

December 31, 2003

The Honorable William J. Haynes, Jr.
U. S. District Judge
c/o Peter J. Strianse, Esp.
Tune, Entrekin and White, PC
Suite 2100, AmSouth Center
315 Deaderick Street
Nashville, TN 37238-2100

Re: Bernard H. Ellis

Dear Judge Haynes:

I am writing to offer my views about my former colleague and old friend Bernie Ellis whose sentencing hearing is soon to take place in your court. I have known Bernie Ellis since 1990 when our paths first crossed while working on a national project of The Robert Wood Johnson Foundation called *Fighting Back: Community Initiatives to Reduce the Abuse of Alcohol and Illegal Drugs*. I was then the deputy director of the Fighting Back National Program Office located at Vanderbilt University Medical Center. Bernie was an epidemiology consultant to the Northern 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 rather well and we have remained in written contact over the past several years after I came to Washington to work as administrator of the Drug-Free Communities Program in the White House Office of National Drug Control Policy.

I was shocked and disappointed to learn, just recently, of Bernie's misguided and criminal behavior in growing marijuana on his farm in rural Tennessee. Whatever his motives, this was a serious offence and Bernie should have known better. I offer no justifications for his behavior and do not, in any way, condone it. Having said this, I do think Bernie has many redeeming qualities as human being and as a responsible citizen. Bernie is an unusual man in several ways. He has lived alone on his rural farm for as long as I've known him and is widely respected as an organic farmer. He is generous with both his time and produce and regularly brought fine vegetables and berries to Nashville to give away to friends and charitable organizations. He has been a hard-working legitimate organic farmer whose knowledge and generosity are well-known. Bernie is also 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 Bernie has earned with his important contribution to the epidemiology of alcoholism.

I have not spoken to Bernie since learning of his legal proceedings about a month ago. I have felt a sense of shock, disappointment and wonder about his perplexing, illegal behavior that now must be adjudicated in your court. Though I have few facts at my disposal, I cannot believe, knowing Bernie as I have in the past, that Bernie grew marijuana for profit or sale. He is not a drug dealer as I have come to know that vicious breed of outlaw. Clearly Bernie is one who believes that marijuana is misunderstood by legislators and policy makers. He is certainly not alone in his views though I do not share them. When I next speak to him, possibly in prison, I will attempt to persuade Bernie that he needs to attempt to change public laws by legal means rather than by flaunting our nation's well-known laws on the subject of marijuana.

In closing, Judge Haynes, I offer my final observation that Bernie is a man of his word. If he tells you, under oath in a court of law, that he will not longer attempt to grow or distribute marijuana as long as such actions remain illegal, I would believe him. I also believe that Bernie will have learned his lesson from this sad experience, regardless of the sentence imposed in your court. Bernie 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. My letter should be construed as only a personal expression of both regret and support for my old friend and is not any sort of statement on behalf of the office as a whole.

Respectfully submitted,

Gregory L. Dixon
Administrator
Drug-Free Communities Program
Office of National Drug Control Policy

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