon Kinser, Fly, TN: *"It is a privilege to submit our letter of personal reference for Mr. Bernie Ellis.... We are neighbors with Mr. Ellis. We think of Mr. Ellis as the kind of neighbor we would want our children to continue to get to know. Specifically, spending time with Bernie might include learning about the following: gardening fruits and vegetables, tending to a farm, history lessons about Fly, Tennessee, making pumpkin pies from a home-grown pumpkin, but most importantly, giving unselfishly to others and your community. None of these subjects/values are taught in elementary school. Hence, there is no greater value than a neighbor of this caliber. We, as a family, would be so saddened to see Bernie removed from our community and the farm we know he loves. But it would be even harder to explain to our young children 'why'...."*

Gary Grau, Water Valley, TN: *"I have known Bernie Ellis for over 25 years ... (and) I have always found him to be truthful, honest and forthright; and his direct involvement has been an asset to our community.... (I)t is my opinion that Mr. Ellis is neither an incorrigible criminal or a danger to the general populace. Mr. Ellis' generous efforts have improved the quality of life in our community and I believe we would suffer a loss if he were to be incarcerated. His desire to help others is evident in his everyday actions and beliefs and that is a rare quality in this day and age. With all the crime and violence related to (the) sale and use (of) hard drugs, his ... jail space would be more well served by housing ... (the) hardened, violent offenders who repeatedly clog our judicial systems...."*

Karen McKenzie, Columbia, TN: *"I have known Bernie for ten years and over these years he has shown consistent enthusiasm in several areas of his life. First and foremost was his work with the drug and alcohol rehab programs of Wyoming and New Mexico.... He has continuously and sincerely showed a deep respect for others in need of rehabilitation which corresponds with his own recovery from alcoholism. Secondly, Bernie has shown a quantum desire for ... the preservation and improvement of our natural environments.... Thirdly, he has a genuine concern for others in physical, mental and emotional pain.... Bernie's generous donations ... (have) helped alleviate suffering and for some changed the course of their life. Lastly, I know Bernie has had a list of physical discomforts that he has been dealing with throughout the years.... However, this has made him even more sensitive to the needs of others as he has shared the ways he learned to cope with his own suffering. May the evidence of Bernie's trail of accomplishments speak for itself in documenting his intentions ... toward improving the quality of life for those within his sphere of influence...."*

Judith Amatore, RN, Hampshire, TN: *"I have known Bernie Ellis approximately 20 years. I know him as a family man and an active contributing member of his community.... He has shown a zest and devotion toward community involvement and health issues.... Bernie's work with substance abuse is invaluable in a country that is working so desperately to address that issue and make changes in the health ... of its people.... Rather than taking his farm or confining him to prison, ...his talents for community service ... could be employed for the betterment of our society."*

Barbara Heilman, Primm Springs, TN: *"... Bernie Ellis was my employer for five years (1995-99).... As an employer, Bernie was entirely fair to his employees and very professional. He was a consummate organizational person, creating grant opportunities, and thus jobs, for many people involved in the substance abuse field (at) ... the state and federal level. He held to the highest standards of integrity and responsibility in his profession and was quite dynamic in initiating studies of substance abuse (among) women of child-bearing age ... in Wyoming.... Bernie cares very, very much for his family..., he is a very caring brother and uncle.... In summary, it was an honor to work with Bernie. He was not only thoroughly professional and generous to his employees, but also tried to set a good example.... I know you will hear about Bernie's professional accomplishments, but I would also suggest to you that as a person, Bernie is a good person and wants to help others...."*

Deborah Mangrum, RN, Kinderhook, TN: *“My husband Bill and I have known Bernie Ellis for 25 years.... We have known Bernie as a neighbor who is willing to help fellow neighbors.... He has turned a grown-up farm into a productive berry farm. He addressed the issue of the intentional poisoning of our creeks by a pro fisherman ... by taking the man to court and winning a jury verdict against him.... Bernie’s interest and work with ... medical marijuana is one shared by many people. As an RN ..., I have administered Marinol for patients suffering from cancer, anorexia and ‘failure to thrive’ syndrome. These patients are not trying to ‘get high’, they are seeking help and relief from these conditions. I do feel there is a place for this medicine.... I hope that you will give consideration to the waste of resources of the judicial and penal systems in this case.... Please consider as well the waste of a citizen obviously dedicated to improving the lives of people in this country.”*

