

Copyright
by
Daniel Lukas Rosenke
2020

**The Dissertation Committee for Daniel Lukas Rosenke Certifies that this is the
approved version of the following Dissertation:**

**Supply and Enhance: Tracing the Doping
Supply Chain in the 1980s**

Committee:

Janice S. Todd, Supervisor

Thomas M. Hunt

Tolga Ozyurtcu

John Hoberman

Ian Ritchie

Supply and Enhance: Tracing the Doping Supply Chain in the 1980s

by

Daniel Lukas Rosenke

Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfilment

of the Requirements

for the degree of

Doctor of Philosophy

The University of Texas at Austin

August 2020

Dedication

To my mother, the strongest woman I know

To Adam: my brother, best friend, and forever my partner in crime

Acknowledgements

This project may never have come to fruition without the influence of father, Scott Rosenke. In my young and more impressionable years, he molded me into a man of confidence and conviction, and inspired in me the unwavering self-belief to pursue my dreams, no matter how far-fetched. Perhaps most significantly, I credit him with first introducing me to the subject matter I discuss in this volume, and piquing my interest in the surreptitious drug culture in Olympic and professional sports. Sometime in our mid-teens, I recall my brother Adam – my handsome identical twin – and I seated on the couch with Dad watching Lance Armstrong’s second Tour de France victory. At the time many believed the brash cycling maverick from Plano, Texas, a folk hero among cancer survivors worldwide, was a manna from heaven, sent to restore faith in the sport after a widely-reported scandal at the Tour two years earlier. Dad knew better. “You’d have to be out of your mind to believe Armstrong isn’t dirty like the rest of them,” he declared that day, “the average person has absolutely no clue what goes on behind the scenes.” This is a rough approximation of course, as two decades have passed since the 2000 Tour. My reply went something like this: “But they test these guys right? If he won last year and is back to defend his title, how could that be possible?” This I remember vividly: he flashed a knowing smile, paused, and replied, “because some things never change.” Here’s to you, Dad.

Without my mother, Connie, it’s highly unlikely I’d be in the position I’m in; defending a doctoral dissertation at a premier institution like UT. To express my love and respect for you in a short paragraph merely scratches the surface, but here goes: Mom, you’ve been a positive presence in my life for thirty-six years, and are a paragon of loyalty and selflessness. Even when I’ve made mistakes or am objectively wrong about something, you stand beside me with

indomitable loyalty, willing and ready to join me in the trenches. Your rare combination of strength, intelligence, courage, and class is something to behold, and if I've inherited one-tenth of it I would count myself a lucky man. It's always been comforting to know that if I fall you'll always be there to catch me. Words cannot describe what an amazing person you are, or my gratitude for the sacrifices you've made over the years. You're the best. Love you, Mom.

I owe an equal debt of gratitude to my brother, Adam, who has had a positive impact on my life in countless ways. He has been a training partner, rival, a constant source of motivation, and a best friend as far back as I can remember. Not long after I first started training seriously as a track and field athlete, Adam casually dropped a pearl of wisdom that changed my life forever. During our preparations for the 2007-2008 indoor season, I joined several friends for post-workout beers at a nearby pub, not far from our training facilities on the University of Alberta campus. I arrived home at a reasonable hour, mindful of the fact that I had an early class the next morning and a hard training session later in the day. No more than a minute after I walked in the door, Adam started in on me: "Man, you're not doing yourself any favors by going out for weeknight beers. If you think that'll help you run faster, you're seriously deluded." He then said something so simple, yet so profound: *If it's not helping, it's hurting*. It's been my mantra ever since. Adam, you've made me a better man in countless ways. Few are lucky enough to have a lifelong best friend, much less someone as great as you. You're the best guy I know.

Over the past several years I have had the privilege of studying under the tutelage of Dr. Jan Todd, to whom I credit my growth as a scholar, and metamorphosis from social science researcher to sport historian. From the afternoon we first chatted at the Stark Center to our most recent phone conversation, Jan has been an excellent motivator and communicator, never hesitating to impart her views in a frank and straightforward manner, a rare quality these days,

and one of the many reasons I have the utmost respect for her. As my supervisor and mentor, Jan challenged me to become a better writer and researcher, taught me the true meaning of scholarly rigor, and gave me the freedom to pursue ambitious projects. After our first meeting in the summer of 2014, I had no doubt that my time at the University of Texas would be well spent. She welcomed me with a warm smile, was affable and magnetic, and by the end of our forty-five-minute meeting we were laughing and talking like old friends. I learned a great deal from our many long discussions at the Stark Center over the years, several of which laid the foundations for lines of research I'd otherwise never have considered. You're such a great lady Jan. I consider myself lucky to have had the opportunity to work with you.

I would also like to thank the rest of my committee members, Tommy Hunt, Tolga Ozyurtcu, John Hoberman, and Ian Ritchie. Your patience, support, and feedback made this journey a lot easier, and fostered an environment that enabled me to put together a project that I'm very proud of. My aim at the outset was to assemble the absolute best group of scholars to evaluate my work, and I was fortunate enough to sign the Dream Team. Each of you made a special contribution to my work, for which I will be forever grateful. Tommy, for you a special thank you is in order. Your laid-back manner and keen insights have been a source of serenity for me in my academic journey. I'm proud to call you a mentor and friend, and would jump at the chance to collaborate with you in the future.

Finally, I owe a special debt of gratitude to the Vaughan family, Susan, Ray, Carolyn, and Phil, my surrogate family in Austin, and the kindest most selfless people I know. Over the past five years you've been my support system, in good times and bad, and it truly warms me to know I have such an amazing family in the great state of Texas. I can only imagine the sums of

money you're saving on groceries while I've been away. This project would not have been possible without you. Love you guys.

Supply and Enhance:

Tracing the Doping Supply Chain in the 1980s

Daniel Lukas Rosenke, Ph.D.

The University of Texas at Austin, 2020

Supervisor: Janice S. Todd

Like Michael Jackson's iconic album *Thriller*, the HIV/AIDS pandemic, and the fall of the Berlin Wall, performance-enhancing drugs are part of the zeitgeist of the 1980s, a decade of turbulence in the sporting world and one of enlightenment for fans and journalists worldwide. Sport's dirty little secret was first revealed at the 1983 Pan-American Games, where a throng of positive tests and the mass exodus of (ostensibly) guilty American athletes brought doping to mainstream audiences, and alerted policy makers to a societal ill that could no longer be ignored. Popular anabolic drugs like Dianabol and Testosterone Depot had been in wide use for decades, and in the absence of rigorous controls – both anti-doping and statutory – spread like wildfire in elite sport, bodybuilding, and gym culture. By the mid-1980s gaining access to them was all but a formality, as simple as paying a visit to one's family physician, the resident dealer at Gold's Gym, or the local discus champion peddling Mexican steroids to make ends meet. While chemical enhancement in this era is well-represented in the extant literature, relatively little has been said about *how* these drugs fell in the hands of users. Each of the three articles in this volume survey a different supply source for performance-enhancing drugs in the 1980s. In the first study, I profile the enigmatic doping physician Robert Kerr, an open advocate for the safe

use of anabolic steroids under medical supervision. After prescribing the drugs for more than seventeen years, Kerr embraced the role of anti-doping advocate, appearing as an expert witness in several government-led hearings in the late 1980s. In the second study, I investigate a drug-smuggling incident at Montreal's Mirabel Airport. On 31 October 1983, four of Canada's premier weightlifters were arrested after border agents discovered a cache of anabolic steroids in each of their bags. The men had purchased them from Soviet lifters for resale on home soil. The third essay chronicles the rise and fall of America's largest steroid distribution ring, and as a parallel narrative, an anti-steroid counteroffensive headed by the FBI. Combined, these studies provide historical context for the proliferation of doping agents in North America, and the efforts of sports federations and politicians to remedy the problem.

Table of Contents

List of Figures.....	xiv
Chapter 1: Introduction.....	1
Understanding the 1980s Supply Chain.....	13
Chapter 2: Literature Review and Methods.....	28
Sport History Literature.....	31
Sociology Research.....	36
Criminal Justice Research.....	41
The Articles.....	45
Chapter 3: “There’s a Doctor to Help:” The Life and Times of Robert Kerr, The Steroid Guru.....	52
The Early Years.....	55
The <i>Practical Use</i> of a Steroid Guide.....	63
The Steroid Guru.....	68
The Godfather of Growth.....	73
“They’re Going to Come After Him”.....	79
The Patients v. Robert Kerr.....	83
The Growth of a Hormone Activist.....	90
“A Significant Public Health Hazard”.....	96
Medicine vs. Anabolics: A Two-Front Battle.....	98
“If You Come to Canada You Will Be Killed”.....	102
Later Years and Passing	106
Conclusion	107

Chapter 4: Mayhem at Mirabel: The Other	
“National Embarrassment” that Rocked Canadian Sport.....	121
“The Biggest Scandal in Amateur Sports History”	124
Mayhem at Mirabel.....	134
Damage (Not Easily) Controlled.....	137
<i>Drug Use and Doping Control: “The First Step”</i>	
Toward Clean Sport	141
The Weights of Justice.....	143
Parente.....	144
Hadlow.....	148
Demers.....	153
Pietracupa.....	159
Positively a Problem.....	161
Conclusion.....	173
Chapter 5: The ‘Roid Runners: Prohibition, Drug Smuggling, and	
History’s Largest Anabolic Steroid Distribution Ring.....	180
Contextual Considerations.....	185
The Dynamic Duo vs. The Three Marketeers.....	194
Marked Men.....	206
“It’s Gotten Too Hot Here. I’m Getting Out”.....	212
The Strongman’s Bodyguard.....	214
The Informant.....	220
“These Guys Weren’t Hardened Criminals”.....	224
Conclusion	230
Chapter 6: Conclusion	240

Bibliography	253
--------------------	-----

List of Figures

Figure 1.	Ben Johnson's gold medal and world-record performance in Seoul.....	4
Figure 2.	Three generations of Kerrs, Christmas, 2000.....	107
Figure 3.	Guy Greavette with the 1982 Canadian National Weightlifting team.....	126
Figure 4.	Jacques Demers at the 1982 Commonwealth Games in Brisbane, Australia.....	158
Figure 5.	Andrej Kulesza and Guy Greavette at the 1988 Summer Olympics in Seoul.....	173

Chapter 1: Introduction

On a sunny Saturday afternoon in October of 1988, 400 meter world-record holder Harry “Butch” Reynolds charged down the home stretch with the power and elegance of a thoroughbred, extending an already ample lead with each successive stride. Serving as the anchor for the American 4 x 400 meter relay quartet, Reynolds – who shattered Lee Evans longstanding world record with a 43.29 clocking earlier that season – and teammates Steve Lewis, Danny Everett, and Kevin Robinzine dominated a strong field that day, claiming the last of sixteen gold medals for the U.S track and field team at the Summer Olympics in Seoul.¹ Unbeknownst to fans, and journalists covering the event, five of America’s top performers at the Games had failed drug screenings three months earlier at the U.S. Olympic Trials in Indianapolis. The United States Olympic Committee (USOC) ruled the positives were “inadvertent” – a decision that would be a source of controversy years later – and stemmed from a common over-the-counter cold remedy that happened to contain the banned stimulants ephedrine, pseudoephedrine, and phenylpropanolamine.² While relatively mild performance-enhancers, the drug cocktail was purported by some experts to mask the presence of anabolic steroids in test samples.³ In the interest of transparency, or perhaps posterity down the road, a month later USOC spokesman Mike Moran told *Los Angeles Times* reporter Randy Harvey, “all

¹ Kenny Moore, “Chasing the Dream: Butch Reynolds Shattered Lee Evans 20-Year-Old World Record in the 400m,” *Sports Illustrated* (29 August 1988): 20-25; and Phil Hersh, “Reynolds in Race to Clear His Name,” *Chicago Tribune*, 12 May 1991.

² “The Drug Runners,” *The Sydney Morning Herald*, 18 April 2003; James Christie, “U.S. Hid Failed Tests, Files Reveal,” *The Globe and Mail*, 17 April 2003; “Drug Reprieve,” *The New York Times*, 14 August 1988; and Dick Pound, *Inside the Olympics: A Behind-the-Scenes Look at the Politics, the Scandals, and the Glory of the Games* (Canada: John Wiley & Sons Canada Ltd.), 53.

³ Duncan Mackay, “The Dirtiest Race in History: Olympic 100m final, 1988,” *The Guardian* (London), 17 April 2003.

of the positive tests are unrelated to steroids [and] came from the inadvertent use of things like nose drops. It doesn't appear that there will be anyone disqualified."⁴ Whether to enhance performance or combat the sniffles, the athletes remained anonymous, and all was apparently forgiven. In a letter to the athletes two weeks after the trials, USOC Executive Director Baaron Pittenger wrote, "this is the formal notification which I must send according to the testing protocol. As you know, the case has been excused as inadvertent use. Good luck."⁵

While no doping sanctions were *officially* recorded at the 1988 trials, the accidental drug cheats were served cold justice some fifteen years later, in the unmerciful court of public opinion. In 2003, a media firestorm was set ablaze when disgruntled former USOC physician Wade Exum revealed to media outlets the names of the eight offenders, a list comprising a who's who of American track and field stars competing in Seoul: 200 meters and 4 x 100 meter gold medallist Joe DeLoach; 400 meter hurdles gold-medallist Andre Phillips; Steve Lewis, lead-off runner for the 4 x 400 meter team and winner of the open 400 meters over the heavily-favored Reynolds; their relay teammate Everett, whose bronze medal completed an American sweep in the quarter mile; and the legendary Carl Lewis, winner of the 100 meters, long jump, and 4 x 100 meter relay, and silver medallist in the 200 meters.⁶

Ironically, "King Carl," as he was known, was a fervent anti-doping advocate by reputation, and maligned arch-rival Ben Johnson for his positive test in Seoul. In their highly-anticipated 100 meter showdown on 24 September, Johnson sprinted to victory in a blistering

⁴ Randy Harvey, "Drug-Test Results Clear All U.S. Track Athletes," *The Los Angeles Times*, 13 August 1988.

⁵ Baron Pittenger in letter to Joe DeLoach, 6 August 1988; the letter was forwarded to the author by former IOC Vice President Dick Pound, first President and founding member of the World Anti-Doping Agency (WADA).

⁶ For track and field results from the Seoul Games, see Christine Brennan, "Steve Lewis Tops Reynolds for 400m Gold," *The Washington Post*, 28 September 1988; and "Seoul 1988: Athletics," accessed 9 May 2020, <https://www.olympic.org/seoul-1988/athletics>; for comments on Exum's revelations in 2003, see Michael O'Keeffe, "USOC Gets Testy Over Investigation," *The New York Daily News*, 17 April 2003; and Bruce Dowbiggin, "Revelations Taint U.S. Olympic Athletes," *The Calgary Herald*, 17 April 2003.

time of 9.79 seconds, lowering his own world record by 0.04 seconds in what many considered an unexpected and lopsided victory over Lewis.⁷ Winning by such a wide margin he was “running in a private race against time,” according to coach Charlie Francis, the Jamaican-born speedster left no doubt that he was indeed the fastest man on Earth, having bested Lewis at the IAAF World Championships in Rome a year earlier.⁸ Proud beer-drinking Canadians toasted Johnson’s historic performance in taverns nationwide, and journalists rejoiced, branding him as “A National Treasure,” and “Ben-Tastic.”⁹ The sweet taste of victory, however, quickly turned sour. In a press conference three days later, International Olympic Committee (IOC) spokesperson Michelle Verdier announced Johnson had tested positive for Stanozolol – a banned anabolic steroid for which the IOC had only recently developed a test – in a post-race drug-screening, and would be stripped of his gold medal and world record.¹⁰ Days after singing his praises in their newspaper columns, the same reporters vilified him with phrases like, “Johnson cheated his way to glory,” and “he brought doom and gloom to Canada.”¹¹ Now the rightful winner of the 100 meter crown, Lewis set his sights on the 200 meters and 4 x 100 meter relay – a wise move considering he was the defending champion and gold-medal favorite in both events – and said little to journalists in Seoul about the scandal or Johnson’s character.¹² Five months

⁷ Steve Crawley, “9.79 Johnson Shatters Lewis and Clock,” *The Sun Herald* (Sydney), 25 September 1988; and “Lewis Had No Answer to Big Ben Johnson,” *Sunday Mail* (Queensland), 25 September 1988.

⁸ “Johnson Sets Sights on Lewis’ Olympic Crown,” *Courier-Mail* (Brisbane), 1 September 1987; for Francis’ comments on the race, see Charlie Francis with Jeff Coplon, *Speed Trap: Inside the Biggest Scandal in Olympic History* (New York: St. Martin’s Press, 1991), 247.

⁹ Jim Proudfoot, “It’s Just Ben-Tastic,” *The Toronto Star*, 24 September 1988; and Al Sokol, “Ben Johnson – A National Treasure,” *The Toronto Star*, 24 September 1988.

¹⁰ Janice Fuhrman, “Canadian Sprinter Ben Johnson Tested Positive,” *United Press International*, 26 September 1988; for further reading on the detection of Stanozolol in test samples, see Robert Masse, Christiane Ayotte, Honggang Bi, and Robert Dugal, “Detection and Characterization of Stanozolol Urinary Metabolites in Humans by Gas Chromatography – Mass Spectrometry,” *Journal of Chromatography* 497 (1989): 35-36.

¹¹ See for example Al Sokol, “Big Ben’s Career in Ruins,” *The Toronto Star*, 27 September 1988; and Al Sokol, “Ben Got Needle Club Doctor Injected Sprint Champ For Bursitis, Therapist Discloses,” *The Toronto Star*, 1 October 1988.

¹² Lewis refrained from using Johnson’s name, but “strongly implied” that his performance in Seoul was drug-fuelled. For example, in Pete Herrera, “The Pressure to Win an Olympic Medal...,” *The Associated Press*, 27

later, Lewis finally broke his silence in an interview with Australian journalist Peter Higgs: “Ben threw it back in our faces [and] said, “screw you world, I’m the fastest one alive.” He became hostile and wouldn’t shake hands after races,” said Lewis, “all those people who supported Ben feel let down and betrayed... now they can’t stand him.”¹³



Figure 1. Ben Johnson’s gold medal and world-record setting performance at the 1988 Summer Olympics in Seoul, South Korea.

September 1988, Lewis is quoted as saying, “I feel sorry for Ben and the Canadian people... Ben is a great competitor, and I hope he is able to straighten out his life and return to competition.” For additional comments, see Tony Kornheiser, “For Johnson, Fool’s Gold,” *The Washington Post*, 27 September 1988; and Mary Jollimore, “An AP Sportscene,” *The Associated Press*, 26 September 1989.

¹³ Carl Lewis in interview with Peter Higgs, cited in “New Style, but Carl’s Still Fired Up With Zeal,” *Sunday Mail* (Brisbane), 5 March 1989.

As a Canadian and lifelong track and field athlete, the USOC cover-up should boil my blood, but the historian in me knows better. By 1988, doping was already old news to journalists and fans on both sides of the border, and further, while Canadians are reputed to be polite and apologetic – a stereotypical view held by many Americans – the nation’s athletes were no angels. There was one notable distinction, however: Canadian sporting bureaucrats had no qualms about acknowledging the drug problem in the 1980s, or sanctioning athletes for violating anti-doping rules. Whether it was a young up-and-comer or Olympic medallist, all were fair game. From 1983 through 1988, thirty-two Canadians were penalized for doping, and faced public censure from sporting officials in polarizing public statements.¹⁴ Commenting on the positive test of Olympic weightlifting silver medallist Jacques Demers, for instance, Minister of Sport Otto Jelinek declared in a 1986 press conference, “I have cut [him] off from federal funding... and put an end to [his] career... I am emotionally upset and very disturbed by this situation... I can’t give second chances to Canadian athletes.”¹⁵

Sport’s dirty little secret was brought from the arcane to the mainstream at the 1983 Pan-American Games in Caracas, “the beginning of enlightenment” for fans and journalists, and a period of uncertainty and fear for athletes.¹⁶ An unprecedented nineteen athletes tested positive for banned substances at the Games, and an additional twelve Americans boarded planes and fled

¹⁴ Government of Canada, *The Commission of Inquiry into the Use of Banned Drugs and Practices Intended to Increase Athletic Performance*, commissioned by the Honorable Charles Dubin, 16 November 1988 - 19 September 1989 (Ottawa: Canadian Government Publishing Center, 1990), 98; amid revelations of widespread doping in the nation’s sports system, the Government of Canada established the *Dubin Inquiry* (as cited in later notes) to investigate patterns of drug use in domestic and international athletes. Chaired by Ontario Chief Justice Charles Dubin, the public hearings were held at a cost of approximately \$4 million, and televised over a ten-month period from late 1988 through the summer of 1989. Dubin concluded that drug use was rampant in high-performance sport, and sport administrators in Canada had been wilfully myopic, with some paying mere “lip service” to anti-doping guidelines, and others aiding and abetting drug use.

