



## Marshall v. U.S., 414 U.S. 417, 426 (1974)

The Court granted certiorari to consider defendant's claim that the provisions of Title II of the Narcotic Addict Rehabilitation Act of 1966 denied due process and equal protection by excluding addicts with two or more prior felony convictions from discretionary rehabilitative commitment, in lieu of penal incarceration. Defendant pled guilty to a felony, and requested that he be considered for treatment as a narcotic addict. The judge cited his three prior felony convictions, and held that he was ineligible. Defendant sought to vacate his sentence. The Court affirmed the appellate court and held that Congress had exercised its authority to make a legislative classification choice that persons with felony records would be less likely to do well in a treatment program than those with lesser criminal records.

### **To Capture the Ambivalence of the Medical Community's Stance on Addiction Rehabilitation the Court Referred to the AMA's Work**

Additionally, there is no generally accepted medical view as to the efficacy of presently known therapeutic methods of treating addicts and the prospect for the successful rehabilitation of narcotics addicts thus remains shrouded in uncertainty. Indeed, even the premise that drug addiction is one of the significant root causes of crime is not without challenge. See also American Bar Association and American Medical Association, Joint Committee on Narcotic Drugs, *Drug Addiction: Crime or Disease?* (1961).