7. Friends and Family

Dr. John McCarthy, PhD, Professor of Sociology and Graduate Officer, Pennsylvania State University: *“... I have known Mr. Ellis for 35 years.... In my almost four decades of teaching at the University level, Mr. Ellis is one of the most extraordinary colleagues I have encountered.... I know (him) very well professionally and highly respect him as a colleague. Given his spotless record ..., his exceptional skills in public health program development and his record of past accomplishment, Mr. Ellis deserves ... the greatest leniency.... It is his enthusiasm for and capacity for being of service ... that makes him a strong candidate for a sentence of probation and ... community service.... His ... willingness to be of help to (his neighbors) reflects the qualities in Bernie’s character that puts him on that small list of people ... who ... would come to my aid if I were ever to confront any serious ... difficulties in life. We used to call people with these qualities upstanding members of the community and ... that is ... Bernie Ellis.... He is someone I trust completely. If he is removed from the communities he serves, ... they will be the worse for that loss....”*

Dr. Irma Fortune Rube, PhD, Professor Emeritus, College of Allied Sciences, University of Tennessee - Memphis: *“... I am an old friend of (Bernie Ellis’) family.... His father was a very good friend of mine and toward the last years of (his father’s) life, I had the pleasure of meeting Bernard Jr. when he was in Columbus, MS visiting his family. Bernard Sr. was very proud of the accomplishments of his son and often spoke of them. I am very familiar with the things listed in the son’s resume.... Bernard Jr. grew up in a medical atmosphere.... He was always on the cutting edge of medicine, even before he started to work himself. His grandmother was from Chicago (and) ... was Irish and his family was always known for having the courage of their convictions. No doubt Bernard Jr. inherited some of this. I strongly urge that he not be punished for being ahead of his time! I am proud of his accomplishments and of his attempts to help other people.”*

William H. Rosamond, Columbus, MS: *“... I have known Bernie Ellis since 1964.... There are a limited number of people who I can truly call a friend. Bernie is one. I can depend on him for support, regardless of the need...; he is a rare person in today’s times.... He is an exceptionally gifted individual, and well loved by those of us who are fortunate enough to be his friend. Few would have accepted the responsibility for their actions as has he.... His contributions to society far outweigh any other actions.... (H)e has always placed the ... welfare of others before his own....”*

Karen Kinnett Hyatt, Santa Fe, NM: *“... The gift of Bernie’s friendship has been mine for over a decade now. I knew immediately we would be good and true and lifelong friends when we realized we shared a love of Wendell Berry and his writings. As Berry, anyone who reads his work values the stewardship of land and community. Certainly these values are the essence of Bernie’s life. He has loved a plot of Tennessee land for over 30 years – clearing her meadows, grooming her for spring plantings and tilling her soil. Yet it is the people of Santa Fe, TN (who) Bernie knows and supports and loves. He plants the fall bulbs on the community square; he buys uniforms for the local school sports teams; he chats with the old men in the general store; he offers muscle and assistance and kindness in ways only the angels know.... Bernie Ellis has invested a lifetime ... to allow all of us safe passage through the barbed wires of life. It is now my honor to hold these same wires apart to support his passage through these less than just strictures. I respectfully ask that you consider a more just and appropriate sentence for such a man. I respectfully ask that you consider a sentence of instruction and service rather than punitive discipline.”*

Martha Iversen, LCSW, San Francisco, CA: *“I have known Bernie Ellis ... for over 25 years.... In all the time I have known Bernie, I have observed him to be a man deeply committed to his profession and similarly devoted to his friends and family. Through his work in both his own community ... and more recently in the Southwest, he has become an integral and valued advisor, community leader and volunteer. For someone who has devoted his entire career to community service to be severely punished seems to me a waste of a valuable contributor to society. Surely better use could be made of Bernie’s ... capacities in community service and/or education....”*

Ed Stannard, Thompson Station, TN: *“... I have had the pleasure of sponsoring Bernie in a twelve step recovery program that we share together. I find Bernie to be one of the most kind, gentle and caring people that I have worked with in the 14 years that I have been sponsoring people. I know he has been clean and sober for a considerable amount of time. I have witnessed his propensity to help others when they are down and to help in his community.... In my humble opinion, to put a gentle soul like Bernie in prison would be a total waste of taxpayer money. It would serve no purpose to protect society from the likes of Mr. Ellis. He is a good man who made a mistake....”*