¹⁵ Al Sokol, “Feds Cut Off Drug Users Jelinek Admits Life Funding Ban Will Ruin Athletes’ Careers,” *The Toronto Star*, 17 July 1986.

¹⁶ Jan Todd and Daniel L. Rosenke, “‘The Event That Shook the Whole World Up:’ Historicizing the 1983 Pan-American Games Doping Scandal,” *The International Journal of the History of Sport* 33, nos. 1-2 (2016): 179.

Caracas for fear that they too would fall victim to the more sensitive drug-testing technology introduced earlier that summer.¹⁷ Under the direction of anti-doping pioneer Manfred Donike – a German chemist who had been researching the subject for more than a decade – the IOC adopted the Gas Chromatography-Mass Spectrometry (GC-MS) assay, a cutting-edge and reliable process for detecting the metabolic markers of most anabolic steroids.¹⁸ Importantly, the GC-MS narrowed the technology gap between testers and athletes, and closed what sport historian Terry Todd described as the “testosterone loophole,” a reference to athletes’ unbridled use of the male hormone without fear of testing positive.¹⁹

While the GC-MS could not distinguish synthetic from natural testosterone, samples with a testosterone to epitestosterone ratio (T/E Ratio) of greater than six-to-one – most individuals excrete the hormones at a ratio of one-to-one – were considered positive.²⁰ A year before the IOC endorsed the method for use in major sporting events, Donike conducted “informal testing” on samples collected at the 1980 Summer Olympics in Moscow and discovered a staggering twenty-percent were positive for testosterone.²¹ Given that anti-doping violations were recorded at every staging of the Winter and Summer Olympics since 1968, ironically, the *absence* of scandal drew the sting of journalists. In his popular book *The New Lords of the Rings: Olympic Corruption and How to Buy Gold Medals*, British Broadcasting Corporation (BBC) reporter Andrew Jennings quotes an anonymous KGB source as saying, “[Soviet athletes] were rescued

¹⁷ Ibid., 164; and Robert Fachel, “Eight Weightlifters Test Positive,” *The Washington Post*, 27 August 1983.

¹⁸ Todd and Rosenke, “The Event that Shook the Whole World Up,” 168; for a detailed description of the GC-MS assay, see Per Vestergaard, “The Analysis of Urinary Hormonal Steroids,” *Lipids* 15, no. 9 (1980): 710-718.

¹⁹ Terry Todd, “The Steroid Predicament,” *Sports Illustrated*, 1 August 1983; for further reading on the “testosterone loophole” see Todd and Rosenke, “The Event that Shook the Whole World Up,” 168-169; and “Testosterone Now Illegal,” *Track and Field News* 35, no. 2 (March 1982), 54.

²⁰ Thomas M. Hunt, *Drug Games: The International Olympic Committee and the Politics of Doping, 1960-2008* (Austin: University of Texas Press, 2011), 66 and Todd and Rosenke, “The Event that Shook the Whole World Up,” 167-170.

²¹ Manfred Donike in interview by Terry Todd, in Hunt, *Drug Games*, 161.

[from drug sanctions] with tremendous efforts” by way of undercover agents masquerading as IOC doping control officers; a case of sporting espionage if there ever was one.²² Likewise, in an article published after the Games, Australian journalist Robert Darroch lamented, “there [was] hardly a medal winner [in] Moscow... who was not on one sort of drug or another... The [Games] have brought the scandal of drug cheating out of the locker rooms and into the open... or at least into the shadows of daylight.”²³ Once characterized by IOC drug-testing chief Prince Alexandre de Merode as the “purest” in the history of the Olympic movement, the Moscow Games are more aptly likened to the hors d’oeuvre in a multi-course meal of sporting scandals during the 1980s, with the first dish served at the 1983 Pan-American Games.²⁴

While none of the twelve American deserters were found positive in Caracas, their mass exodus made headlines around the world, and dispelled the common misapprehension that doping was practiced only by nations opposite the Iron Curtain. When all was said and done, however, weightlifter Jeff Michels was the only American to test positive, compared to four Cuban athletes, and two each from the Dominican Republic, Chile, and Canada.²⁵ In a hotly contested super-heavyweight competition, the twenty-one-year-old Michels emerged as a serious medal threat for the upcoming Summer Olympics in Los Angeles, claiming gold medals in the clean and jerk, snatch, and total weight. For the young man heralded as “America’s best weight

²² Andrew Jennings, *The New Lords of the Rings: Olympic Corruption and How to Buy Gold Medals* (London: Simon and Shuster, 1996), 235-236.

²³ Robert Darroch quoted in Government of Australia, “Drugs in Sport,” *Interim Report of the Senate Standing Committee on the Environment, Recreation and the Arts* (Canberra, Australian Government Publishing Service, 1989), 10.

²⁴ Hunt, *Drug Games*, 61.

²⁵ Fred McMane, “A Cuban Fencer, Mario Durruthy Wilson...,” *United Press International*, 26 August 1983; “4 Lifters Lose Medals For Use of Steroids,” *The New York Times*, 23 August 1983; Frank Litzky, “Use of Steroids: Discovery in the Face of Disbelief,” *The New York Times*, 28 August 1983; Frank Litzky, “Chilean Cyclist is Disqualified,” *The New York Times*, 26 August 1983; Frank Litzky, “Some U.S. Athletes Leave Games at Caracas Amid Stiff Drug Tests,” *The New York Times*, 24 August 1983; and Frank Litzky, “Tully Returns and Wins Gold,” *The New York Times*, 27 August 1983.

lifter,” according to *New York Times* journalist Frank Litzky, the fall from grace was swift and cruel.²⁶ Three days after his breakout performance, drug-testing officials notified Michels that he had tested positive for synthetic testosterone – with a T/E ratio of nearly twice the allowable limit – in a post-competition drug-screening.²⁷ Notwithstanding the fact he gained the unenviable distinction as the first athlete to be sanctioned for testosterone, the positive assuredly came as a surprise. Days before leaving for Caracas, all eleven members of the U.S. weightlifting team were “pre-tested” for banned substances, and ironically, only Michels passed.²⁸ Those who failed remained on the team, and allegedly, were advised by team officials to deliberately fail three attempts in either the snatch or clean and jerk to avoid registering a total, or turn in subpar performances. In the first week of the Games – before chaos broke out in Caracas – only gold medallists and a select few chosen at random were subject to testing, and thus, a lifter could exercise either option to decrease the odds of being tested.²⁹

Canadian weightlifters, on the other hand, were left to their own devices, having traveled to Caracas without the luxury of pre-competition screenings.³⁰ Whether sporting officials were aware of the new and more sophisticated testing equipment – and forewarned athletes – or simply refused to buy in, two of the nation’s top weight men exited the Games alongside Michels. On 23 August, Pan-American Sports Organization (PASO) President Mario Vasquez

²⁶ Litzky, “Chilean Cyclist,” *The New York Times*, 26 August 1983.

²⁷ Robert Voy with Kirk D. Deeter, *Drugs, Sport and Politics: The Inside Story About Drug Use in Sport and Its Political Cover-Up with a Prescription for Reform* (Champaign, IL: Leisure Press, 1991), 79-81; and Steve Wilstein, “Jeff Michels Had Hoped to March In...,” *The Associated Press*, 28 July 1984.

²⁸ Frank Litzky, “U.S. Orders Athletes Drug Tests,” *The New York Times*, 25 August 1983.

²⁹ Voy, *Drugs, Sport and Politics*, 84-85; Todd and Rosenke, “The Event that Shook the Whole World Up,” 173; and Archie McDonald, “Laumann Lost Medal But Has Kept Her Good Name for this Most Venial of Sins,” *The Vancouver Sun*, 24 March 1995.

³⁰ There is no evidence to suggest members of the Canadian team in Caracas were pre-screened, however, in later years weightlifters underwent testing before returning home from pre-competition training camps in Europe. However, the practice was not sanctioned by Sport Canada or the Canadian Weightlifting Federation. See for reference Lisa Fitterman, “Coach Aware of Steroid Use,” *The Gazette* (Montreal), 14 September 1988; and *Dubin Inquiry*, 166-169.

announced that Canadians Guy Greavette and Michel Viau were among seven lifters to test positive for anabolic steroids in the first week of the Games.³¹ Much to the dismay of fans and journalists back home, both men were disqualified from the competition and banned for two years by the International Weightlifting Federation (IWF), and a year by Sport Canada – the government agency responsible for creating and enforcing policy for all national sports organizations (NSOs). Offering what would later become *the* obligatory response to drug scandals, team officials conveyed shock and dismay in the wake of the incident, and condemned steroid use as an act of moral turpitude practiced by a few bad apples. Most were aware, however, that doping had been rampant in Canadian weightlifting for years, and either turned a blind eye or assisted athletes in thwarting drug testers.³² Years later, Canadian Weightlifting Federation (CWF) coaches Aldo Roy and Raphael Zuffelato acknowledged that they were aware of anabolic steroid use in the national program, but “chose to ignore it.”³³ According to Yvon Chouinard, the CWF’s Vice President of Administration at the time, Roy heroically fell on his sword for Greavette and Viau, taking “full responsibility for the incident,” and consequently, was “crucified” by the Canadian public.³⁴ Recounting the incident in testimony years later, Roy equated international competition to war, and drugs as necessary weapons.³⁵

The Caracas affair marked Canada’s first major drug scandal, and third doping-related incident.³⁶ At the 1975 Pan-American Games in Mexico City, middle-distance runner Joan Wenzel tested positive for an unspecified banned substance contained in a “cold-cure tablet,”

³¹ Todd and Rosenke, “The Event that Shook the Whole World Up,” 170.

³² *Dubin Inquiry*, 141-144, 149, 152, 154, 164-173; four days after the scandal broke, Sport Canada’s Director Abby Hoffman stated, “I don’t think it’s any big surprise... no one has been under any misapprehension about the use of steroids among Canadians in certain sports.” To view the article, see Mike Gasher, “Test Weightlifters Better,” *The Province* (Vancouver), 26 August 1983.

³³ *Dubin Inquiry*, 149.

³⁴ Yvon Chouinard, *Origins of Canadian Olympic Weightlifting* (independent research monograph, 2011), 199.

³⁵ *Dubin Inquiry*, 149.

³⁶ *Ibid.*, 150.

according to a *New York Times* article, and was barred for life from competition by the International Amateur Athletic Federation (IAAF).³⁷ While it is unclear how the case was adjudicated, less than a year later the twenty-four-year-old registered a clocking of 2:05.6 in the 800 meters at the Martin Luther King Games in Atlanta, suggesting her lifetime ban had either been reduced or lifted entirely.³⁸ Six years after Wenzel, sprinter Alexis Paul-MacDonald tested positive for the anabolic steroid nandrolone at the Pacific Conference Games in Athletics, and likewise, was issued a lifetime ban by the IAAF. The Toronto-based athlete, who at the time shared a coach with the soon-to-be infamous Ben Johnson, argued the positive finding resulted from her use of the oral contraceptive Minestrin, a substance known to produce a metabolic profile similar to that of Nandrolone, a long-acting anabolic steroids.³⁹ In a 16 June 1982 *Globe and Mail* article, columnist James Christie reported the IAAF had decided lifetime bans were “unduly harsh” for first time offenders, and reduced MacDonald’s sanction to two years.⁴⁰ Nine days later, the Canadian Track and Field Association (CTFA; now known as Athletics Canada) lifted MacDonald’s ban, ruling she “did not consciously ingest any [anabolic] steroid.”⁴¹ While the 1988 Olympic trials cover-up may have been disquieting for some, there was indeed a precedent for the “inadvertent” positive.

In the years after Caracas, American sporting officials took great care to sidestep anti-doping rules – perhaps to abate further scandal – and did so unapologetically, crafting innocuous

³⁷ “Canadian Runner Banned For Life After Drug Test,” *The New York Times*, 27 November 1975; Marv Moss, “Life Ban Tracks Bitter Pill after Wenzel Pops Tablets,” *The Gazette* (Montreal), 27 November 1975; and *Dubin Inquiry*, 353; according to IAAF rules at the time, an athlete banned from competition had the right to an appeal, and if successful, could have a suspension reduced or lifted entirely. Wenzel returned to racing the following year, and was likely appealed the suspension successfully. For further reading, see John Boivin, “Toronto Sprinter Ineligible for Using Anabolic Steroids,” *The Globe and Mail*, 27 March 1982.

³⁸ “Williams Conquers Top Runners in 2 Sprints at King Games,” *The New York Times*, 23 May 1976.

³⁹ Boivin, “Toronto Sprinter Ineligible,” *The Globe and Mail*, 27 March 1982.

⁴⁰ James Christie, “Federation Lifts Ban on Toronto Sprinter,” *The Globe and Mail*, 16 June 1982.

⁴¹ James Christie, “CTFA Plans Spot Checks Over Steroids,” *The Globe and Mail*, 25 June 1982.

turns of phrase like “inadvertent use” and “pre-declared substances,” and dubious “educational programs.”⁴² With regard to the latter, in 1984 the USOC hired biomechanist and steroid proponent Paul Ward to, in theory, lead an initiative aimed at “keep[ing] athletes from using drugs [and] hurting their health.”⁴³ Whether by design or egregious oversight, said Ward in a *Los Angeles Times* interview, the program mainly provided athletes with information on what drugs to take and when to take them. “This is a way to get as much information as possible to the athletes,” said Ward in June 1984 interview, “I could sell the athletes on this because they trust me... Sure, it’s a USOC program, but we can do what we want with it.”⁴⁴ Funded by the federal government, the Committee educated athletes on the safe use of ergogenic drugs, their unique biochemical properties, and how to avoid a positive test.⁴⁵ At a news conference in January of 1985, USOC Executive Director F. Don Miller revealed that eighty-six American athletes failed drug screenings in the nine-month period preceding the Los Angeles Olympics.⁴⁶ Thirty-three were found positive for banned stimulants and fifty-three for anabolic agents, but none faced penalties, Miller noted, as the “informal” testing program was established as a safety net to abate further scandal.⁴⁷ Perhaps not surprisingly, none of the offenders were “eighty-sixed” from the Olympic team, nor were their identities revealed.⁴⁸

⁴² “Olympics Advisor Advocates Steroids,” *United Press International*, 1 July 1984.

⁴³ Randy Harvey, “USOC Coach Helps Athletes With Drug Tests,” *The Los Angeles Times*, 30 June 1984.

⁴⁴ *Ibid.*

⁴⁵ This is not to suggest the federal government had a hand in the “educational program,” nor that there existed a state-sponsored doping program akin to the German Democratic Republic or Soviet Union. The USOC is a government agency created by the Amateur Sports Act (ASA) in 1978. In Dionne Koller, “Does the Constitution Apply to the Actions of the United States Anti-Doping Agency,” *Saint Louis University Law Journal* 50 (2005): 94-96, the author explains that the USOC is “subject to considerable government oversight and influence,” and at the time, was funded primarily by the U.S. government. For further reading on the historical foundations and organizational mandate of the USOC, see Brian Dziewa, “USADA the Unconquerable: The One-Side Nature of the United States Anti-Doping Administration’s Arbitration Process,” *Saint Louis University Law Journal* 58 (2014): 885-888.

⁴⁶ Todd and Rosenke, “The Event that Shook the Whole World Up,” 178.

⁴⁷ Christine Brennan, “86 Americans Failed USOC’s Drug Tests,” *The Washington Post*, 11 January 1985.

⁴⁸ *Ibid.*; in service industry parlance, “eighty-sixed” is a colloquialism for ejecting, or refusing drink service to a customer.

As America's sporting governance sought to make astute dopers of athletes, the Government of Canada constructed a system of deterrence and enforcement, or at least made an earnest attempt. Four months after Greavette and Viau made their shameful exits from Caracas, Sport Canada unveiled *Drug Use and Doping Control in Sport: A Sport Canada Policy*, an instructive template for the modern national anti-doping program.⁴⁹ While other nations left drug enforcement in the hands of international federations like the IWF and IAAF – subjecting athletes to testing strictly in major global competitions – the policy required national governing bodies (NGBs) to develop individualized anti-doping programs, and operational plans for drug-screening at national championship events and during training periods.⁵⁰ In terms of penalties, any athlete found guilty of doping faced a minimum one-year ban from domestic competition, and from Sport Canada's Athlete Assistance Program (AAP) – a merit-based funding program that grants training and competition stipends to the nation's top athletes – for the duration.⁵¹ While *Drug Use and Doping Control* laid the groundwork for an incomparable system of enforcement, it proved to be a double-edged sword. In ensuing years, Canada became a world leader in the international anti-doping movement *and* in drug sanctions. From 1984 through 1988, for instance, Canadian track and field athletes committed eighteen anti-doping violations, three more than their well-educated American rivals.⁵² It is worthy to note that, of the fifteen

⁴⁹ Norway and Sweden had initiated out-of-competition testing programs since the late 1970s, however, neither program had the resources necessary to conduct comprehensive testing. See for reference Bjorn Barland, *Compliance With Commitments Project: Respect by Norway of the Anti-Doping Convention* (Oslo, Norway: Ministry of Cultural Affairs, 1997); and *Dubin Inquiry*, 423-424.

⁵⁰ Government of Canada, Fitness and Amateur Sport, *Drug Use and Doping Control in Sport: A Sport Canada Policy* (Ottawa, Canada: Minister of State, Fitness and Amateur Sport, 1984), 2.

⁵¹ *Ibid.*

⁵² *Dubin Inquiry*, 351-354; the following Canadian track and field athletes were banned for doping during this five-year span: Ben Johnson, Angella Issajenko, Tony Sharpe, Desai Williams, Mark McKoy, Molly Killingbeck, Mike Sokolowski, Peter Daija, Rob Gray, Harold Willers, Mike Spiritoso, Linda McCurdy-Cameron, Dave McKnight, Cheryl Thibedeau, Kevin Tyler, Andrew Mowatt, and Tony Issajenko. For further details see Michael Janofsky, "Coach Tells a Canadian Inquiry Johnson Used Steroids Since '81: 10 Other Track Athletes Also Cited in Inquiry," *The New York Times*, 2 March 1989; and Randy Starkman, "Canadian Track Body Slaps Mark McKoy With Two-Year Ban," *The Toronto Star*, 9 January 1989. Each of the fifteen American sanctions came in major international

U.S. athletes, hammer thrower Bill Green was the only one to medal at a major championship, earning a silver at the 1987 Pan-American Games in Indianapolis.⁵³ In contradistinction, the list of Canadian sanctions includes several top international stars: Angela Issajenko, the Commonwealth Games champion at 100 meters in 1982, and the 1987 World Indoor champion at 60 meters; Mark McKoy, the 1986 Commonwealth Games champion and – after serving his doping ban – 1992 Olympic gold medallist in the 110-meter hurdles; and of course, the notorious Ben Johnson, the 100 meter bronze medallist in Los Angeles, two-time world indoor champion at 60 meters, gold medallist at the 1987 IAAF World Championships in Rome, and for less than three days, winner of the 100-meter final in Seoul.⁵⁴

UNDERSTANDING THE 1980s SUPPLY CHAIN

Some thirty-two years later, Ben Johnson's positive test remains the event most closely associated with the Games in Seoul, and has been cited by scholars as *the* formative incident in the history of the anti-doping movement.⁵⁵ Sporting administrators in Canada may have been ill-prepared for the Caracas affair, but had never confronted a scandal involving a global star like Johnson, at an Olympic Games no less. In the fall of 1988, the Government of Canada

events. Considering neither the Federation nor TAC were conducting out-of-competition testing at the time, this came as little surprise. Two U.S. athletes - Dave Voorhees and August Wolf - were also penalized for refusing drug tests. Of further note, Greece ranked third on the list with only four drug positives, eleven fewer than the U.S.

