Forced Drugging By Government

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Eagle Forum Files Brief in U.S. Supreme Court
State governments and the federal courts are separately assuming the power to forcibly drug American citizens. The details are shocking.
The federal Court of Appeals for the Eighth Circuit recently ordered dentist Dr. Charles Sell, charged but never tried or convicted of Medicaid fraud, to be drugged against his will. In a split 2-1 decision, the Court gave a government psychiatrist unlimited power to inject any type and quantity of mind-altering drugs into Dr. Sell.

The Court authorized these forcible injections on the basis of unproven allegations of a non-violent crime. The traditional rule "innocent until proven guilty" was replaced by "drugged until proven innocent."

The government claims it needs to drug Dr. Sell in order to try him, even though he has already served more time than his possible punishment. How can our government require mind-altering medication of citizens presumed to be innocent when we don't even allow government to require citizens to recite the pledge of allegiance to the flag?

Dr. Sell has been held without a trial for about four and a half years, longer than the sentence for his alleged crime of Medicaid fraud. The government eventually threw in more serious charges and held him in solitary confinement for one and a half years, but not even the Court of Appeals gave credence to those additional charges in ordering his drugging.

A former Army Reservist, Dr. Sell had been an outspoken critic of the government and was called delusional based primarily on his criticisms of federal actions in Waco and Bosnia. Early on, he was offered a reduced plea bargain, but refused to plead guilty to a crime he insists he did not commit.

Relations between Dr. Sell and officials then quickly deteriorated, with agents beating him just prior to an unusual, awkward encounter with a magistrate in a holding cell. Dr. Sell responded by spontaneously spitting in the face of the magistrate, and the government has kept him in prison and tried to drug him ever since.

The treatment of Dr. Sell reminds us of George Orwell's famous book "1984," where the State coercively reshapes the minds of its adversaries rather than simply oppose them. "It is intolerable to us that an erroneous thought should exist anywhere in the world, however secret and powerless it may be," the Orwellian persecutor declares amid compulsory injections by hypodermic syringe.

The Supreme Court has generally prohibited drugging convicted felons against their consent where the subject poses no threat to the safety of others or himself. Several Supreme Court Justices have emphatically denounced any use of drugs as punishment.

Meanwhile, legislation is sweeping through state legislatures to grant state health departments the power to forcibly drug any citizen, whether charged with a crime or not. Deceptively entitled the "Model State Emergency Health Powers Act," it authorizes state officials to require everyone to take a drug, a vaccine, or other treatment.

Refusal of treatment enables the state health department to remove you or your children from your home for placement in a distant quarantine. Don't bother calling your legislator or going to a judge because the bill strips them of any power to help.

The Centers for Disease Control and Prevention (CDC) paid up to $900,000 for the drafting of this unprecedented legislation. To hurry passage, the Department of Health and Human Services (HHS) is conditioning a grant of funds to the states on swift adoption of this bill.

Never before have legislatures abdicated their responsibilities and powers in such a manner. Current laws permit state legislatures to restrain runaway state health departments, but the new bill would give these unelected bureaucrats unchecked authority for 60 days, during which the legislature is powerless to protect its citizens.

About one-third of the states currently have exemptions to vaccination programs for reasons of conscience. Like the persecutor in Orwell's "1984," the new Health Powers Act denies any such exemption.

When the postal workers were victimized by the anthrax attack, the government provided them with the same vaccine that President Clinton had required of U.S. service personnel under threat of court martial. Given the option, however, less than 2 percent of postal workers chose to receive the vaccine.

That was humiliating to public health officials, who depend on universal, unquestioned vaccination to justify their budgets and credibility. They made sure that the new Health Powers Act does not give citizens the same choice that the postal workers had.