Susan Bernet, MS, MA, Brentwood, TN: *“... I know (Bernie) to be a decent, hard-working member of our community. He consistently gives of his time to help those in need, as well as volunteering his expertise to community groups. He has shown me that he is a man of character and honesty who expects to work for the things he needs and who accepts responsibility for the mistakes he has made. He shares what he has with others, and has a caring and generous heart....”*

Dana Ellis, MSN, Administrator, Radiology Department, University of Alabama-Birmingham: *“Thank you for allowing me the opportunity to write a letter of support for my brother, Bernie Ellis.... I am saddened ... that he stands to lose a great deal as a result of his actions.... I have always known that (Bernie) is a very bright, caring person who has spent a great deal of time working with others. Early in his career, he worked with asbestos workers, then with AIDS patients and most recently has spent a number of years working in the field of substance abuse, most notably with Native Americans in the west. I have always been proud of him and have respected all that he has done. As you think about his sentence, I ask that you consider his abilities and skills and if possible sentence him to some form of community service in which he can use his skills to continue to serve others.... I love (Bernie) very much and the thought of him being sentenced to prison frightens me a great deal.... My fears aside, though, the truth is that Bernie can provide a greater service to society outside of prison. He must pay a price for breaking the law. I just ask that he be allowed to pay a price that would allow him to continue to serve. Thank you so much for your willingness to listen to those of us who are speaking in Bernie’s behalf.”*

Roxanne Brunetti, MA, OTR/L, Franklin, TN: *“I first met Bernie Ellis around 15 years ago.... I was impressed by his strong interest and commitment to public health and (his) concern (for) the growing AIDS epidemic. Bernie and I are now friends and I know him to be a gentle, kind, respectful and compassionate man. We share a common interest in public health concerns.... We are also both members of Alcoholics Anonymous and see each other often in meetings. Bernie Ellis is neither dangerous nor a threat, but is, in fact, a vital and contributing member of our society.”*

James McHenry, MS, LADAC, Thompson Station, TN: *“I have known Mr. Bernard Ellis Jr. for over a year and have counseled with him on several occasions and he seems to be sincere in his recovery effort.... (T)he most effective people I know who reduce the level of crime, due to addiction in the community, are found in the 12 Step groups. These people ... are best at passing this message on to the recovering addicted criminal or those in the group who have yet to be caught. Their presentation of their own difficulties with the (criminal justice) system rings true to the new person coming into the 12 Step group (usually court ordered) and this often saves years of suffering for the addicted person, because many do listen. Bernard is just the kind of person that is needed on the ‘outside’, so to speak for the newcomer I have described. Sending him to prison would only prevent him from helping others at a critical time in their recovery.... I believe that Bernard has dedicated his life to help others with this affliction and will continue to do so.”*

George Miller, CAP, MHT, Thompson Station, TN: *“... I ... admire Mr. Ellis for his composure and stability while going through what must be a most stressful life situation. I find Mr. Ellis to be a very honest and responsible person, making no excuses for his part in (his) unfortunate situation.... Mr. Ellis*

believed in what he was doing and meant no harm to anyone. On the contrary, he has helped numerous people to find relief from physical and mental anguish, including himself, and that was the primary goal in what he was doing. Mr. Ellis' relentless work in substance abuse-related research and education has resulted in a dramatic drop in substance abuse in many communities around the country which have benefited from his direction and involvement in the past...."

John Brandon, Esq., Franklin, TN: *"Please accept this letter as a sincere and unqualified plea for discretionary leniency in the matter of the sentencing of Mr. Ellis. I count it as a distinct privilege to know (him).... Mr. Ellis has, for a number of years, given freely of his expertise in many areas in the effort to combat addiction and the misery it causes to millions of persons ... throughout our nation. He seems driven by a deep and abiding desire to better the lives of others. It is obvious and beyond question that his work in this area has been quite successful.... Having practiced for many years in a number of courts, including the United States District Court for the Middle District of Tennessee, I am able to form a professional, as well as a personal, opinion regarding the lack of positive results to be derived from Mr. Ellis' incarceration. The potential benefits of his work would be lost. The many unfortunate individuals with drug, alcohol and other addictions ... would be deprived of his counsel, his kind encouragement and the ... prevention of addiction and its related dire consequences which he would achieve if free to continue his important work."*