⁵³ World Athletics, "Athlete Profiles – Bill Green," accessed 16 May 2020, <https://www.worldathletics.org/athletes/united-states/bill-green-186156>.

⁵⁴ *Dubin Inquiry*, 297-298; "Canadian Los Angeles 100m Bronze Medallist Ben Johnson...", *Courier-Mail* (Brisbane), 17 January 1985; "Heike Drechsler and Ben Johnson Left the Record Books...", *Courier-Mail* (Brisbane), 9 March 1987; "Johnson Sets Sights," *Courier-Mail* (Brisbane), 1 September 1987; and Steve Crawley, "Why, Ben? What Are We Going to Tell the Kids?; The Johnson Affair," *Sydney Morning Herald*, 28 September 1988.

⁵⁵ See for example Ian Ritchie and Greg Jackson, "Politics and Shock: Reactionary Anti-Doping Policy Objectives in Canadian and International Sport," *International Journal of Sport Policy and Politics* 6, no.2 (2014): 196, 203; and Neil Chester and Nick Wojek, "Regulation of Anti-Doping in Sport: International and National Operational Frameworks," in *Drugs in Sport*, eds. David R. Mottram and Neil Chester (New York: Routledge, 2015), ebook, chap. 3.

established *The Commission of Inquiry into the Use of Banned Substances and Practices Intended to Increase Athletic Performance* (commonly known as the *Dubin Inquiry*), public hearings held in Toronto over a ten-month period, at a cost of \$4 million. Chaired by Ontario Chief Justice Charles Dubin, the inquest centered on patterns of drug use in elite sport, problems with anti-doping rule enforcement, and supply lines for performance-enhancing drugs, drawing data from 119 witnesses, and 14,817 pages of testimony.⁵⁶ In his final report from the proceedings, Dubin noted the following regarding sport in North America:

Athletes who cheat must bear their full share of responsibility... but they should not be held solely responsible... others involved in the care and training of athletes cannot escape responsibility for the sorry state of sport today... athletes and other nonmedical users of these drugs obtain them through black market sources, such as gymnasiums, dealers, and mail order, and through legitimate sources, such as physicians, veterinarians, and pharmacies... There is no doubt that the increased incidence of the use of banned substances in sport is due in part to the proliferation of sources of supply that have put these substances within reach of athletes.⁵⁷

Supply lines for performance-enhancers were indeed a central point of discussion in the inquiry. Dubin attributed the proliferation of anabolic steroids – both in medicine and the black market – to “inadequate regulatory controls” and “insignificant” penalties for their unlawful distribution.⁵⁸ For several witnesses called to testify, evidently, so long as the drugs worked as advertised supply sources were of little consequence. Angella Issajenko, for instance, listed five different sources from which she procured banned substances during her athletic career: physicians Gunther Koch, Robert Kerr, and Jamie Astaphan; and throwers Brian Oldfield and Bishop Dolegiewicz. According to Charlie Francis – who coached Issajenko, Ben Johnson, and several other elite Canadian sprinters in the 1980s – Dolegiewicz had been operating a makeshift “smuggling for resale” operation since the mid-1970s, purchasing steroids in bulk from Mexican

⁵⁶ *Dubin Inquiry*, xxi.

⁵⁷ *Ibid.*, 355, 369, 518.

⁵⁸ *Dubin Inquiry*, 378, 545.

pharmacies and reselling to national team athletes for a tidy profit.⁵⁹ Described by Dubin as having “a fund of knowledge on performance-enhancing substances,” Dolegiewicz allegedly sold Dianabol and Stanozolol to Francis’ sprint group from 1979 through 1982, and was one of their principal drug suppliers until his retirement in 1985.⁶⁰ In later testimony, Canadian shot putter Bruce Pirnie revealed that he first obtained steroids from an American hammer thrower in 1970, and beginning in 1972, “by prescriptions from a team doctor and another physician” in Winnipeg, his home town and training locale.⁶¹ At the time, the three-time Olympian noted, he knew of “several doctors” in the area “who were well-known sources of steroids.”⁶²

While the proceedings were rife with rumors and supposition, and contentious testimony, Dubin’s finding that medical doping was widespread in North American sport was well-substantiated. For athletes and recreational lifters, evidently, gaining access to anabolic steroids was as straightforward as finding a physician willing to prescribe them – Dubin noted that their names “circulate widely” by word of mouth – and booking an appointment.⁶³ Johnson’s positive in Seoul was a key issue for the inquiry’s investigators, and a name that continued to “circulate” in the inquiry was Jamie Astaphan, a Toronto physician, and by the testimony of at least a dozen witnesses, a principal source of performance-enhancing drugs for Canada’s premier track

⁵⁹ Ibid., 230; and Joseph Hall and Mary Ormsby, “Coach Hints at World Stars Using Steroids Johnson Knowingly Took Drugs: Francis,” *The Toronto Star*, 2 March 1989; in Eugene M. Lewit and Douglas Coate, “The Potential for Using Excise Taxes to Reduce Smoking,” *Journal of Health Economics* 1, no. 2 (1982): 121-145, the authors use the phrase “smuggling for resale” in reference to the wholesale purchase and importation of cigarettes from foreign countries.

⁶⁰ *Dubin Inquiry*, 229-230; Michael Janofsky, “Canadian Shot-Putter Tells of Steroid Role,” *The New York Times*, 27 July 1989; Herbert H. Denton, “Coach Says Johnson Took Steroids Since ‘81; Ex-Gold Medalist Was Told All Top-Ranked Sprinters Used Drugs,” *The Washington Post*, 2 March 1989; and Joseph Hall and Mary Ormsby, “He Injected Steroids in Ben, Coach Says Johnson Said On Drugs Before Record Run in ‘87,” *The Toronto Star*, 2 March 1989; for details on Dolegiewicz’s career achievements, see “Former Canadian Track and Field Veteran Bishop Dolegiewicz Dead at 55,” *The Canadian Press*, 30 October 2008; Steven Olderr, *The Pan American Games: A Statistical History, 1951-1999* (Jefferson, NC: McFarland and Co. Inc., 2003), 19; and Randy Starkman, “Bishop Dolegiewicz Dies,” *The Toronto Star*, 1 November 2008.

⁶¹ *Dubin Inquiry*, 228.

⁶² Ibid., 357.

⁶³ Ibid., 356.

athletes.⁶⁴ From 1983 through the Games in Seoul, the native of St. Kitts and Nevis furnished Francis' sprint group – Johnson, Issajenko, and McKoy being the most noteworthy – with an assortment of banned substances, including testosterone, human growth hormone (HGH), the anabolic steroids Stanozolol, Anavar, and Dianabol, and the diuretic masking agent Moduret.⁶⁵ A licensed physician in Ontario, Astaphan had easy access to pharmaceutical-grade medications, but in circumstances involving drugs that were heavily regulated or in limited supply, turned to the black market. “One of [Astaphan's] suppliers, Steve Brisbois... a bodybuilder and former Mr. Universe... purchased various drugs on the black market and sold them to Dr. Astaphan,” said Dubin, “who, in turn, sold them to the athletes... without knowing... the source or quality.”⁶⁶ In testimony on 10 May 1989, Brisbois described their first meeting in 1985 – a year before capturing his first bantamweight Mr. Universe title – and dozens of illicit drug deals over a two-year period; both men playing the roles of buyer and seller. According to a *Toronto Star* article, he first learned of Astaphan's practice “through loose talk at Gold's Gym, where [other bodybuilders] told him the doctor was an easy mark” for steroid prescriptions.⁶⁷

After months of speculation, on 25 May 1989 the now-notorious doctor appeared before the commission for his first of six gruelling days on the witness stand. Reporting on the proceedings, *Toronto Star* journalists Joseph Hall and Mary Ormsby summarized what was assuredly the most intense week in more than four months of testimony, a defensive Astaphan, and an exasperated Dubin. Of particular note, Astaphan was the fourth doping physician to

⁶⁴ Astaphan's role in doping Canadian track and field athletes has been well-documented, however, the scope of his duties has been disputed, most notably by Astaphan himself. Nevertheless, the following witnesses were consistent with this allegation: Charlie Francis, Ben Johnson, Angella Issajenko, Anthony Issajenko, Tony Sharpe, Molly Killingbeck, Dave McKnight, Waldemar Matuszewski, Desai Williams, Cheryl Thibedeau, Dave Steen, and Wilfred Wedmann.

⁶⁵ *Dubin Inquiry*, 298, 251, 253, 314.

⁶⁶ *Ibid.*, 252-253.

⁶⁷ Joseph Hall and Mary Ormsby, “Astaphan Sought Drug Connection, Bodybuilder Says,” *The Toronto Star*, 11 May 1989.

attend the hearings – fellow-Toronto physicians Gunther Koch and Ara Artinian, and California physician Robert Kerr had already come and gone – but the first to receive a verbal undressing. Evidently, the Justice was unwilling to accept Astaphan’s contention that “the Hippocratic Oath compelled him to supervise and prescribe steroid programs for Johnson” and his teammates, “because it would endanger their health to [self-administer] the drugs.”⁶⁸ In the aptly titled article, “Dubin Berates Astaphan on Steroids,” Hall and Ormsby noted that Dubin “berated” him for perverting the morals of young athletes by making the use of banned drugs seem acceptable,” and leading them to believe “it would be alright if a doctor was giving it to them.”⁶⁹ Perhaps Dubin was tired of hearing about unscrupulous physicians placing docile patients in harm’s way. Months earlier Artinian revealed to the inquiry that, from 1981 through 1988, he regularly dispensed black-market anabolics to football players and bodybuilders.⁷⁰ Having heard testimony from dozens of athletes, sporting officials, and doctors, Dubin concluded that supply lines for anabolics in North America, both licit and illicit, emerged in the mid-1960s and had grown considerably in the intervening years.⁷¹

By all accounts, the black market for anabolics was well-established by the late 1960s. In testimony before the California Legislature in October of 1970, sports physician and steroid expert H. Kay Dooley described an informal “smuggling for resale” economy similar to Dubin’s finding eighteen years later. An advocate for physician-supervised doping, Dooley served as head of medical services at the U.S. track and field team’s pre-Olympic training camp in 1968, staged in South Lake Tahoe several weeks before the Summer Olympics in Mexico City were

⁶⁸ Joseph Hall and Mary Ormsby, “Dubin Berates Astaphan on Steroids,” *The Toronto Star*, 1 June 1989.

⁶⁹ Ibid.

⁷⁰ *Dubin Inquiry*, 356.

⁷¹ Ibid., 109, 360, 362.

underway.⁷² At the time, according to Dooley, the black market for anabolics was driven by the surreptitious activities of athletes competing abroad. “World-class athletes travel all over the world... and [to] different parts of the United States [for competitions]... and have the opportunity to obtain [anabolic steroids] legally in the countries they visit,” he explained, “it is also very easy to get [them] in Tijuana, or whatever else they might want.”⁷³ American track and field coach and former Olympian Eddie Hart echoed Dooley’s statements in an appearance before the U.S. Senate in July of 1973, the same proceedings in which Cooper had testified a month earlier. After earning a gold medal in the 4 x 100 meter relay at the 1972 Munich Olympics, Hart accepted a coaching position at the University of California, and had developed a keen interest in “how [anabolic] steroids are obtained, and the costs... of getting the drugs.”⁷⁴ The issue was raised by Subcommittee Chairman Birch Bayh midway through the proceedings, to which Hart responded, “[athletes] are able to buy large quantities of... steroids for very small amounts of money in South America and Mexico... from what I understand, many [American athletes] from the 1971 Pan American team brought back large quantities of steroids from South America.”⁷⁵

A USOC investigation in the late 1970s lends credence to the statements of Dooley and Hart. In the fall of 1978 the Committee’s Sports Medicine Council convened a drug task force to gather intel on the doping habits of American athletes, and according to the Council’s Chairman and founder Irving Dardick, “gauge the problem accurately” for the first time.⁷⁶ Among other

⁷² Bob Goldman, Ronald Klatz, and Patricia Bush, *Death in the Locker Room: Steroids & Sports* (South Bend, IN: Icarus Press, 1984), 49; and *Proper and Improper Use of Drugs by Athletes: Hearings Before the Subcommittee to Investigate Juvenile Delinquency*, 93 Cong., 1st sess., 18 June, 12-13 July 1973, 160.

⁷³ *Drug Abuse in Athletics: Assembly Interim Subcommittee on Drug Abuse and Alcoholism*, “Testimony of H. Kay Dooley, 20 October 1970, 9-10.

⁷⁴ *Proper and Improper Use of Drugs*, “Testimony of Eddie Hart,” 290-291.

⁷⁵ *Ibid.*, 293.

⁷⁶ Neil Amdur, “Mounting Drug Use Afflicts World Sports,” *The New York Times*, 20 November 1978; and Barry Lorge, “A Thoroughly Modern Athlete: Bigger, Better - and on Drugs; ‘This Isn’t a Sporadic Case, It’s More Like an

findings, the eight-month investigation unearthed evidence of “rampant anabolic steroid use” in the nation’s track and field athletes, measures taken to thwart drug-testing protocols, and supply sources for anabolic steroids.⁷⁷ Published in *The Washington Post* on 27 May 1979, the task force concluded that cross-border smuggling was also standard fare for athletes, and represented a major supply line in the underground market. An excerpt from the report reads as follows: “Southern California athletes make regular “steroid runs” to Mexico, where the drugs are available over the counter, and bring back bulk orders – several thousand dollars worth at a time – to keep themselves and friends fully-stocked for weeks or months.”⁷⁸

By the early 1980s, underground sources for anabolics had evolved well beyond the freelanced drug-peddling of athletes seeking a financial windfall. Indeed, a Food and Drug Administration (FDA) investigation launched in 1982 uncovered a sophisticated smuggling and trafficking network involving international borders, racketeering, and a cabal of dealers across the United States. Similar to illicit street drugs like cocaine and heroin, anabolics were being sold wholesale to large-scale distributors, then to middlemen and small-time peddlers.⁷⁹ In his ground-breaking 1983 article “The Steroid Predicament,” Terry Todd revealed that more industrious dealers had taken to advertising their products in mail-order catalogues, from which customers could purchase muscle-building drugs anonymously and with a great deal of ease.⁸⁰

Two months after the article was published, professional wrestler and future Governor of

Epidemic,” *The Washington Post*, 27 May 1979; for biographical details on Irving Dardick, see Joe Nicholson, “Doc a Real Cure-iosity,” *New York Daily News*, 13 August 1995.

⁷⁷ Lorge, “A Thoroughly Modern Athlete,” *The Washington Post*, 27 May 1979.

⁷⁸ Ibid.

⁷⁹ See for reference Kay Cahill, “Olympic Advisor Linked to Steroid Sale,” *Austin American Statesman*, 13 July 1984; David Granger and Alan Schmodtke, “Steroid Dealer Linked to AU,” *The Alabama Journal*, 30 July 1985; David Granger, “A Steroid Story: Sandlin Thought Drugs Were the Way to the Big Time,” *The Alabama Journal*, 1 August 1985; Shaun Assael, *Steroid Nation: Juiced Home Run Totals, Anti-Aging Miracles, and a Hercules in Every High School: The Secret History of America’s True Drug Addiction* (New York, NY: ESPN Books, 2007), 12; and Philip Halpern in interview with author, 24 August 2019.

⁸⁰ Todd, “The Steroid Predicament,” *Sports Illustrated*, 1 August 1983.

Minnesota Jesse Ventura explained to journalist Alvin Sanoff that gaining access to the drugs was as simple as approaching the resident dealer at any gym or fitness center, and was “just a matter of being in the right circle.”⁸¹

Whether it entailed “being in the right circle,” or a simple mail order purchase, a casual bodybuilder or Olympian, steroids were easy to come by on the underground market. In a *Los Angeles Times* interview published on 31 January 1984, FDA spokesman Edward Nida stressed that illicit supply sources for anabolics had existed for decades, largely because federal authorities considered it a low-priority issue. “[Selling steroids] isn’t that difficult if you look like you’re for real... and you stay away from narcotics,” he informed staff writer Ann Japenga.⁸² Not that difficult indeed. By 1984, steroid-related infractions fell strictly under the purview of the FDA, an agency that lacked the necessary resources and investigative experience to pursue such matters.⁸³ Under the U.S. Food, Drug and Cosmetic Act (FDCA), the unlawful importation and trafficking of anabolic steroids were misdemeanor offenses, and no such cases were prosecuted in the United States until 1982.⁸⁴ By way of context, black-market cigarette dealers, known colloquially as “bottleleggers,” faced criminal penalties far more severe than convicted steroid traffickers.⁸⁵ Unimpeded by law enforcement and the spectre of hefty

⁸¹ Alvin P. Sanoff, “Drug Problem in Athletics: It’s Not Only the Pros,” *U.S. News and World Report*, 17 October 1983.

⁸² Ann Japenga, “Guidebook to Steroid Use is Called Deceptive and Dangerous,” *The Los Angeles Times*, 31 January 1984.

⁸³ Philip Halpern in interview with author, 26 August 2019; and United States General Accounting Office, *Drug Misuse: Anabolic Steroids and Human Growth Hormone: Report to the Chairman, Committee on the Judiciary, U.S. Senate* (The United States General Accounting Office, August 1989), 30.

⁸⁴ Philip Halpern in interview with author, 24 August 2019; and Granger and Schmodtke, “Steroid Dealer Linked,” *The Alabama Journal*, 30 July 1985.

⁸⁵ Contraband Cigarette Trafficking Act, Pub. L. No. 95-575, 92 Stat. (1978), 18 U.S.C. 2344, A-C, accessed 8 February 2020, <https://www.govinfo.gov/content/pkg/STATUTE-92/pdf/STATUTE-92-Pg2463.pdf#page=1>; for criminal convictions prior to 1982, see for example Tom Sherwood, “District Convicts Man in Illegal Cigarette Sales,” *The Washington Post*, 24 August 1979; “Snaring the Cigarette Smugglers,” *Newsweek*, 25 February 1980; and “Ten of 12 Plead Guilty in Cigarette Smuggling Case,” *The New York Times*, 27 November 1980; for “bottlelegging,” as a colloquialism, see Blaine Harden, “Bottlelegging: Federal Agents ‘Sting’ Cigarette Smugglers,” *The Washington Post*, 29 June 1980; Joseph F. Zimmerman, *Horizontal Federalism: Interstate Relations* (Albany,

sanctions, bodybuilders and elite athletes were free to import and distribute large quantities of anabolics for resale in North America, with near impunity. Quoted in Japenga's article, author and self-proclaimed doping guru Dan Duchaine revealed that, for years, European bodybuilders had been financing their trips to the U.S. by smuggling "non-U.S.A.-approved drugs [into the country] and selling them" at competitions and local weight rooms.⁸⁶

The underground trade was not strictly a venture for bodybuilders and barbell men. According to several sources, black-market anabolics were also widespread in American football, ranging from high school players to the professional ranks. Quoted in the *New York Times* late edition on 28 August 1983, an unnamed defensive player for the National Football League's (NFL) San Diego Chargers revealed that obtaining the drugs was as simple as driving thirty minutes south on the Interstate-5 highway, where they were in ample supply. "If [a player] here wanted [steroids], he could drive down to Tijuana, where you can buy them over the counter," he told staff writer Michael Janofsky.⁸⁷ By the early 1980s, according to an FDA source, underground anabolics had pervaded high school and collegiate athletics. In the early stages of its investigation, Sanoff reported in his 1983 article, a former varsity cheerleader revealed that several defensive linemen on her school's football team regularly purchased steroids from the "brother of a school alumnus" who played for a top-ranked college football program.⁸⁸

While the Government of Canada "politely" investigated the drug issue in non-punitive public hearings, American politicians sought to put steroid traffickers behind bars.⁸⁹ The issue

NY: State University of New York Press, 2011), 161; and James H. Rubin, "Inflation Contributing to Decrease in Cigarette Bootlegging," *The Associated Press*, 17 April 1980.

⁸⁶ Ibid.

⁸⁷ Michael Janofsky, "Adviser Suspects N.F.L. Steroid Use," *The New York Times*, 28 August 1983.

⁸⁸ Sanoff, "Drug Problem in Athletics," *U.S. News and World Report*, 17 October 1983.

⁸⁹ *Dubin Inquiry*, xxvii; in the commission's summary report, Dubin noted the following: "the commission is not a trial. No one is charged with any criminal offense, nor is anyone being sued... There is no dispute between parties as

landed expeditiously on the legislative agenda after federal agents upended a sophisticated smuggling and distribution network operating on the U.S.-Mexico border; an underground organization valued in excess of \$100 million, and responsible for an estimated seventy-percent of the nation's black-market anabolics.⁹⁰ In a 2019 interview, Assistant U.S. Attorney Philip Halpern – the lead prosecutor in the case – recalled that legislators “annexed the issue within months” of investigators’ dismantling of the criminal syndicate.⁹¹ By way of context, the drug bust coincided with President Ronald Reagan’s reinvigorated War on Drugs, a period defined by unprecedented levels of public anti-drug mobilization, and heavy government efforts to increase criminal penalties for possession and trafficking.⁹² In his weekly radio broadcast to the nation, on 3 October 1982, Reagan declared, “We’ve taken down the surrender flag and raised the battle flag... we’re making no excuses for drugs – hard, soft, or otherwise... Drugs are bad and we’re... going to win the war on drugs.”⁹³ Doubling down on a campaign introduced by the Nixon administration in the early 1970s, Reagan presided over sweeping budgetary increases for federal drug enforcement units in his two terms, and in late 1982, established twelve regional task forces across the United States to combat drug trafficking and organized crime.⁹⁴ In

such, and no legal rights are determined. It is intended to be an independent, objective inquiry... with a view to ascertaining what has transpired... and seek a way of correcting the errors of the past.”

⁹⁰ *United States of America v. David Jenkins, Juan Javier Macklis, Daniel Duchaine, William P. Dillon, James M. Insko, Robert Wantz Jr., David Grigus, Leonard T. Swirda, Toivol Mansen, Michael MacDonald, Michael Marzella, Lon Zeigler, Jeffrey Golini, Normand Bergland, John Sleconich, Mark Depew, Steven Henneberry, Patrick Jacobs, Jeffrey Jarrison, Thomas Binns, Gerald Jones, Steven Marx, Steven Hein, Dennis J. Motte, Garry de Paepe, Vito Elefante, Gil R. Thompson, Rafael Lepe-Duenas, Samuel Martinez-Moreno, Jose Zapata, Marco Macklis, Culberto Lopez, Fito Alvarez, United Pharmaceuticals, Laboratorios Milano de Mexico, United States District Court Southern District of California, Criminal Case no. 87-0491-JLI, 20 May 1987; and Susan Murray, “Authorities Smashed a Steroid Smuggling Network,” *United Press International*, 21 May 1987.*

⁹¹ Philip Halpern in interview with author, 24 August 2019.

⁹² Lisa N. Sacco, *Drug Enforcement in the United States: History, Policy, and Trends* (Washington, D.C.: The Congressional Research Service, 2014), 13; and Meeyoung Lamothe, “Analysis of Agenda-Setting Patterns and Policy Consequences in American Drug Policies” (Ph.D. diss., Florida State University, 2000), 161.

⁹³ “President Ronald Reagan Today Promised that the Federal Government,” *The New York Times*, 3 October 1982.

⁹⁴ Linda K. Mancillas, *Presidents and Mass Incarceration: Choices at the Top, Repercussions at the Bottom* (Santa Barbara, CA: Praeger, 2018), 65; and “First Billion-Dollar Budget for FBI,” *The Associated Press*, 31 January 1983.

November of 1988, Congress signed into law The Anti-Drug Abuse Act (ADAA), an amendment to the FDCA that added anabolic steroids and HGH to America's long list of enemy combatants in the War on Drugs. Convicted traffickers now faced a minimum of three years in prison and a \$25,000 fine, and "longer prison terms if distribution or intent is directed at an individual under the age of 18."⁹⁵ Further, the Act criminalized the distribution of steroids and HGH "other than for the *treatment of a disease* in accordance with a physician's order."⁹⁶ In effect, the ADAA severed the legitimate supply line for anabolic steroids, as there was no longer a distinction between medical doping and illicit drug trafficking.⁹⁷

In the spring of 1990, the U.S. Senate introduced a bill pursuant to codifying anabolic steroids and HGH as Schedule III substances. First introduced by New Jersey Congressman William J. Hughes on 26 April, the proposed legislation criminalized their possession and distribution, and the act of "endeavor[ing] to persuade an individual... to illegally possess or use [them]."⁹⁸ The Subcommittee on Crime and the Judiciary held two subsequent hearings in the summer and fall of 1990, and the following December the bill was ratified as an amendment to the Federal Controlled Substances Act (CSA) of 1970.⁹⁹ Titled "The Anabolic Steroids Control Act (ASCA)," the legislative language merged anabolic steroids with America's War on Drugs, citing their widespread abuse in sport, underground trafficking networks, and potential dangers to America's youth.¹⁰⁰ The Act classified twenty-seven commonly used anabolic steroids, and HGH, as Schedule III substances under the CSA, and called for maximum penalties of one year

⁹⁵ The Anti-Drug Abuse Act of 1988, H.R. 5210, 21 USC 333a., 100th Cong. (1988), sec. 2402, 4230.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ The Anabolic Steroids Control Act of 1990, H.R. 4658, 101 Cong. (1990), sec. 2(A-C), 3(B); sec. 3(E).

⁹⁹ Ibid.

¹⁰⁰ Ibid., sec. 2 (A-F).

in prison for their unlawful possession, five years for trafficking, and two for those convicted of “persuasion” to commit these offenses.¹⁰¹

If revelations from the Dubin Inquiry are any indication, the situation in Canada was no better. Black-market anabolics – both legitimate and counterfeit – abounded in local weight rooms and national training centers, with modes of distribution varying in size, sophistication, and inventory. According to investigator Ken St. Germain, whom Dubin praised as “a very experienced drug-enforcement officer,” virtually all performance-enhancing drugs were available to underground consumers, most of whom had access to multiple distribution networks; small-time peddlers at the local fitness center, smuggling for resale enterprises, sophisticated cross-border trafficking rings – for the brazen or entrepreneurially-oriented – and of course, the neighborhood medical clinic.¹⁰² Having visited gyms from coast to coast and borne witness to the extent of the problem, St. Germain estimated that the Canadian black market was worth up to \$60 million annually.¹⁰³ Granted, this was a relative valuation based on American data, but considering Canada had a population approximately one-ninth the size of the United States at the time, there was certainly cause for concern.¹⁰⁴ While athletes, sporting bureaucrats, and select politicians argued for rigorous legislation – as did Dubin in his report on the Inquiry – the Government of Canada responded as though the drug problem was confined to elite sport, and could be remedied by way of a ten-month fact-finding mission and new and improved anti-

¹⁰¹ Bud Selig, and Robert D. Manfred Jr., “The Regulation of Nutritional Supplements in Professional Sports,” *Stanford Law & Policy Review* 15, no.1 (2004): 37; *The Anabolic Steroids Control Act: Hearings on H.R. 4658 before the Subcommittee on Crime of the House Commons on the Judiciary*, 101st Cong. (1990); the ASCA of 1990 delineated a broad definition of what constitutes an anabolic steroid and a comprehensive list of proscribed anabolic drugs. The Act also cites anabolic steroid abuse among high school athletes as a forerunner to the legislation.

¹⁰² *Dubin Inquiry*, xxiv.

¹⁰³ *Ibid.*, 360.

¹⁰⁴ See for reference Statistics Canada, “Estimated Population of Canada, 1605 to Present,” accessed 4 February 2020, <https://www150.statcan.gc.ca/n1/pub/98-187-x/4151287-eng.htm>; and United States Bureau of the Census, *Statistical Abstract of the United States: 1988* (Washington, D.C.: United States Government Printing Office, 1987), 2, 14.

doping initiatives. Two years after the Inquiry wrapped, the Ministry of Sport established the Canadian Anti-Doping Organization (CADO), an arms-length government agency established to implement “rules and procedures regarding the use and detection of banned substances,” and provide “leadership to the international campaign against drugs in sport.”¹⁰⁵ Unlike the U.S., however, there would be nothing in the way of criminal penalties – legislation comparable to the ADAA was eight years away – or draconian, polarizing, and frankly absurd rally cries like “steroids kill.”¹⁰⁶ This came as no surprise. Relative to the politically-charged anti-drug rhetoric in the United States, Canada’s version of the War on Drugs was tantamount to a bout of schoolyard fisticuffs.

Prior to 1988, the performance-drug landscape in North America was akin to the turbulent, morally corrupt “wild west” depicted in popular films like *Tombstone* and *The Outlaw Josey Wales*. Just as the Earp brothers and the mercurial, quick-pistoled “Doc” Holliday pursued wealth and power in Tombstone, Arizona – a booming mining town where written law took a backseat to frontier justice – so too did purveyors of doping agents ply their trade in the absence of a true system of deterrence. While the unlawful distribution of pharmaceuticals had been proscribed under U.S. and Canadian legislation since the early-twentieth century, criminal penalties for performance enhancers were relatively lenient, and rarely enforced. Moreover, medical doping was perfectly legal in both nations until 1988 – Astaphan’s work with Francis’

¹⁰⁵ Rob Beamish, “Olympic Ideals Versus the Performance Imperative: The History of Canada’s Anti-Doping Policies,” in *Sport Policy in Canada*, eds. Lucie Thibault and Jean Harvey (Ottawa: The University of Ottawa Press, 2013), 230; and Joseph de Pencier, “Law and Athlete Drug Testing in Canada,” *Marquette Sports Law Journal* 4, no. 2 (1994), 269-270.

¹⁰⁶ In Eric L. Jensen and Jurg Gerber, “State Efforts to Construct a Social Problem: The 1986 War on Drugs in Canada,” *The Canadian Journal of Sociology* 18, no. 4 (1993): 453-462, the authors find, “there is little evidence to suggest an epidemic in drugs use during the 1980s in Canada,” and that Canada’s war against drugs was fuelled by political opportunism; an ill-conceived attempt by Prime Minister Mulroney to resurrect the floundering Conservative Party; for American anti-steroid rhetoric, see “John Goodbody and Andrew Morgan,” Steroids Kill Bodybuilder: Doctor Warns Dangers,” *The Times* (London), 27 August 1987; and Erik Brady, “Awaiting a Heart Transplant; Ex-Steeler's Biggest Foe Now is Time,” *USA Today*, 5 July 1989.

training group serves as a prime example here – and thus, those in search of a competitive edge or chiseled physique could access performance enhancers through licit channels; physicians willing to prescribe them for non-medical indications. A further consideration is the fact that drug-testing protocols in the Olympic Movement were fundamentally unsound during this period. By 1988, more than 300 substances were prohibited under international anti-doping guidelines – “written law” by way of this parallel – but federations like the IOC and IAAF conducted drug screenings strictly at global championship events.¹⁰⁷ In effect, this gave the astute or well-informed athlete carte blanche to administer banned drugs in out-of-competition training periods, the Canadian system notwithstanding. Avoiding a positive test was as simple as discontinuing a doping program several weeks in advance, or a predetermined timeframe to allow banned metabolites to be eliminated from the body. For the untold numbers of “outlaw” dopers in world sport during this period, in the words of former-IOC member Dick Pound, “if you get caught you fail two tests, a drugs test and an IQ test.”¹⁰⁸ For Pound, only the ignorant or injudicious were found positive, ostensibly a small minority in the sporting milieu of the 1980s.

The absence of effective regulatory controls in the U.S. and Canada all-but institutionalized drug use in elite sport – namely track and field, weightlifting, and cycling – and left fertile ground for suppliers to profit from an emerging societal ill. While criminal penalties for steroid trafficking, for instance, were well-defined under the FDCA, no such cases were prosecuted in the U.S. until 1984. Left to thrive as an informal, *laissez-faire* underground economy for decades, by the mid-1980s the black market had evolved into a transnational

¹⁰⁷ Thomas M. Hunt, “The Lessons of Crisis: Olympic Doping Regulation in the 1980s,” *Iron Game History* 10, no. 2 (2008): 22; and Barrie Houlihan, “Anti-Doping Policy in Sport: The Politics of International Policy Coordination,” *Public Administration* 77, no. 2 (1999): 23.

¹⁰⁸ “Pound: Only 10% of Olympic Drug Cheats Caught,” *Cable News Network* (CNN), 1 August 2012, accessed 29 June 2020, <https://www.cnn.com/2012/08/01/sport/olympics-drugs-pound-shiwen/index.html>.

network of dealers, with an anatomy similar to hierarchically-structured organized crime syndicates. For those without a reliable connection there was likely a doctor to help, particularly for Southern California residents. Several key *Dubin Inquiry* witnesses testified that, by the spring of 1987, at least seventy Los Angeles-area doctors were prescribing them off-label, a perfectly legal practice at the time.¹⁰⁹

¹⁰⁹ *Dubin Inquiry*, 357.

Chapter 2: Literature Review and Methods

Performance-drug use in the 1980s is well-represented in the extant literature, in a range of academic disciplines. The histories of doping and anti-doping, for instance, have been told many times, and legal researchers have looked extensively at anabolic steroid legislation in the 1980s. However, relatively little attention has been paid to the necessary precondition: *how* drugs like anabolic steroids, testosterone, and HGH fell into the hands of athletes and fitness enthusiasts.

A notable exception can be seen in the host of scholarly works surveying the German Democratic Republic's (GDR) systematic drugging of athletes, a clandestine, state-run program spearheaded by Minister of Sport Manfred Ewald.¹¹⁰ The sporting world was turned on its head in 1991 when former-West German athlete Brigitte Berendonk released government documents revealing that the small but formidable sporting power dispensed banned substances to top athletes from 1974 through 1989.¹¹¹ The published works of doping expert John Hoberman, and Rob Beamish and Ian Ritchie's 2006 book *Fastest, Highest, Strongest*, for instance, detail the involvement of physicians and sporting officials in doping thousands of athletes, in many cases

¹¹⁰ For Ewald, see Sheldon Anderson, *The Politics and Culture of Modern Sports* (Lanham, MD: Lexington Books, 2015), 173; with the exclusion of references listed in later notes, notable examples of historical works that survey doping in the GDR include Hunt, *Drug Games*; Thomas M. Hunt, "Sport, Drugs, and the Cold War: The Conundrum of Olympic Doping Policy, 1970-1979," *Olympika* 16 (2007): 19-41; Thomas M. Hunt, "The Health Risks of Doping During the Cold War: A Comparative Analysis of the Two Sides of the Iron Curtain," *International Journal of the History of Sport* 31, no. 17 (2014): 2230-2244; and Rob Beamish and Ian Ritchie, "The Spectre of Steroids: Nazi Propaganda, Cold War Anxiety and Patriarchal Paternalism," *The International Journal of the History of Sport* 22, no. 5 (2005): 777-795; Ivan Waddington, *Sport, Health and Drugs: A Critical Sociological Perspective* (London: Spon Press, 2000), 142-144; and Thomas M. Hunt, Paul Dimeo, and Scott Jedlicka, "The Historical Roots of Today's Problems: A Critical Appraisal of the International Anti-Doping Movement," *Performance Enhancement and Health* 1 (2012): 57-58.

¹¹¹ Berendonk's treatise *Doping Dokumente* was released in June of 1992, however, she and husband Werner Franke attached the more than a hundred pages of documents in several theses a year earlier. See for reference Werner W. Franke and Brigitte Berendonk, "Hormonal Doping and Androgenization of Athletes: A Secret Program of the German Democratic Republic Government," *Clinical Chemistry* 43, no. 7 (1997): 1275.

without their knowledge or informed consent, and with coercive force.¹¹² “The architects of the East German program who cultivated the doping mentality in young people were unique,” Hoberman writes in his 2005 book *Testosterone Dreams*, “a tyrannical government had granted them the resources to engage in the hormonal manipulation of thousands of human subjects with no ethical restraints.”¹¹³ Hoberman’s shrewd and rather pointed analysis brands the GDR sporting bureaucracy an unscrupulous regime, ready and willing to sacrifice healthy young athletes in the pursuit of international sporting supremacy, a vehicle for promoting socialism as a superior ideology. Hoberman discusses doping in the GDR in several other publications: his ground-breaking 1992 book *Mortal Engines: The Science of Performance and the Dehumanization of Sport*; the journal articles “Physicians and the Sports Doping Epidemic” and “The Reunification of German Sports Medicine, 1989-1992;” and briefly in “Sports Physicians and the Doping Crisis in Elite Sport.”¹¹⁴

Beamish and Ritchie take a decidedly different approach, both in tone and historical scope, by contextualizing the GDR sports system in the “complex array of social forces” in a divided Germany post-World War II, and framing systematic doping as one of many reasons for “its tremendous accomplishments” on the world stage.¹¹⁵ Where Hoberman underscores the “grotesque” lack of ethics in the nation’s high-performance sports physicians – a salient theme in

¹¹² John Hoberman, *Testosterone Dreams: Rejuvenation, Aphrodisia, Doping* (Berkeley, CA: The University of California Press, 2005), 196, 204, 249; and Rob Beamish and Ian Ritchie, *Fastest, Highest, Strongest: A Critique of High-Performance Sport* (New York: Routledge, 2006), 60-97.

¹¹³ Hoberman, *Testosterone Dreams*, 204.

¹¹⁴ See for reference John Hoberman, *Mortal Engines: The Science of Performance and the Dehumanization of Sport* (New York: Free Press, 1992); John Hoberman, “Physicians and the Sports Doping Epidemic,” *American Medical Association Journal of Ethics* 16, no. 7 (2014): 570; John Hoberman, “The Reunification of German Sports Medicine, 1989-1992,” *Quest* 45, no. 2 (1993): 277-285; and John Hoberman, “Sports Physicians and the Doping Crisis in Elite Sport,” *Clinical Journal of Sport Medicine* 12 (2002): 203-208; of further note, in John Hoberman, “The Transformation of East German Sport,” *Journal of Sport History* 17, no. 1 (1990): 62-68, Hoberman makes a case for widespread doping in the GDR a year before Berendonk’s revelations.

¹¹⁵ Beamish and Ritchie, *Fastest, Highest, Strongest*, 67, 100.

the text – Beamish and Ritchie skew toward advancements in clinical research, and portray individual physicians as dutiful agents of the state, subservient to a sporting bureaucracy that prioritized winning above all else.¹¹⁶ GDR athletes incurred a range of injuries from the prolonged use of anabolic steroids and other hazardous drugs, including chronic liver disease, irreversible damage to reproductive organs, and psychological trauma, a steep price to pay for a few fleeting years of athletic glory.¹¹⁷ The perpetrators, on the other hand, escaped relatively unscathed. While Ewald and several prominent physicians were convicted on charges of accessory to bodily harm – lead doping scientist Manfred Höppner and GDR Gymnastics and Sports Federation (DTSB) Vice President Horst Röder were among them – none received more than a suspended prison sentence and a fine.¹¹⁸

In the 2010 article “Trafficking in Bodily Perfection,” criminal justice scholar Peter Kraska and colleagues note the following about scholarly research on the doping supply chain: “while other [researchers] have conducted some noteworthy studies (particularly on youth steroid use), no research in any field has been published on the illicit steroid marketplace, or steroid trafficking.”¹¹⁹ Criminologist Letizia Paoli makes a similar claim in a 2012 editorial, titled, “Doping and Anti-Doping: Neglected Issues in Criminology.”¹²⁰ This is not entirely accurate, as past articles had surveyed the doping supply chain. However, most investigate a specific incident, sub-population, or time period. To more aptly describe this relative lack of

¹¹⁶ Hoberman, *Testosterone Dreams*, 206.