Susan Hulme and Marshall Morgan, Nashville, TN: *"... From the first day my family and I met Bernie, his undeniable strength and kindness have been his hallmark characteristics and have impacted my entire family.... (He) has a tremendous heart and goodness that extends itself unselfishly to everyone he is around. His generosity and strength have touched us all and we have benefited from knowing such a model individual.... I know that Bernie brings tremendous good to whatever he does. I know that in his professional life he has been the kind of person he has been as a friend. In a world crying for individuals with such stature, honesty and hopefulness, please keep (him) among us. We need him, we want his humility, it inspires our children, helps our aging and shines as a wholesome example of someone embracing life. I hope you... reconsider this man's fate."*

Grace Wright, Nashville, TN: *"I am not quite sure what to put in a letter like this. I do not feel it is my place to tell you what to do. Because I know ultimately the decision will be up to you. I think that I can only tell you who the man that will stand before you is. Bernard Ellis, or Bernie to us, is truly a caring individual. As we go through life, we meet people who no matter what happens, they are always smiling. I have had the pleasure of meeting a few of these people..., no matter what happens..., they will be there.... (and) Bernie is one of those people. I first met him after we had just moved to Tennessee. My mom and I had set up a (booth at a fall crafts fair) and Bernie had his right next to ours. I was up to some absolutely important task, as four year olds are prone to be, when I figured that it was my duty to investigate the interesting (booth) next to us. I wandered over and I can only remember that Bernie was **really** nice. He must have been extremely nice because I remember next to nothing from that time in my life.... On Mothers Day last year, my grandparents' farm was hit by **two** Class Four tornadoes. All of us were very upset and shocked.... Without so much as a word from any of us, Bernie ... arrived at our farm set and prepared to work. The tornado had put out the power and the only way the company could reach my grandparents' (house) was if the road was cleared. Bernie arrived like an angel from heaven. He got us all sorted out and while exuding an understanding of the pain we were feeling, he also gently got us up on our feet. With his help, we were able to clear most of the (quarter-mile-long) driveway. He worked the whole time with diligent care and never took any break he didn't absolutely need.... Bernie is that man that you instantly trust and, no matter how many bad or tough things happen, your trust is never misplaced. I have now known Bernie for ten years, from that fateful day when I was four until now at the age of fourteen. I have never heard one person say anything against Bernie at all, not even a hint. So I close this letter hoping to have helped a man who has always been there for my kin and me."*

Stephen Ellis, General Manager, WMSV, Mississippi State University, Starkville, MS: *"I am writing to you to ask for leniency in the sentencing of my brother, Bernie Ellis Jr. I am Bernie's youngest brother and ... my wife, Kay, and our three children join me in this request for leniency, Judge Haynes, I am sure that, in your position, you have a very difficult task in determining the proper sentence to hand down to individuals who appear before you in court. It is not a task in which I would ever want to take part. Throughout my life, I have marveled at the intellectual capacity that Bernie has. From his earning a triple major degree at Vanderbilt to his post-graduate work at UT-Austin and UC-Berkeley, Bernie has consistently shown his ability to learn in the most strenuous of academic environments. He has taken*

those years of study and converted them into a career in public health that should be emulated by anyone who has a desire to serve the public in our nation today. Through his work, Bernie has assisted individuals, state agencies and governments throughout our country with their efforts to reduce ... cancer, HIV/AIDS and substance abuse. With his education and training, Bernie could have taken a career path in the corporate world and become a very wealthy man at this point in his life. He made a life-choice, however, at a very young age that public service was more important to him than a wealthy lifestyle. I have always admired him for the choices he made and his decision to do his part in making our society a better place for everyone. I realize Bernie made a mistake and he is appearing before you to pay for that mistake for which he has readily admitted guilt. I truly believe to have Bernie serve time in confinement for any period of time would, in the long run, be a detriment to society. It would seem to me that putting his experience and knowledge to work by having him serve a community in need of his expertise would be more beneficial. I also ask, Your Honor, that you consider charging him a much smaller monetary fine for his transgressions. In his financially unrewarding career of public service, Bernie has not had the ability to build a substantial retirement account. His sole financial asset, and main source of pride, is the land and farm on which he has lived his entire adult life. A large monetary fine imposed by the court would most likely force Bernie to sell his only asset and leave him with nothing. Judge Haynes, I love my brother. Please consider leniency when you decide his sentence. I would be happy to discuss this situation with you at any time if you felt that to be appropriate.”