¹¹⁷ Franke and Berendonk, “Hormonal Doping,” 1273.

¹¹⁸ Mike Dennis, “The East German Doping Program,” in *Routledge Handbook of Doping in Sports*, eds. Verner Moller, Ian Waddington, and John Hoberman (New York: Routledge, 2015), 178; and Paul Dimeo, Thomas M. Hunt, and Richard Horbury, “The Individual and the State: A Social Historical Analysis of the East German ‘Doping System,’” *Sport in History* 31, no. 2 (2011): 235.

¹¹⁹ Peter B. Kraska, Charles R. Bussard, and John J. Brent, “Trafficking in Bodily Perfection: Examining the Late-Modern Steroid Marketplace and Its Criminalization,” *Justice Quarterly* 27, no. 2 (2010): 161.

¹²⁰ Letizia Paoli, “Doping and Anti-Doping: Neglected Issues in Criminology,” *European Journal of Crime, Criminal Law and Criminal Justice* 20 (2012): 233.

attention, one might say *few have engaged with the doping supply chain as a principal line of research*. A review of the extant literature revealed this general lack of attention, particularly when it comes to the 1980s, a decade marked by the emergence of high-profile doping scandals – most notably Caracas and Johnson’s steroid positive – and amelioration via a series of sweeping reforms in both anti-doping policy and drug legislation. The doping supply chain fares best in sociology and criminal justice studies, however, few center on North America in the 1980s, and those that do are decidedly limited in scope.

Sport History Literature

In “Anti-Doping Policy in Sport: The Politics of International Policy Coordination,” published in 1999, sport policy researcher Barrie Houlihan makes the following submission: “[by] the mid-to-late 1980s... an accumulation of events constituted a watershed in [anti-doping] policy development...[it] was a period of rapid evolution and intensification of the doping problem which produced a series of new... complex developments [and] gave urgency to the need for [international] collaboration and closer [policy] harmonization.”¹²¹ For many outside the ambit of high-performance sport – some wilfully myopic and others entirely in the dark – the “problem” to which Houlihan refers *appeared* to emerge in the early 1980s, but in actuality, sport’s decades-old secret had finally reached its critical mass, analogous to the slow combining of vinegar and baking soda. Ironically, the proliferation of drug use in the Olympic Movement coincided with advancements in drug-testing technologies, an expanding list of prohibited substances under IOC and IAAF rules, and the emergence of lengthy suspensions for doping offenders.¹²² Nevertheless, by the early 1980s drug use was endemic in high-performance sport,

¹²¹ Houlihan, “Anti-Doping Policy in Sport,” 317, 323.

¹²² Ibid., 320; see also Hunt, *Drug Games*, 78.

a problem Houlihan attributes to three factors: athletes' ability to access a broader "range of drugs;" a lack of additional funds for drug screening in sports federations; and a "modest or... cosmetic" system of deterrence.¹²³ The former is ostensibly a reference to the expanding supply chain leading into the 1980s, however, the article provides no further details.¹²⁴ In "Policy Harmonization: The Example of Global Anti-Doping Policy," published the same year, Houlihan elaborates on the impediments to effective anti-doping enforcement, and the conflict of interest inherent in international federations "investigat[ing] doping too closely."¹²⁵

Sport historian Thomas Hunt similarly ascribes the doping problem in the 1980s to an absence of checks and balances, and the complex economic and political barriers to a true system of enforcement. In his 2011 anti-doping treatise *Drug Games: The International Olympic Committee and the Politics of Doping, 1960-2008*, Hunt writes, "the 1980s saw a series of crises that led to a paradigm shift in Olympic anti-doping policy... previously, the problem was best addressed by either obscuring the true extent or by actively suppressing instances of doping... drug cover-ups were a direct result of this regulatory framework."¹²⁶ Hunt finds that the net effect of scandal and attendant political pressures in the mid-to-late 1980s forced international federations – he focuses primarily on the IOC, and to a lesser extent the IAAF – to address the problem in earnest, as lip service and subterfuge were no longer viable options.¹²⁷ *Drug Games* examines the anti-doping movement with a broad historical lens, and contextualizes the actions

¹²³ Ibid., 318, 320.

¹²⁴ It should be noted that the majority of Houlihan's research is in the sport policy arena, and to a lesser extent, sport management. The article cited above queries the utility of *epistemic communities* as a conceptual model for the development of international anti-doping policy.

¹²⁵ Barrie Houlihan, "Policy Harmonization: The Example of Global Anti-Doping Policy," *Journal of Sport Management* 13 (1999): 198; Houlihan notes "the potential damage to the image of sport by uncovering evidence of substantial doping," and "the likely cost of an antidoping program" as impediments to effective enforcement.

¹²⁶ Ibid., 85.

¹²⁷ Hunt, *Drug Games*, 60.

(or inactions) of policy makers at different points in time, which Hunt argues, typically came in response to scandal.

For those unfamiliar with the history and evolution of doping controls in the Olympic Movement, *Drug Games* is a suitable point of departure. While the material extends well beyond the scope of sports doping in the 1980s, Hunt presents what is arguably the definitive, five-decade history of the modern anti-doping movement. Pertinent to this review, the book contains detailed analyses of the Caracas scandal and Ben Johnson's positive in Seoul, and connects "focusing events" like these to institutional changes in global sport – gradual albeit – from a "rhetorical" commitment to the drug issue to a unified system of deterrence, and a closer synthesis of policy and rule enforcement.¹²⁸ *Drug Games* references case examples like the Moscow "testosterone" Olympics and the IOC's shrouding of positive tests in 1984 to build an overarching theme: sporting stakeholders exhibited a consistent pattern of hypocrisy and dubious political maneuvering over several decades, and leading into the 1980s, were prioritizing public relations and brand protection over combatting drug use. Moreover, Hunt points to loopholes in drug-screening procedures, the futility of in-competition testing, and deliberate sabotage by sporting officials as key reasons why drugged athletes were not held accountable, and continued to use banned substances in increasing numbers. While *Drug Games* is interlaced with commentary on the proliferation of doping in the Olympic Movement, drug-usage patterns, and detection methods at various times and places in history, the supply chain is only referenced in passing.¹²⁹ Granted, the latter arguably falls outside the book's thematic scope, as the content

¹²⁸ Ibid., 93; the phrase "focusing events" appears on page 78.

¹²⁹ In a discussion of the IOC's drug-testing protocols leading into the Moscow Olympics, Hunt references the GDR's state-sponsored doping program, and the medical delivery of androgens – often without informed consent – to top-ranked athletes. Revelations of medical doping in the GDR and the attendant public outcry are also cited as a for the creation of WADA in the late 1990s. See for reference Hunt, *Drug Games*, 63, 109.

centers almost exclusively on the anti-doping movement's forty-eight-year history. Incidentally, his 2008 article "The Lessons of Crisis: Olympic Doping Regulation in the 1980s" looks strictly at doping and anti-doping in the 1980s.¹³⁰

Doping supply chains are paid similarly scant attention in other historical surveys of drug use in sport. This was an unexpected finding by virtue of the sheer volume of literature in this area. Perhaps most surprisingly, the published works of noted doping researcher Charles Yesalis – an epidemiologist and health policy specialist – contain little information on the subject.¹³¹ Yesalis and co-author Michael Bahrke discuss illicit steroid trafficking briefly in a 2002 article, titled, "History of Doping in Sport," in reference to chemical enhancement in American college football. "The University of Nebraska... placed a great deal of emphasis on speed, strength, and power... that led Nebraska players closer and closer to... steroids," the authors note, "[this led to] one of the largest criminal investigations into steroid trafficking in the United States [and] the conviction of Tony Fitton, whom the [FDA] considered the 'king' of steroids."¹³²

Hunt and colleagues Paul Dimeo and Scott Jedlicka also touch on the black-market supply chain in the 2012 article, "The Historical Roots of Today's Problems: A Critical Appraisal of the International Anti-Doping Movement." In the same vein as *Drug Games*, "Historical Roots" offers a pointed critique of Olympic doping controls in the 1980s, most saliently the IOC's auspicious public relations crusade against drug use, in lieu of taking

¹³⁰ See for reference Hunt, "The Lessons of Crisis," 12-28; a full citation appears in note 106.

¹³¹ Yesalis is not a sport historian per se, but has authored several publications in the field, none of which discuss the supply chain beyond cursory references. See for reference Charles E. Yesalis, Stephen Courson, and James E. Wright, "The History of Anabolic Steroid Use in Sport and Exercise," in *Anabolic Steroids in Sport and Exercise*, ed. Charles Yesalis (Champaign, IL: Human Kinetics, 2000), 35-47; and John M. Hoberman and Charles E. Yesalis, "The History of Synthetic Testosterone," *Scientific American* (February 1995): 76-81. The third is referenced at note 131.

¹³² Charles E. Yesalis and Michael S. Bahrke, "History of Doping in Sport," *International Sports Studies* 24, no. 1 (2002): 64.

effective action and “fully exposing the extent of doping.”¹³³ In reference to the unintended consequences of early anti-doping directives, and drug regulations in general, the authors reason that the IOC’s growing list of banned substances diverted athletes to the black market, and an array of undetectable, and potentially dangerous pharmacological alternatives.¹³⁴ Medical scholar Richard Holt and colleagues make a similar argument regarding the popularity of HGH on the black market. In “The History of Doping and Growth Hormone Abuse in Sport,” published in a 2009 edition of *Growth Hormone and IGF Research*,” the authors explain that “issues” with “detecting [HGH] abuse” have made it a coveted substance on the black market, as risk averse athletes can use it as a substitute for anabolic steroids, with virtual impunity.¹³⁵ Underground sources are addressed briefly in a discussion of HGH use in high-performance sport. “There are reports of parents selling [pharmaceutical] growth hormone prescribed to treat their child’s GH deficiency on the black market. [In] 1998... a Chinese swimmer... was stopped on entry into [Australia] with a suitcase full of GH that had been exported to China for therapeutic reasons.”¹³⁶

A review of published works in this field found Terry Todd’s 1987 article “Anabolic Steroids: The Gremlins of Sport” to be the best source of information on the doping supply chain in the 1980s. Todd draws from a variety of sources – interviews with sporting insiders, historical texts, and news sources among them – to explore a broad range of topics. Arguably the definitive sports doping article of the 1980s, “Gremlins” investigates the historical foundations of doping and anti-doping, the biochemical properties of anabolic steroids, technological innovations in drug testing, and in peerless detail, the various supply sources for anabolic steroids and HGH.

¹³³ Hunt, Dimeo, Jedlicka, “The Historical Roots of Today’s Problems,” 57.

¹³⁴ Ibid., 56.

¹³⁵ Richard I.G. Holt, Ioulietta Erotokritou-Mulligan, and Peter H. Sönksen, “The History of Doping and Growth Hormone Abuse in Sport, *Growth Hormone and IGF Research* 19 (2009): 324.

¹³⁶ Ibid., 323.

Todd begins with the case of Tam Thompson, a twenty-seven-year-old powerlifter whose foray into the world of steroids stemmed from an encounter with a black-market dealer. “The dealer was steering me... away from Dianabol and testosterone [by asserting] they’re not good for women,” said Thompson, “I thought... this is chauvinistic... why can men take these stronger drugs and not me.”¹³⁷

“Gremlins” also includes excerpts from an interview with an Ohio steroid dealer whom the FDA had arrested for illicit trafficking in 1985. The anonymous felon spoke to every link in the black-market supply chain; steroid smuggling across the U.S.-Mexico border, “big dealers” purchasing the drugs at wholesale prices, bulk sales to “other big dealers” and “local distributors,” and small-time peddlers plying their trade “in almost [every] gym in the U.S.”¹³⁸ Todd attributes the rapid expansion of the black market in the mid-to-late 1980s to ineffective regulatory controls, noting that the arrest of Tony Fitton in 1984 – whom he brands the biggest of the “big dealers” at the time – alerted law enforcement to the seriousness of the problem. Despite having several minor steroid-related offenses to his name, according to Todd, Fitton only served nine months of a four-and-a half-year sentence.¹³⁹

Sociology Research

The doping supply chain is featured more prominently in sociology research, and is a principal line of inquiry in several scholarly works. These studies tend to be narrow in scope, however, leaving questions unanswered regarding the North American side in the 1980s. The majority either center on one or more of the following: small subsets of the population; a

¹³⁷ Terry Todd, “Anabolic Steroids: The Gremlins of Sport,” *The Journal of Sport History* 14, no. 1 (1987):

¹³⁸ *Ibid.*, 104.

¹³⁹ *Ibid.*

geographic region outside the United States and Canada; and more recent timeframes, typically in the twenty-first century.

Social anthropologist Alan Klein has authored two publications that offer insight into small-time steroid trafficking; a 1986 ethnographic study, titled, “Pumping Irony: Crisis and Contradiction in Bodybuilding,” and *Little Big Men: Bodybuilding Culture and Gender Construction*, a 1993 book adapted from his original “Pumping Irony” research. Both titles were the culmination of seven years of field research at four hardcore gyms in the Los Angeles area. For nescient readers interested in bodybuilding, as a sport and distinctive subculture, *Little Big Men* explores a wide range of topics and, for the most part, steers clear of esoteric language and methodological techniques. Klein describes in rich detail the growth and commercialization of bodybuilding, for instance, institutional forms of behavior unique to the subculture, and in brief, steroid sales amongst gym patrons. A notable passage reads as follows: “Talk of steroids was fairly open in [the] gym... although... many men... sold various forms of drugs, the transactions were more secretive than the open discussion of steroid use... the sale of black market steroids is particularly widespread in North American elite gyms.”¹⁴⁰ Klein’s finding that drug deals were “more secretive” is worthy of mention. In “Pumping Irony” he notes, “drug peddling is so common among bodybuilders that conversations about drugs and drug deals are *barely concealed*.”¹⁴¹ On its face this might look like an error, but as we recall from chapter one, America’s first rigorous steroid laws were enacted in the years intervening the two titles. Nevertheless, neither discusses steroid peddling beyond surface-level details, far less than one might expect in a bodybuilding ethnography.

¹⁴⁰ Alan M. Klein, *Little Big Men: Bodybuilding Culture and Gender Construction* (Albany: State University of New York Press, 1993), 149.

¹⁴¹ Alan M. Klein, “Pumping Irony: Crisis and Contradiction in Bodybuilding,” *Sociology of Sport Journal* 3 (1986): 122.

Sociologist Paul Goldstein's 1990 study "Anabolic Steroids: An Ethnographic Approach" bridges this gap with a candid look at the underground doping trade in gyms and health clubs. Published by the National Institute on Drug Abuse (NIDA), Goldstein conceptualizes the abuse and trafficking of steroids through a sociological framework traditionally applied to dangerous street drugs. To counter the glut of misinformation passed on from one lifter to another, an oral tradition of juicing as it were, he employs a methodological tradition rooted in naturalistic observation, phenomenology, and ethnographic studies to "[advance] the available data... beyond anecdotes, rumors, and locker room gossip."¹⁴² To gain the acceptance of steroid users in New York City weight rooms, Goldstein enlisted several liaisons – he calls them "key informants" and "guides" – to make introductions, and ensure that he steered clear of inappropriate questions.¹⁴³

While Goldstein admits to having difficulty collecting data during the course of the study, his findings suggest otherwise. Pertinent to this review, the article contains a wealth of information on steroid transactions between gym patrons, counterfeit products, large-scale distribution sources, and even marketing tactics employed by the gyms' resident "pushers" and personal trainers.¹⁴⁴ Goldstein observed these individuals employing a wide range of sales pitches, varying according to a customer's experience with anabolics. "Pushers may compliment [non-users] on their successful workout regimen," he notes, "but stress that... it may take... years of struggle [to] look that certain way."¹⁴⁵ Describing their manner with seasoned juicers, bodybuilders in particular, Goldstein explains, "pushers of steroids may begin... by saying such

¹⁴² Paul Goldstein, "Anabolic Steroids: An Ethnographic Approach," in *Anabolic Steroid Abuse*, eds. Geraline C. Lin and Lynda Erinoff (Rockville, MD: National Institute on Drug Abuse, 1990), 74.

¹⁴³ Ibid.

¹⁴⁴ Ibid., 79.

¹⁴⁵ Ibid., 78.

things as... “you look good enough to enter a competition, but not good enough to win. You’ll need something else for that.””¹⁴⁶ Of further note, the article describes in brief the U.S. black market in the late 1980s, ostensibly to demonstrate that steroid use was viewed as a serious societal ill.¹⁴⁷

Continuing with subcultural studies, Hoberman’s 2014 book *Dopers in Uniform: The Hidden World of Police on Steroids* offers an extensive review of police steroid culture in the United States. Drawing evidence from news reports and government documents, Hoberman chronicles thirty years of criminality and cover-ups involving anabolic agents, and an insulated brotherhood that has enabled officers to dope with relative impunity. The widespread abuse of steroids and testosterone, he notes, has been shrouded by an institutional “code of silence” that precludes officers from informing on each other; by turning a blind eye, and in some cases, deliberately concealing evidence of wrongdoing. Hoberman also finds that the surreptitious police steroid culture plays a factor in “excessive violent incidents” in the field.¹⁴⁸

Of the publications reviewed in this chapter, *Dopers in Uniform* is unique in its diverse and extensive coverage of the supply chain. Indeed, a host of case examples feature officers in the roles of consumer and illicit dealer, ranging from small-time transactions to complex trafficking networks. While many are implicated in steroid-related crimes, Hoberman explains, “professional courtesy shields them from prosecution on the kinds of drug charges that others would face.”¹⁴⁹ This institutionalized double standard is typified in the case of Tennessee narcotics officer Brady Valentine, who in 2010, was indicted on eight criminal counts of buying

¹⁴⁶ Ibid., 79.

¹⁴⁷ Ibid., 83-84.

¹⁴⁸ Ibid., 17.

¹⁴⁹ John Hoberman, *Dopers in Uniform: The Hidden World of Police on Steroids* (Austin: The University of Texas Press, 2017), 18.

and selling steroids, but managed to escape with probation. The law called for a maximum of three years in prison, but, as Hoberman laments, “the judge and prosecutors made sure that did not happen.”¹⁵⁰ *Dopers in Uniform* also problematizes the prescribing practices of “unscrupulous” physicians, from whom a great number of officers obtain androgens for non-therapeutic purposes.¹⁵¹ Like the works of Klein and Goldstein, the book looks at a small subset of the population – there is also discussion of androgen use in the military and mixed martial arts, albeit in less detail – and thus, Hoberman’s findings are not necessarily characteristic of the population at large.

Where *Dopers in Uniform* propounds a strong anti-steroid agenda, Philip Sweitzer’s 2005 article “Drug Law Enforcement in Crisis: Cops on Steroids” argues in favor of a laissez-faire approach to steroid use in law enforcement. Much like America’s War on Drugs, Sweitzer reasons, increasingly rigorous controls on anabolic steroids have done little to curb usage rates, and may have actually incentivized police officers to build powerful, hyper-masculine bodies. More specifically, he finds that the emergence of zero-tolerance drug policies in major urban centers have skewed the enforcement paradigm toward a more violent, militaristic police force, and away from community care. This, according to Sweitzer, has forced more and more officers into “physically daunting” environments that favor the functionally strong and aggressive, increasing the occupational utility of steroid use, and creating new black-market customers of non-juicers.¹⁵² The implication here is that steroid prohibition in the U.S. gave rise to unintended and paradoxical consequences in police culture, namely an increase in steroid-related offenses,

¹⁵⁰ Ibid., 89.

¹⁵¹ Ibid., 22, 24, 33, 44, 156.

¹⁵² Philip J. Sweitzer, “Drug Law Enforcement in Crisis: Cops on Steroids,” *De Paul Journal of Sports Law* 2, no. 2 (2004): 195.

and violent encounters in the line of duty. While an interesting proposition, Sweitzer offers little in the way of supporting evidence.

Criminal Justice Research

It was also noted that the doping supply chain barely registers in broad-ranging surveys of drug trafficking. In his 2014 monograph *Drugs and Society: Causes, Concepts, and Control*, criminologist Michael D. Lyman offers a comprehensive and critical history of drug use, large-scale distribution networks, and the evolution of public policy in America – Lyman submits the 1980s were a formative period in the growth and sophistication of trafficking networks – but his lengthy 552-page monograph devotes only one page to doping products. “Most illicit anabolic steroids are sold at gyms... competitions, and through mail order operations. For the most part, these substances are smuggled into the [U.S.] from many countries,” the passage reads, “the illicit market includes various preparations intended for human and veterinary use, as well as bogus and counterfeit products.”¹⁵³ While the 1980s is clearly a period of interest for Lyman, his discussion of performance enhancers seems to be more contemporary in nature, as the book was published in 2014, and there are no time periods specified. Similar drug compendiums like Kara Rogers’ *Substance Use and Abuse*, and Paul Gahlinger’s *Illegal Drugs: A Complete Guide to Their History, Chemistry, Use and Abuse* discuss the doping supply chain in scant detail, and

¹⁵³ Michael D. Lyman, *Drugs and Society: Causes, Concepts, and Control, Seventh Edition* (New York: Routledge, 2014), 112.

contain little about the 1980s.¹⁵⁴ Incidentally, Gahlinger erroneously claims that anabolic steroids were scheduled as controlled substances in 1970, when in fact, this took place in 1990.¹⁵⁵

In the 2014 article, “The Symbiotic Evolution of Anti-Doping and Supply Chains of Doping Substances,” criminologist Bertrand Fincoeur and colleagues submit that changes in the structure and formation of doping supply lines in professional cycling came as a corollary to the expansion of anti-doping guidelines. More specifically, the authors argue that the “Festina Affair” at the 1998 Tour de France – where nearly one-third of the field was banished from the race for the possession of banned substances – upended the “normalization process of drug use” in cycling culture, shifting the access paradigm from predominantly “culturally-embedded” sources to “non-experts, real dealers, or organized criminals.”¹⁵⁶ As doping controls increased in frequency and rigor, the authors argue, riders’ access to performance-enhancing drugs became more closely tied to their teams’ “involvement in and attitudes towards anti-doping.”¹⁵⁷ For instance, riders employed by “zero tolerance” teams were ultimately forced to organize their own doping programs, duties that were previously delegated to coaches and staff physicians.¹⁵⁸

Fincoeur derives his findings from sixteen years of research, from the Festina Affair through 2014, and does well to describe the evolving drug culture in professional cycling, but looks strictly at European nations. He also touches on the origins of doping prohibition in Belgium and France, and the modes by which performance drugs are dispensed, albeit in limited detail. Italian

¹⁵⁴ See for reference Kara Rogers, ed., *Substance Use and Abuse* (New York: Britannica Educational Publishing, 2011), 87-91; and Paul Gahlinger, *Illegal Drugs: A Complete Guide to Their History, Chemistry, Use and Abuse* (New York: Penguin, 2004), 63-64.

¹⁵⁵ Gahlinger, *Illegal Drugs*, 64; for the scheduling of anabolic steroids under the CSA, see for reference Brian E. Denham, “*Sports Illustrated*, the “War on Drugs,” and the Anabolic Steroid Control Act of 1990,” *Journal of Sport and Social Issues* 21, no. 3 (1997): 260-273.

¹⁵⁶ Bertrand Fincoeur, Katinka van de Ven, and Kyle J. D. Mulrooney, “The Symbiotic Evolution of Anti-Doping and Supply Chains of Doping Substances,” *Trends in Organized Crime* 18, no. 3 (2014): 246. Fincoeur and colleagues use the phrase “culturally-embedded sources” in reference to coaches, support staff, and team physicians.

¹⁵⁷ *Ibid.*, 236.

¹⁵⁸ *Ibid.*, 239.

criminologist Letizia Paoli reviews these subjects at length in the 2012 article “Doping and Anti-Doping: Neglected Issues in Criminology,” and two years later in the book *The Sports Doping Market*, however, she concentrates mainly on supply lines in the twenty-first century, and predominantly in Italy.¹⁵⁹

While “Symbiotic Evolution” is well-researched and furnishes a reasonable understanding of cycling’s surreptitious drug culture, it stays within the confines of one sporting event, the Tour de France. Consequently, the study cannot be translated to drug-laden sports like track and field and weightlifting, nor can conclusions be drawn about supply lines outside the ambit of the Olympic Movement, or in North America. These points are addressed in Peter Kraska and colleagues’ 2005 study “Trafficking in Bodily Perfection,” an investigation of the modern U.S. doping marketplace through the lens of supply and demand economics. By way of a mixed-methods approach – data was collected through ethnographic field research and quantitative content analysis – the study creates a detailed roadmap of the doping supply chain in 2005, and the economic and situational factors that incentivize dealers. Utilizing semi-structured interviews with twelve anonymous “informants” over a period of fifteen months, the authors find that traffickers entering the market were driven primarily by the prospect of financial windfall, and found success in growing supply networks through like-minded friends and peer groups at local weight rooms.¹⁶⁰ In tandem, “Symbiotic Evolution” and “Trafficking in Bodily Perfection” provide the reader with a functional understanding of doping supply networks in the twenty-first century, but lend little insight into the situation in the 1980s.

¹⁵⁹ Paoli, “Neglected Issues in Criminology,” 231-238; and Letizia Paoli and Alessandro Donati, *The Sports Doping Market: Understanding Supply and Demand, and the Challenges of Their Control* (New York: Springer, 2014).

¹⁶⁰ Kraska et. al., “Trafficking in Bodily Perfection,” 170-175.

In “Legalize and Regulate: A Prescription for Reforming Anabolic Steroid Legislation,” legal scholar John Burge frames the performance-drug trade – both licit and illicit markets in the United States – from a critical-legal perspective, arguing that the codification of anabolic steroids under the CSA came to fruition by way of fear mongering campaigns, politicians’ unquenchable thirst for political capital, and War on Drugs ideologies run amok. Burge submits that legislators framed the steroid issue as an imminent threat to the health and well-being of Americans, and imposed tighter regulations on the drugs to their own detriment. “So far, government regulations have created a market for unregulated, imported, or clandestinely manufactured products... and reduced the likelihood that the average user will seek or be able to obtain medical supervision,” Burge reasons, “[presently] athletes and increasing numbers of young adults are self-injecting large amounts of [black market steroids] about which [they] know little.”¹⁶¹ The article problematizes the “diversion” of legitimate products into the hands of drug criminals, describes the licit and illicit performance-drug markets in the U.S., past and present, and includes commentary on physician-assisted doping, and changing attitudes on anabolics in the medical community. Burge reasons that the steroid-related health crisis in America could be mitigated by decriminalizing their possession and distribution, and restoring professional discretion in prescribing the drugs off-label.¹⁶²

Altogether, the above scholarly works give us a functional understanding of the doping supply chain, but far from a complete picture. The publications of Paul Goldstein and Alan Klein, for instance, contain a wealth of information on steroid trafficking in bodybuilding, a relatively small social group. We also know a great deal about doping in the GDR and police

¹⁶¹ John Burge, “Legalize and Regulate: A Prescription for Reforming Anabolic Steroid Legislation,” *Loyola of Los Angeles Entertainment Law Review* 15 (1994): 35.

¹⁶² *Ibid.*, 60.

steroid culture thanks to John Hoberman, and understand the nuances of the 1980s supply chain from Terry Todd's "Gremlins." Todd's article notwithstanding, these works investigate small subsets of the population, and cannot necessarily be applied elsewhere. The following studies aim to contribute to a deeper understanding in this regard.

THE ARTICLES

Each of the three articles in this volume survey a different method by which users – ranging from recreational bodybuilders to elite athletes – gained access to performance-enhancing drugs in the 1980s; the doping physician, the smuggling-for-resale operation, and large-scale trafficking.

Using a range of sources, my aim here is to contextualize these modes of supply in a decade marked by scandal, amelioration by statute and policy, and the stigmatization of doping in North America. Given that the principal figures discussed in the essays were purveyors of anabolic steroids, and, to varying degrees, provided legislators and sporting bureaucrats with an impetus to create more rigorous systems of enforcement, the narratives intersect with one another at times. Nevertheless, the three chapters can be read as free-standing studies, each reviewing a different supply source for performance-enhancers, and centering on individuals who likely never crossed paths. With this in mind, I have presented them in a rough chronological order, according to the dates that the main protagonists first made headlines.

The controversial doping doctor Robert Kerr is the subject of my first essay, titled "There's a Doctor to Help: The Life and Times of Dr. Robert Kerr, "The Steroid Guru." Trained as a general practitioner in the mid-1960s, Kerr gained reputé as an authority on the safe and effective use of doping agents in the 1980s; through news media, expert commentary in bodybuilding magazines, and his 1982 self-published monograph *The Practical Use of Anabolic*

Steroids with Athletes. A polarizing figure in what was then a relatively small sports medicine community, the California physician claimed to have prescribed banned substances to twenty medallists at the 1984 Summer Olympics in Los Angeles. “The steroid guru,” as he was known in elite-athlete circles, was a vocal advocate for doping under the care of a physician, reasoning that it was an irrevocable part of high-performance sport, and medical supervision was integral to preserving patients’ long-term health. Kerr’s harm-reduction rationale was founded in the observation that prospective users had no reservations about gambling with unregulated and potentially dangerous black-market drugs, and thus, refusing to treat them posed a far greater risk. “Kerr adopted a client-centered position that justified the use of steroids on the grounds that they were safe, effective, and useful,” Hoberman explains, “physicians who objected to steroid use on ethical and medical grounds lacked the experience required for understanding the proper dosing or side-effects of the drugs.”¹⁶³ Kerr was among the inexperienced, at least in his early years of practice. A no-nonsense former Marine and amateur rugby player in his thirties, the doctor was a regular at local weight-training facilities, and after observing dozens of gym patrons trading and selling black-market steroids as if they were baseball cards, took matters into his own hands. “I was continually approached by friends from the local gym for guidance with their anabolic steroids,” Kerr wrote in *Practical Use*, “I had to confess to them that like all other physicians I had not been trained in the drugs’ usefulness... I learned along with them... and gained enough experience to be able to guide them.”¹⁶⁴ Notably, the San Gabriel-based physician was instrumental in popularizing Human Growth Hormone (HGH), “the fad anabolic drug” for

¹⁶³ Hoberman, “Sports Physicians and the Doping Crisis,” 205.

¹⁶⁴ Robert Kerr M.D., *The Practical Use of Anabolic Steroids with Athletes* (San Gabriel, CA: Research Center for Sports, 1982), 1. This was Kerr’s first publication, for which he gathered fifteen years of patient data and professional observations of anabolic steroid use.

track and field athletes, he once claimed.¹⁶⁵ In his self-published monograph “World Trafficking in Doping Substances,” Italian Olympic Committee (CONI) delegate Alessandro Donati notes, “the consumption of [HGH] steadily increased among athletes” by virtue of Kerr’s “explicit promotion” of the drug.¹⁶⁶

Drawing on evidence from news articles, interviews, government testimony, and archived legal documents, the essay surveys Kerr’s early life and medical practice, his time in the limelight – as a doping physician and in later years an anti-drug advocate – and contextualizes him in the 1980s; a decade of scandal, prescriptive reform, and for fans and journalists, a transition from nescience to enlightenment with regard to the drug problem in sport. A druggist for athletes or government witness, Kerr was instrumental in setting the record straight for sports fans and policy makers, the majority of whom were treading blindly through uncharted waters. He was the beacon.

A Halloween drug-smuggling incident at Montreal’s Mirabel Airport is the subject of my second essay, titled, “Mayhem at Mirabel: The Other “National Embarrassment” that Rocked Canadian Sport.” On 31 October 1983, customs agents detained Canadian weightlifters Jacques Demers, Terry Hadlow, Mario Parente, and Michel Pietracupa after discovering a cache of Soviet-manufactured drugs in their luggage. Altogether the contents totalled 22,515 capsules of the anabolic steroid Dianabol and 414 vials of injectable testosterone, both restricted “sex hormones” under Schedule F of the Canadian Food and Drugs Act. The drugs were also listed as prohibited substances under national anti-doping guidelines, but given the lack of precedent for

¹⁶⁵ Daniel Chu, “A California Sports Doctor Defends the Controlled Use of a Fad Drug by Olympic Athletes,” *People*, 16 July 1984.

¹⁶⁶ Alessandro Donati, “World Traffic in Doping Substances,” 31, accessed 12 June 2019, https://www.wada.ama.org/sites/default/files/resources/files/WADA_Donati_Report_On_Trafficking_2007.pdf.

such an incident, the lifters faced nominal sanctions and returned to competition the following spring. Indeed, weightlifting officials assured reporters that the CWF was “doing everything in its power” to remedy the situation, yet the men were still permitted to train with the national team, and remained in good standing with the Federation and Sport Canada.¹⁶⁷ The Mirabel four – accompanied by teammate Claude Dallaire and national team head coach Andrzej Kulesza – were traveling home from the World Weightlifting Championships in Moscow via a FinnAir flight from Helsinki that morning. While details of their interrogations were never publicized, one or more of the offenders revealed to arresting officers of the Sûreté du Québec – the provincial police force of Québec – that they had purchased the enormous supply of Dianabol from Soviet athletes for only \$225, and planned on re-selling it to teammates at a hefty markup. The scandal ignited a media firestorm in national news outlets, with journalists using phrases like, “Biggest Drug Discovery in Amateur Sports History,” and “A Body Blow to Canadian Weightlifting.”¹⁶⁸ Likewise, Canadian officials described the incident as “shocking,” and “a public humiliation... with tremendous fallout;” apt characterizations, as several important sponsors severed ties with the CWF in the coming months. The weight men were tried separately in Québec Provincial Courts, each charged with importing controlled substances with the intent to distribute – crimes of “moral turpitude” under the Canadian Criminal Code – and punishable by up to three years in prison and a \$5,000 fine.¹⁶⁹

Having covered medical doping and fly-by-night smuggling in chapters three and four, in the third and final essay, titled “The ‘Roid Runners: Prohibition, Drug Smuggling, and History’s

¹⁶⁷ James Christie, “Canadian Athletes Charged Over Drugs,” *The Globe and Mail*, 5 November 1983; and *Dubin Inquiry*, 153.

¹⁶⁸ “The Athletes and Steroids,” *MacLean’s*, 14 November 1983; and “Technicality Lifts Charge from Weightlifter,” *The Windsor Star*, 24 January 1984.

¹⁶⁹ “Lawyer Seeks Discharge for Hadlow,” *The Ottawa Citizen*, 1 May 1984.

Largest Steroid Distribution Ring,” I complete the supply-line triad by looking at large-scale drug trafficking. In the spring of 1987, the U.S Department of Justice (DOJ) filed criminal charges against thirty-six co-conspirators for importing an estimated \$70 million worth of anabolic steroids across the California-Mexico border. It was “by far the biggest steroid bust in history,” said U.S. Attorney Philip Halpern in a 2019 interview, and the culmination of a multi-agency investigation by FDA, FBI, and U.S. Customs Service agents.¹⁷⁰ The “task force” had been investigating steroid trafficking for nearly two years – Halpern claimed to have “a really good case” when all was said and done – revealing a network of hundreds of dealers spanning all forty-eight states in the continental U.S.¹⁷¹ Perhaps more shocking, authorities determined that the outfit’s three co-founders were author and Theater Arts major Dan Duchaine, aerospace engineer William Dillon, and David Jenkins, an Olympic silver-medallist and the alleged mastermind behind the operation. The trio were hardly the prototypical “drug kingpins” at the helm of a multi-layered trafficking network.

Altogether the thirty-six were indicted on 110 criminal counts, ranging from simple mail fraud to the use of violence and “extortionate means” to collect payments.¹⁷² With Reagan’s War on Drugs reaching its apogee – federal drug enforcement expenditures rose steadily throughout his presidency – the affair provided legislators with a treasure trove of political capital. Juicers were drug users, and as Reagan famously declared, drugs “are menacing our society.”¹⁷³ Over the next year, Congressional Subcommittees from the House and Senate held hearings pursuant to more rigorous legislation, each citing the “steroid bust” as the basis for tighter regulations on

¹⁷⁰ Philip Halpern in interview with author, 24 August 2019.

¹⁷¹ Ibid; and Michelle Kaufman, “Hurricanes’ Strength Coach is Among 34 Indicted Nationwide for Smuggling Steroids,” *The Tampa Bay Times*, 22 May 1987; and Ivor Davis, “Operation Overlord of the Drug Ring: How a Tenacious Attorney Named ‘Bulldog’ Halpern Tracked Down Mr X, Alias David Jenkins, the British Olympic Sprinter Turned Drug Runner, Now Awaiting Sentence in the US,” *The Times* (London), 11 February 1988.

¹⁷² United States of America v. David Jenkins et. al., 23

¹⁷³ Gerald M. Boyd, “Reagans Advocate ‘Crusade’ on Drugs,” *The New York Times*, 15 September 1986.

possession and trafficking.¹⁷⁴ With the passage of the Anti-Drug Abuse Act in 1988, criminal penalties went from “not clearly defined and relatively minor,” to clear-cut and considerable.¹⁷⁵

“The [trafficking ring] should have been thought provoking, especially in sporting circles, but nobody took any notice of it,” Donati wrote in a 2007 article, “[Jenkins] was a good guy with an honest face... But [by] the 1980s... his look had become distant... his smile the ironic grimace of someone who thinks he knows it all.”¹⁷⁶ While it is unlikely that Jenkins truly knew “it all,” given the operation’s unprecedented size and scale, he may have been a leading expert in steroid trafficking in the mid-1980s. Nevertheless, neither he nor Duchaine or Dillon were outlaws, far from it in fact. In mobster parlance, the trio “sang like canaries” after their arrests, cooperating with authorities in exchange for reduced prison terms.¹⁷⁷ “I think we put together a very good case... and everyone ended up pleading guilty,” said Halpern, “these guys weren’t hardened criminals.”¹⁷⁸

While the affair was covered extensively in news outlets worldwide, scholars have only referenced it in passing.¹⁷⁹ Considering Jenkins and Duchaine were public figures at the time – Jenkins a former track and field star and Duchaine the author of the tremendously successful *Underground Steroid Handbook* – this was quite surprising.¹⁸⁰ The fact that pertinent details of

¹⁷⁴ The Anti-Drug Abuse Act of 1988, sec. 2402, 4230; Congressional hearings pursuant to passing anabolic steroid laws made specific mention of the smuggling ring. See for reference *The Anabolic Steroid Restriction Act of 1989: Hearings Before the House Committee on the Judiciary*, 101st Cong. (1989), 8; and The Anabolic Steroid Control Act of 1990, 40-43.

¹⁷⁵ Peter Alfano and Michael Janofsky, “Drugs that May Build Bulk Pull Weight on Black Market,” *The New York Times*, 18 November 1988; and Philip Halpern in interview with author, 24 August 2019.

¹⁷⁶ Donati, “World Trafficking on Doping Substances,” 30.

¹⁷⁷ The phrase is used colloquially to describe police informants, or “snitches.” See for reference Eamonn Carrabine, *Crime and Social Theory* (London: Macmillan Publishers, 2017), 105.

¹⁷⁸ Philip Halpern in interview with author, 24 August 2019.

¹⁷⁹ See for example Llewellyn with Tober, *Underground Anabolics*, 14-15; Rob Beamish, *Steroids: A New Look at Performance-Enhancing Drugs* (Portland: Ringgold, Inc., 2011), 136; and Newton, *Steroids and Doping in Sports*, 92.

¹⁸⁰ David E. Newton, *Steroids and Doping in Sports: A Reference Handbook*, 2nd Edition (Santa Barbara, CA: ABC-CLIO Publishing, 2018), 92; and Holt, Erotokritou-Mulligan, and Sönksen, “The History of Doping and Growth Hormone Abuse,” 322.

the trafficking ring and inter-agency investigation were never made public might explain why the affair has yet to be the subject of scholarly inquiry. This essay draws from news reports, interviews, archival materials, FBI and FDA case files, and court documents to detail the smuggling operation; parallel narratives of the investigation and criminal conspiracy as they unfolded. Given the complexity of this story and the number of individuals involved, the focus will on Duchaine, Jenkins, and Dillon, the trafficking ring's prime movers. This chapter also discusses the incident as a corollary to the anti-steroid movement in America in the late 1980s.

Chapter 3: “There’s a Doctor to Help:” The Life and Times of Robert Kerr, The Steroid Guru

Knowledge is not a loose-leaf notebook of facts. Above all, it is a responsibility for the integrity of what we are, primarily of what we are as ethical creatures. You cannot possibly maintain that informed integrity if you let other people run the world for you while you yourself continue to live out of a ragbag of morals that came from past beliefs.

– Jacob Bronowski, *The Long Childhood*, 1973

Inquiries into drug use in professional cycling, track and field, and Major League Baseball revealed sports physicians have played a central role in the delivery and administration of performance-enhancing drugs (PEDs) to athletes.¹⁸¹ Indeed, the International Cycling Union’s (UCI) “Operation Puerto” investigation in 2006, and more recently the United States Anti-Doping Agency (USADA) in its case against Lance Armstrong, unearthed evidence of sports physicians masterminding the doping programs of elite cyclists. Federal inquiries into each case found team doctors had played a key role in the design and implementation of clandestine doping programs, aimed at both evading drug tests, and skirting existing anti-doping policies.¹⁸² In regard to the Armstrong affair, a key figure identified by the USADA was the disgraced Texan’s personal physician Michele Ferrari, a renowned authority in the science of cycling, and equally so, as the architect behind the doping programs of world-class riders. Before he first met with Armstrong, who actively sought out the doctor’s services in 1994, the Italian physician was

¹⁸¹ Michael S. Schmidt, “Rodriguez Linked Anew to Prohibited Drugs,” *The New York Times*, 30 January 2013; Ron Lewis, “Chernova Ban Adds to Russia Doping Scandal,” *The Times* (London), 31 January 2015; Edward Pickering, “Vive le Tour? Bien Sur!,” *The New York Times*, 3 June 2007; and United States Anti-Doping Agency, “Statement from USADA CEO Travis T. Tygart Regarding the U.S. Postal Service Pro Cycling Team Doping Conspiracy,” accessed 1 February 2019, <http://cyclinginvestigation.usada.org>.

¹⁸² “Riders Asked to Sign Drug Declaration,” *The Washington Post*, 20 June 2007; and Dziewa, “USADA the Unconquerable,” 884, 902, 907.

already a well-known figure in the sport performance milieu, and had gained notoriety an expert on chemical enhancement.¹⁸³

While Ferrari is a name well-known to those who follow sport and sport history, Robert Kerr is less recognized by modern scholars. A doctor of family medicine by trade, Kerr established himself as an authority on the safe and effective use of doping agents in the 1980s, gaining notoriety through the news media, articles he published, and his 1982 book *The Practical Use of Anabolic Steroids with Athletes*. An enigmatic figure and outspoken advocate for medically-supervised doping, Kerr styled himself an authority on ergogenic hormones in the early 1980s, a period rife with doping scandals, and one characterized by shifting ideologies of fair play, and innovations in the anti-doping movement. Over an eighteen-year period, Kerr prescribed anabolic hormones to thousands of athletes, Hollywood stars, and recreational weightlifters, and had no qualms about discussing his exploits with journalists. But in accordance with his medical oath, patients' names were never discussed. Perhaps unsurprisingly, Kerr's candid remarks fomented disapproval in the medical community, spurring public criticism from several prominent sports physicians.¹⁸⁴ In the summer of 1983, the doctor emerged in the popular press as a steroid authority, and just as suddenly seemed to disappear from public memory. Kerr was a polarizing force in the sports world, and an aberration in the field of sports medicine. After reconciling he could no longer protect the best interests of his patients the doctor changed allegiances, and began assisting law enforcement agencies in investigating illicit supply lines for PEDs. While many considered medical doping to be unethical, Kerr was never charged with a

¹⁸³ Reid Albergotti and Vanessa O'Connell, *Wheelmen: Lance Armstrong, the Tour de France, and the Greatest Sports Conspiracy Ever* (New York: Gotham Books, 2013), 135; and Tim Maloney, "An Interview with Michele Ferrari: Part 2, The Eye of the Storm," *The Cycling News*, n.d., accessed 10 February 2019, <http://autobus.cyclingnews.com/riders/2003/interviews/?id=ferrari03>.

¹⁸⁴ John Feinstein, "Doctor Says Steroid Patients Have Won Medals, Tested Clean," *The Washington Post*, 10 August 1984; and Randy Harvey, "Weightlifter, Lobbyist Join Forces in Fighting Steroids," *The Los Angeles Times*, 9 April 1986.

criminal offense. Sports physicians in the German Democratic Republic (GDR), on the other hand, stood trial in the 1990s after documents detailing the nation's state-sponsored doping program were made public.¹⁸⁵ The lack of scholarly attention paid to Kerr can be attributed to the fact that practically no sport historians were researching doping in the 1980s, and further, his time in the public eye was relatively brief, and by the mid-1990s the spotlight was firmly fixed on GDR doping physicians.¹⁸⁶ This paper will evidence that Kerr established practical and ethical frameworks for the delivery of anabolic drugs to athletes, both recreational and elite, under medical supervision. He was an innovator, and through an eagerness to share insights with journalists and politicians, gained public recognition as a steroid guru. A neoteric in an obscure area of medicine, Kerr's advocacy for the use of Human Growth Hormone (HGH) gave credibility to its supposed ergogenic properties, contributing to its popularity. This paper will utilize news reports, interviews, government documents, court records, and academic sources to underscore the doctor's contribution to shifting attitudes about PEDs in the 1980s, and further, to

¹⁸⁵ After the fall of the Berlin Wall and the dissolution of the East German state, husband and wife researchers Werner Franke and Brigitte Berendonk absconded with boxes of files documenting the government's role in the systematic doping of the nation's athletes. Berendonk first published the findings in 1991 in a book titled *From Research to Fraud*, and six years later with Franke in the journal *Clinical Chemistry*. According to the authors, not only were sports physicians' active participants in the drug programme, but also "unofficial collaborators" with the Stasi (East German secret police) in the capacity of reporting "possible signs of impending defection" of the nation's athletes. For further reading, see Franke and Berendonk, "Hormonal Doping," 1262-1279.

¹⁸⁶ Sport historians have made passing references to Kerr, but a thorough analysis of his medical practice, and impact on doping in the 1980s has yet to be done. In Hoberman, "Sports Physicians and the Doping Crisis," 205; and Hoberman, *Testosterone Dreams*, 198-199, 201, the author provides a brief overview of Kerr's work with athletes, describing him as a "client-centered" physician. Likewise, in Robert Voy and Kirk Deeter, *Drugs, Sport, and Politics: The Inside Story About Drug Use in Sport and its Political Cover-up, with a Prescription for Reform* (Champagne, IL: Leisure Press, 1991), 62, 65, the authors opine that Kerr believed he was acting in his patients' best interests. For scholarly works on the East-German doping apparatus, see for example; Paul Dimeo and Thomas M. Hunt, "The Doping of Athletes in the Former East Germany: A Critical Assessment of Comparisons with Nazi Medical Experiments," *International Review for the Sociology of Sport* 47, no. 5 (2012): 581-593; Yesalis, Courson, and Wright, "The History of Anabolic Steroid Use," 35-47; Yesalis and Bahrke, "The History of Doping in Sport," 42-76; Steven Ungerleider, *Faust's Gold: Inside the East German Doping Machine* (New York: Thomas Dunne Books/St. Martin's Press, 2001); Thierry Terret, "Sport in Eastern Europe During the Cold-War," *The International Journal of the History of Sport* 26, no. 4 (2009): 465-468; Victor D. Cha, *Beyond the Final Score: The Politics of Sport in Asia* (New York: Columbia University Press, 2009), 21; and Hoberman, *Mortal Engines*, 222-224.

survey the medico-ethical and legal implications of physician-supervised doping. Of further consideration will be Kerr's contribution to the doping rhetoric in this period, most notably the prevalence of drug-use in athletes, and the dangers of black market anabolics.

THE EARLY YEARS

Robert Benjamin Kerr was born in Cincinnati, Ohio on 16 March 1935, and spent his childhood years in the city's suburbs. The son of a decorated World War I veteran, Kerr excelled in several sports in his formative years, particularly on the baseball diamond as a little-league catcher. Following the family's relocation to California in 1951 he enrolled at San Bernardino High School, and a year later met his first wife Sandra, a fifteen-year-old freshman and two years his junior. After graduation Kerr enlisted in the United States Marine Corps, and had a brief tour overseas near the end of the Korean War, not long after the U.S. and North Korea had negotiated an armistice. Throughout his adult years, according to family members, Kerr was always a "proud Marine," and even had a Corps insignia tattooed on his shoulder at age sixty.¹⁸⁷ An honorable discharge from the Corps in 1955 returned the young Kerr to Southern California, where he enrolled at San Bernardino Valley College (SBVC) with aspirations of a career in veterinary medicine.

Kerr and Sandra married the following year, eloping to Yuma, Arizona in the spring of 1956. A year later he transferred to the University of Redlands, just thirty-five miles across San Bernardino County, earning a Bachelor of Science degree in biochemistry in 1959. Two weeks

¹⁸⁷ David Kerr in interview with author, 22 November 2018; Robert Kerr's youngest son David Kerr agreed to several interviews for this article. David works as a contractor and runs his own mixed martial arts (MMA) gym in the Los Angeles area, and was the only family member who agreed to an interview. For the sake of clarity, David Kerr is abbreviated to "DK" in this paper.

into his final semester, Sandra gave birth to the couple's first son Robby, who like his father, grew into a prodigious young athlete. In the fall of 1961, Kerr enrolled at the California College of Medicine (CCM; renamed the University of California Irvine School of Medicine in 1967) on the advice of his mentor Robert Chandler, a close friend and former professor at SBVC. Interviewed for this essay, Kerr's youngest son David (DK) described their bond as a "surrogate father-son relationship," noting that Kerr often sought Chandler's counsel on matters related to the medical profession and family matters.¹⁸⁸ After learning his protege was allergic to nearly all forms of pet dander, Chandler suggested going to medical school to become "a people doctor" as a career-path befitting Kerr's scholarly interests.¹⁸⁹

While CCM had only recently been granted Doctor of Medicine (M.D.) accreditation the year Kerr enrolled, it was a well-regarded institution. Formerly the College of Osteopathic Physicians and Surgeons (COPS), the school had been offering a certificate in osteopathic medicine for sixty-five years, and was the lone medical school in the Los Angeles area from 1918-1928.¹⁹⁰ Kerr graduated with a specialization in family medicine in the spring of 1964, and in short order, accepted a position at a full-service clinic in northeast Los Angeles. The nascent doctor shared offices with vascular specialist Ken Countryman and surgeon Nathan Roth, the father of long-time Van Halen front-man David Lee Roth.¹⁹¹ While Kerr and Roth practiced medicine together for less than two years, their families would remain close. "He was [my father's] partner and long-time friend... growing up," DK reminisced, "we'd even spend time at

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ University of California Irvine School of Medicine, "UCI School of Medicine Historical Timeline," accessed 10 December 2019, <https://som.uci.edu/historicalTimeline.asp>.

¹⁹¹ Incidentally, both Countryman and Roth are still practicing medicine in the Los Angeles area.

the Roth's house... both of our families... over Christmas some years."¹⁹² While David Lee Roth would not rise to musical stardom until the mid-1970s, Kerr's fondness for consorting with celebrities might have started with the Van Halen vocalist. By the late 1970s the doctor was rubbing elbows with big-name Hollywood stars, and bodybuilding and fitness icons in the Los Angeles area. DK recalled one such instance in an interview for this paper:

One day when I was around 10 years old, my dad drove me to my flag football game. That day, for whatever reason, he had a jump to his step. We [drive] up to the house after the game, go around back, and there was a Bentley parked back there [on the driveway]. The doors open, and out walks [two of Hollywood's leading men]. My dad approached the car for a brief chat, then they drove off... [one of the stars] became a patient of my dad's in the late seventies... the [body] transformation he made after [that] was noticeable.... After a while, we would visit him at his house in [one of the richest areas in the country at the time.]¹⁹³

By all accounts the precocious young doctor practiced medicine with the knowledge and care of an "old pro," never hesitating to devote extra time to distressed patients, and employing a modern empirical approach to his work. According to DK, several patients remained with him for his entire career, spanning nearly forty years. Even as a first year physician Kerr kept extensive notes, recording even the most mundane of conversations for the sake of diagnostic accuracy¹⁹⁴ He also utilized muscle stimulation machines to treat athletic injuries, years before the technology was a mainstay in sports medicine and physical therapy. Eager to set out on his own, Kerr stayed at the Eagle Rock clinic for only two years before founding his own practice in nearby Arcadia in late 1966. His only daughter, Laura, was born on 23 January the following year.

¹⁹² David Kerr in interview with author, 22 November 2018; given that these gentlemen were once patients of Kerr's, the author elected to omit names and descriptions, and the location of the home, to observe doctor-patient confidentiality.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

The couple's second son David (DK) was born three years later, on 14 April 1970. The youngest Kerr agreed to several interviews for this essay, and through some investigating and his own recollection, was able to provide a wealth of biographical details on his father's early life and medical practice. Like his brother Robby, DK excelled in several sports as a teenager. A high school football standout in the talent-rich Los Angeles area, he earned a full-scholarship to play football at the University of Southern California in 1988, graduating with a Bachelor of Education degree four years later. After sixteen years teaching at a high school in the Los Angeles area, in 2010 DK founded a successful contracting business, and is presently the head trainer at a mixed martial arts studio in Pasadena. Following in his father's footsteps, he recently published a self-defence guide titled *Idiots to Monsters: The Essential Guide to Surviving Common Threats & Violent Encounters*.¹⁹⁵

“He would have gone to prison, had he not met Barbara”

Kerr first started prescribing anabolic steroids in 1966 at his Arcadia practice. Gradually his patient roster outgrew the capacity of the office, and in 1974, he leased more spacious facilities less than two miles up the road in the affluent community of San Marino. This clinic, according to DK, “was where he did the bulk of his anabolic [steroid] work with patients... and started building a reputation as [an anabolic] steroid expert.”¹⁹⁶ After only a few years in San Marino, Kerr was already regarded as an expert on anabolics, and was known in athlete circles as “the man to go see” for a prescription, and guidance on how to use them.¹⁹⁷ By way of a strict patient-

¹⁹⁵ David Kerr in interview with author, 12 August 2019; see for reference David A. Kerr, Luke Strockis, and Harrison Lebowitz, *Idiots to Monsters: The Essential Guide to Surviving Common Threats & Violent Encounters* (Pasadena, CA: Defense Kinetics Inc., 2019).

¹⁹⁶ Ibid.

¹⁹⁷ Angella Issajenko in *9.79**, directed by Daniel Gordon (Los Angeles: ESPN Films, 2012).

referral system, the doctor continued to build a stable of athletes during this period, which by 1983, comprised a “who’s who” of elite track and field competitors, including several Olympic gold medalists.¹⁹⁸ Perhaps not surprisingly, an increased demand for his services, particularly from athletes, necessitated an upgrade to a more spacious office. In 1980 Kerr leased a large suite in a medical building located on 316 Las Tunas Drive in San Gabriel, an hour northwest of the San Marino clinic.¹⁹⁹ The sign on the office door read, “Dr. Robert B. Kerr, Family Practice, Sports Medicine.”²⁰⁰

Less than a year before moving to San Gabriel, Kerr met his second wife Barbara, a physical education teacher with whom he would spend the remainder of his life. According to DK, she was not only a loving spouse, but a resourceful and reliable business manager. The lone physician in a flourishing medical practice, Kerr was so inundated with work that he often neglected ancillary tasks like book-keeping and paying taxes. In fact, he had filed neither personal nor business income taxes and in the two years preceding their marriage. According to DK, who was eight years old at the time, Barbara arranged to “pay \$140,000 in back taxes after marrying [Kerr],” and “probably would have gone to prison” had she not done so.²⁰¹ Incidentally, Kerr never once wrote a check in his lifetime, nor did he ever learn how to operate a microwave oven.²⁰²

¹⁹⁸ Angella Issajenko cited in *Dubin Inquiry*, 145; and David Kerr in interview with author, 22 November 2018.

¹⁹⁹ Kerr’s office address was found on copies of prescriptions for William Lumas, a patient of Kerr’s from 1979 to 1984. The documents were accessed in the personal collection of Drs. Jan and Terry Todd at the University of Texas at Austin. According to Terry Todd and several anecdotal sources, Kerr may have had a stake in the pharmacy on the main floor of his medical building, as according to Todd, he referred patients there to fill their prescriptions.

²⁰⁰ Steve Woodward, “Reputation Led Athletes to Steroid Guru,” *USA Today*, 6 April 1989; and David Kerr in interview with author, 22 November 2018.

²⁰¹ David Kerr in interview with author, 18 November 2018; at the author’s request, DK spoke with Kerr’s wife Barbara, who informed him that Kerr had not filed any sort of tax return for the two years preceding their relationship.

²⁰² *Ibid.*

“A Lot of Toughness and Stubbornness”

From his childhood years in Cincinnati and onward, Kerr had a predilection for competitive sport, both as an athlete and a fan. Despite his parents’ tacit disapproval, according to DK, Kerr took up baseball in middle school, his “first love,” and would develop into a promising young prospect after moving to California.²⁰³ At five-foot-eleven inches tall and around 170 pounds as a teenager, and armed with a quick bat and a strong arm, he turned heads as a high school outfielder, twice earning all-county honors at San Bernardino High School.²⁰⁴ At age seventeen, shortly before he joined the Marines, the young Kerr’s aspirations to one day play professional baseball came to an abrupt halt. After accepting an offer to attend a weekend scouting camp for up-and-coming baseball prospects he suffered a dislocated shoulder, an injury that would linger throughout his stint in the Marines, and college years. A consummate competitor, Kerr’s chronic injuries took a back seat to the allure of athletic competition. Beginning in medical school and up until the mid-1970s, Kerr was a member of the Los Angeles-based Crown City Rugby Club (renamed the Pasadena Rugby Football Club in 1971), a large amateur rugby outfit operating out of Victory Park in Pasadena. The club was primarily made up of recreational players who worked in professional settings during the day, several of whom Kerr occasionally treated for rugby-related injuries. The physician himself ultimately succumbed to chronic ailments in both knees, sidelining him periodically from the Crown City team. “He had brutal knees and wrecked them playing rugby. His left knee was awful... he lived in pain for the rest of his life.”²⁰⁵ DK recalled, “dad had several knee surgeries during those years, and ended up with multiple six to seven-inch scars on his left knee. He would injure himself, get [his knees] repaired, then go back

²⁰³ Ibid.

²⁰⁴ Claude Anderson, “Sports Slants,” *The San Bernardino Sun*, 18 March 1953.

²⁰⁵ David Kerr in interview with author, 6 December 2018.

out and play again... I think the Marine in dad gave [him] a lot of toughness and stubbornness.”²⁰⁶

It was in his playing days with Crown City that Kerr first became aware of anabolic steroids’ sporting applications. In a 1985 *Los Angeles Times* article, Kerr admitted to using the potent androgen Dianabol while playing for the club, reasoning he was unable to gain size and strength from weight training alone.²⁰⁷ Playing in the *prop* position meant Kerr was stationed at the front of the scrum formation, a position generally held by the strongest, most aggressive players on a team.²⁰⁸ While the doctor denied suffering any deleterious side-effects from the drug, he noticed that it gave him a mercurial temperament on the rugby field. Describing his on-field antics, Kerr once told *The Los Angeles Times*, “I would say that probably about every fifth or sixth game I was thrown out for fighting... somebody would give me a cheap shot and I would hit them.”²⁰⁹ By his own account, he stopped using Dianabol after giving up rugby in 1978. In a 1983 interview for *60 Minutes*, Kerr told Emmy-winning journalist Morley Safer that he had also used HGH, a drug with which he was all-but synonymous. He explained, “I wanted to know if there was anything I should look for,” an allusion to whether it was safe for patient-use.²¹⁰

While studying at CCM, according to DK, Kerr became a “die-hard” University of Southern California (USC) football fan, perhaps in part because the medical school shared its

²⁰⁶ Ibid.

²⁰⁷ Elliot Almond, Julie Cart, and Randy Harvey, “If Athletes Want to Cheat to Get to the Olympics... There’s a Doctor to Help,” *The Los Angeles Times*, 4 December 1983.

²⁰⁸ Bradley Vaughan in discussion with author, December 2018; Vaughan played professional rugby for the Austin Blacks Rugby Club for five years, and was a Team USA prospect for international competitions. In an interview for this chapter, he explained that “playing prop” is similar to the fullback position in American football.

²⁰⁹ Almond, Cart, and Harvey, “There’s a Doctor to Help,” *The Los Angeles Times*, 4 December 1983.

²¹⁰ Robert Kerr in interview with Morley Safer, *60 Minutes*, accessed 26 November 2018 in the personal collection of Drs. Jan and Terry Todd, the University of Texas at Austin.

facilities with USC.²¹¹ The young physician, who professed to being a “[USC] Trojan at heart,” became well-acquainted with USC’s medical staff, regularly attended football games to watch his sons Robby and DK play, and often stood on the sidelines amongst the players and coaches.²¹² In fact, Kerr was so closely associated with the football team that some students and faculty presumed he was part of its medical staff.²¹³ Throughout his entire career as a physician, Kerr remained in touch with sporting community in San Gabriel area, serving as team doctor for the San Gabriel High School football team for thirty years, and Bell Gardens High School for the remaining three years of his career.²¹⁴

Kerr began supplementing his on-field workouts with weight training shortly after signing up with Crown City, and soon discovered that anabolic steroid use was widespread among barbell men. Despite being a regular at Los Angeles-area gyms in the mid-1960s, the young doctor was “not enthusiastic about the gym by any stretch,” according to DK, but was convinced that brute strength would pay dividends on the rugby field.²¹⁵ Little did he know these reluctant weight-training sessions would change the course of his medical career, and lay the foundations for his legacy. But at the time, doping was a subject about which Kerr knew very little.²¹⁶ He spoke to this point in the first chapter of *Practical Use*: “[I] was continually approached by friends from the local gym for guidance with their anabolic steroids... [but] had to confess to them that [at the time I] had not been trained or experienced in the drugs’ usefulness.”²¹⁷ After encountering what he estimated to be “50 or more” regular steroid users,

²¹¹ David Kerr in interview with author, 15 November 2018.

²¹² Almond, Cart, and Harvey, “There’s a Doctor to Help,” *The Los Angeles Times*, 4 December 1983.

²¹³ David Kerr in interview with author, 22 November 2018.

²¹⁴ Jerry Crowe, “Dr. Robert Kerr; Center of Controversy Over Steroids for Athletes,” *The Los Angeles Times*, 5 January 2001; and David Kerr in interview with author, 26 November 2018.

²¹⁵ David Kerr in interview with author, 22 November 2018.

²¹⁶ Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

²¹⁷ Kerr, *Practical Use*, 7

Kerr began working with anabolic steroids.²¹⁸ In a 1989 interview in *The Los Angeles Times*, he recalled feeling concerned after observing gym patrons buying the drugs from the black market, and resolved to “put some sense into what was going on.”²¹⁹ In the decades that followed, the California physician’s stable of athletes continued to grow. By 1983, according to a *Los Angeles Times* expose, Kerr had all but abandoned his family medicine practice due to an overwhelming demand among athletes for his services.²²⁰

THE PRACTICAL USE OF A STEROID GUIDE

While Kerr’s sports medicine practice had been flourishing for some time leading into the 1980s, he had operated with relative anonymity, building his patient register principally through referrals and word-of-mouth.²²¹ Perhaps the most pivotal moment in the physician’s career came in 1982 when he published *Practical Use*, a veritable “how-to” guide on the safe and effective use of anabolic steroids. A compendium of anecdotal accounts of athletes and empirical data from “a few hundred” of his patients, Kerr detailed a list of popular misconceptions on the efficacy and associated side-effects of steroids, which he aimed to remedy with clinical data.²²² In line with what he would reveal in later interviews, Kerr claimed to have treated “several thousand” patients from “a number of foreign countries” prior to writing the book, ranging from the recreational weightlifter to the Olympian.²²³ In the preface, Kerr noted a dearth of medical research on anabolics, and that *Practical Use* was an attempt to “fill the void” with consolidated patient data from past years.²²⁴ Following a fourteen-page introductory section detailing medical-

²¹⁸ Ibid., 1.

²¹⁹ Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

²²⁰ Almond, Cart, and Harvey, “There’s a Doctor to Help,” *The Los Angeles Times*, 4 December 1983.

²²¹ David Kerr in interview with author, 22 November 2018.

²²² Kerr, *Practical Use*, 3.

²²³ Ibid.

²²⁴ Ibid., iv.

ethics discourse on steroids, the politics of doping, and briefings on side-effects, Kerr presented a chapter-by-chapter overview of the most widely-used performance-enhancing agents. This included benefit-to-risk ratios, side-effects, drug-specific counter-indications, drug interactions, and an emphasis on the dangers of using adulterated, black market substances.²²⁵ Seven years after the book's release, sports physician Jamie Astaphan, an authority on anabolic steroids in his own right, described *Practical Use* as "a recipe for taking steroids."²²⁶

Things changed for the physician after the monograph was published. According to DK, for more than two years the family's garage served as a "shipping and receiving center" for copies of the book, with wife Barbara sending thousands of copies to athletes and coaches around the world.²²⁷ As word spread of Kerr's acumen when it came to anabolics, so too did demand for his services. By the six-month anniversary of the book's publication the doctor was receiving hundreds of letters per-day, to which his customary reply was an invitation to the San Gabriel office.²²⁸ For Olympic-calibre athletes Kerr often included a signed copy of his book, which by 1983, had garnered mainstream popularity. In an appearance before *The Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance* (commonly known as the *Dubin Inquiry*) in 1989, Canadian track and field star Angella Issajenko testified she first became aware of Kerr in August of 1983 after reading an excerpt from *Practical Use* in a Toronto newspaper. She told lead attorney Robert Armstrong, "because he had written a book on... steroids, I decided to follow him... he seemed to be the big steroid guru in America."²²⁹ Issajenko testified that she wrote Kerr with an appointment request soon

²²⁵ Ibid., 1-14.

²²⁶ Randy Harvey, "Lewis' Name Arises Again at Inquiry," *The Los Angeles Times*, 25 May 1989.

²²⁷ David Kerr in interview with author, 26 November 2018.

²²⁸ Ibid.

²²⁹ Robert MacLeod, "Steroid Guru Had Athletes Sign Form," *The Globe and Mail*, 14 March 1989; and Herbert H. Denton, "Canada's Issajenko Testifies to Steroid Use," *The Washington Post*, 14 March 1989.

after, and six weeks later, received a return letter confirming her appointment on October 11, along with an autographed copy of his book.”²³⁰ The Canadian also noted that Kerr wrote her prescriptions for the anabolic steroid Anavar, HGH, and the neuro-stimulant L-Dopa, a substance believed to potentiate the effects of growth hormone.²³¹

By Issajenko’s account, Kerr’s patient waiting room in the early 1980s comprised a “who’s who” of big-name international athletes, and evidently, a Canadian teammate.²³² Upon entering Kerr’s office, she testified, “a secretary asked if I was the 800m runner from Canada... [it] sent bells ringing off in my head because I wondered who else in Canada, what 800m runner, was coming to see Dr. Kerr.”²³³ Issajenko noted that prior to seeing Kerr she was presented with a patient waiver form itemizing the possible side-effects associated with anabolic steroid use, and instructions in case of an adverse reaction.²³⁴ The Canadian testified to “sign[ing] the form without reading it,” as she was well-versed on the subject.²³⁵ Covering the inquiry’s proceedings, *Los Angeles Times* journalist Randy Harvey reported Issajenko told the court that Kerr genuinely cared about his patients, and seemed to have “her best interests at heart.”²³⁶

American Olympian Diane Williams was among the “who’s who” of elite athletes under Kerr’s care in the early 1980s. Following a decorated college career at the Michigan State University, Williams migrated west to California in 1981 to pursue a “shoe contract... and other sponsorship,” and train with Chuck Debus, head coach of the Naturite Track Club.²³⁷ Williams

²³⁰ MacLeod, “Athletes Sign Form,” *The Globe and Mail*, 14 March 1989.

²³¹ *Dubin Inquiry*, 245; and Malcolm Gladwell, “The Sporting Scene: Drugstore Athlete,” *The New Yorker*, 10 September 2001.

²³² Angela Issajenko, 9.79*.

²³³ MacLeod, “Athletes Sign Form,” *The Globe and Mail*, 14 March 1989.

²³⁴ *Ibid.*

²³⁵ *Ibid.*; and Michael Janofsky, “Track Star Admits to Use of Steroids: ‘You Increase the Dosage or Change to a New Drug,’” *The New York Times*, 14 March 1989.

²³⁶ Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

²³⁷ Phil Hersh, “Steroid Use Made Her Run... For Her Life,” *The Chicago Tribune*, 24 April 1989; and *Steroids in Amateur and Professional Sports – The Medical and Social Costs of Steroid Abuse, Hearings before the Committee*

quickly ascended to the elite ranks in American track and field, sprinting to victory with a collegiate 100-meter record of 10.94 at the 1983 NCAA Championships, and earning a bronze medal at the inaugural World Athletics Championships in Helsinki that summer.²³⁸ In October of 1983, Williams, who was considered a medal contender for the following year's 1984 Los Angeles Olympics, suffered a serious hamstring injury while "performing athletically for an endorsement."²³⁹ In an appearance before the United States Senate in 1989, Williams testified to visiting Kerr's San Gabriel office in March of 1984 after the hamstring had healed "about 85%," and obtained prescriptions for Anavar, HGH, and human chorionic gonadotropin (HCG).²⁴⁰ During her initial visit to the clinic, she stated later in her testimony, Kerr administered a battery of "proper patient tests," consisting of a "blood pressure check... temperature measurement, urine test, and blood test."²⁴¹ According to DK, Williams was not the only elite American track athlete under Kerr's care. "A well-known California... coach was bringing his athletes to my dad around that time," he noted in a recent interview.²⁴²

Flex and Sports Illustrated

At this point Kerr was not only operating a thriving medical practice, but was a successful author and an authority on anabolics. In the summer of 1983, not long after *Practical Use* started

on the Judiciary, the United States Senate, testimony of Diane Williams, 101st Cong., 5th Session, 3 April 1989, 9 May 1989, 10-11, 14-15; at the time Debus was already well-known for providing his athletes with performance-enhancing drugs. In the late 1980s, The Athletics Congress (TAC; America's national governing body for track and field) and the USOC launched investigations into Debus' illicit activities and would subsequently ban him from coaching for two years. For further reading, see Randy Starkman, "U.S. Track Body Prefers to Ignore Drug Allegations," *The Toronto Star*, 28 November 1989; and James Christie, "Athletics Congress Under Scrutiny," *The Globe and Mail*, 23 September 1989.

²³⁸ Taylor, William N. (M.D.), *Macho Medicine: A History of the Anabolic Steroid Epidemic* (Jefferson, N.C.: McFarland, 1991), 62; and *Steroids in Amateur and Professional Sports*, 11, 14.

²³⁹ *Steroids in Amateur and Professional Sports*, 14.

²⁴⁰ *Ibid.*

²⁴¹ *Ibid.*, 15.

²⁴² David Kerr in interview with author, 26 November 2018.

gaining traction, editors from popular fitness and bodybuilding magazines started reaching out to the physician, inviting him to write articles covering a range doping-related topics. Kerr's first article, "HCG: Muscle Hormone from Pregnant Women," graced the pages of *Flex* in July of 1983. Written for heavy anabolic steroid-users, it enumerated the therapeutic applications of human chorionic gonadotropin (HCG), a substance used to reboot natural testosterone production.²⁴³ In the article Kerr describes a patient who presented with "severe, full-blown [anabolic steroid] withdrawal symptoms," manifesting with persistent depression and energy depletion.²⁴⁴ The man's previous physician was aware of his past steroid abuse, Kerr noted, but would have been well-advised to prescribe HCG, a naturally occurring compound that stimulates androgen production in-utero.²⁴⁵ The doctor had found, as he stressed in the article, that HCG can act as both a restorative and ergogenic agent, and if used correctly, could strengthen vitality and libido, produce a lipolytic (fat burning) effect, increase sperm count in males, act as a muscle builder, and even abate the symptoms of genital herpes.²⁴⁶ Citing a dearth of scientific research on this versatile compound, Kerr concluded the article by imploring fellow sports physicians to gather more data on HCG for the benefit of non-athletes.²⁴⁷ The doctor published two additional articles in *Flex* in 1983, the first of which reviewed the muscle-building and therapeutic properties of growth hormone, and the second, L-Dopa's performance-enhancing properties.²⁴⁸

²⁴³ Scott Griffiths, Richard Henshaw, Fiona H. McKay, and Matthew Dunn, "Post-Cycle Therapy for Performance and Image Enhancing Drug Users: A Qualitative Investigation," *Performance Enhancement and Health* 5, no. 3 (2017): 105.

²⁴⁴ Robert Kerr, M.D., "HCG: Muscle Hormone from Pregnant Women," *Flex*, July 1983, 27-28, 69,79, accessed 3 February 2019 in the H.J. Lutchter Stark Center's Physical Culture and Sport archive, the University of Texas at Austin.

²⁴⁵ *Ibid*, 27-28.

²⁴⁶ *Ibid*, 79.

²⁴⁷ *Ibid*, 69.

²⁴⁸ Interview with Robert Kerr (M.D.) in "A Physician Gives His Opinion About the Entry of STH into the Bodybuilding World," *Flex*, June 1983, 30, 76-77; and Robert Kerr, M.D., "L-Dopa: A Question of Risk vs. Benefit," *Flex*, September 1983, 50, 74-75, 90; accessed 3 December 2018 in the H.J. Lutchter Stark Center archive at the University of Texas at Austin.

Indeed, 1983 proved to be a pivotal year for the San Gabriel doctor. Given his penchant for interviews with television and print media journalists, Kerr's work with athletes and anabolics quickly ascended from relative anonymity to the mainstream, a turn of fate that brought him both fame and ignominy. In an interview for this dissertation, eminent sport historian and former powerlifting great Terry Todd described an article he wrote for *Sports Illustrated* (SI) that featured the San Gabriel physician. The magazine's executives found the piece so intriguing, as Todd recalled, they proposed it serve as the basis for the pilot episode of a television series. With the recent success of the new sports cable network ESPN, SI sought a piece of the proverbial pie. The episode was to be a hard-hitting expose on Kerr's medical practice in Southern California, centering on anabolic steroids, elite sport, and medical ethics. For the feature, the show's producer arranged for a production assistant (PA) to visit Kerr's clinic to obtain a prescription for anabolic steroids. As Todd recalls, the PA described the waiting room as "jammed" as she filled out the required medical forms for a new patient.²⁴⁹ She was then called into Kerr's office along with three other patients for an information session. According to Todd, the PA left with a prescription after "only a few minutes" of consultation, then made her way downstairs to the Buy Well Pharmacy in the same medical building, which Todd surmised, "Kerr had something to do with."²⁵⁰

THE STEROID GURU

While *Practical Use* had assuredly made Kerr a household name among athletes and coaches, it was the events that transpired in the summer of 1983 that, for *Washington Post* journalist Dave

²⁴⁹ Terry Todd in interview with author, 30 November 2015.

²⁵⁰ Ibid.

Kindred, “brought the Los Angeles the physician into public view.”²⁵¹ At the Pan-American Games in Caracas, Venezuela in late August, a widely-publicized drug scandal rocked the sporting world, thrusting doping in sport from the obscure into households across America. During the course of the Games, nineteen athletes, including two Americans, were found positive for banned substances, with an additional thirteen members of the U.S. track and field team fleeing from Caracas under dubious circumstances, a tacit admission of guilt in the eyes of many.²⁵² Just three days after the scandal broke, Kerr made his first of many appearances in major news media, sharing with Kindred his insights amid incipient concerns that elite sport was rife with drug use. At the time, Kerr noted, drug abuse in sport was “rampant,” and thus, by taking athletes under his patronage, he could save them from a “dark alley black market” of potentially dangerous, unregulated products.²⁵³ According to the article, Kerr had prescribed anabolic steroids to approximately 10,000 athletes in his years practicing medicine, a considerable increase from the 4,000 he had cited two years earlier.²⁵⁴ In later interviews, he would amend that number to “between 3,000 and 4,000,” and on one occasion, 8,000.²⁵⁵ In response to a query on athletes’ use of banned substances, Kerr told Kindred, “This isn’t fantasyland... People shouldn’t smoke, they shouldn’t drink alcohol... But they will. Athletes will use steroids. The best I can do is provide some safety. To believe anything else is to believe there’ll be no more wars. It’s not real life.”²⁵⁶ Notably, this would be first instance wherein the

²⁵¹ Dave Kindred, “Steroids: Placebos of Peril,” *The Washington Post*, 25 August 1983.

²⁵² Ibid; and Todd and Rosenke, “The Event that Shook the Whole World Up,” 171-172.

²⁵³ Kindred, “Placebos of Peril,” *The Washington Post*, 25 August 1983.

²⁵⁴ Ibid.

²⁵⁵ In Todd, “The Steroid Predicament,” *Sports Illustrated*, 1 August 1983, the author states Kerr’s anabolic steroid patients numbered around 10,000 at the time. In the summer of 1983, Kerr also told *Flex* magazine that he had treated 8,000 athletes in his 17-year medical practice; for later articles citing Kerr’s patient numbers as between 3,000 and 4,000, see Bailey, “Policing vs. Monitoring,” *The Washington Post*, 8 June 1984; and “84 Olympic Tests Used to See How Long Drugs Lingered, Doctor Says,” *The Los Angeles Times*, 19 June 1989.

²⁵⁶ Kindred, “Placebos of Peril,” *The Washington Post*, 25 August 1983.

doctor spoke to the news media about the safe use of anabolics under medical supervision, expounding the *harm-minimization* rationale with which he would later be closely-associated. In a December 1983 *Los Angeles Times* article, journalists Elliot Almond, Julie Cart, and Randy Harvey echoed Kindred, attributing Kerr's rise to "national prominence through the media" to the bedlam at the Pan-American Games.²⁵⁷ DK recalled his father "loved the limelight," and "rarely refused an interview" during this period, devoting time to television and print journalists despite a demanding work schedule.²⁵⁸ Further cementing his reputation, in an interview for *The Washington Post* ten months later Kerr revealed he had prescribed banned drugs to "plenty of patients" that participated in both the Caracas Games and the World Track and Field Championships in Helsinki that summer.²⁵⁹

"The Unofficial Doctor of the Games"

After the *Washington Post* interview in the summer of 1983, the proverbial floodgates opened. Leading into the 1984 Summer Olympic Games in Los Angeles, major newspapers, popular magazines, and television news networks regularly sought out the physician for his insights on doping and anti-doping in elite sport, and surreptitious activities with athletes. As part of an extensive interview for Almond, Cart, and Harvey's expose, Kerr claimed to have made more than thirty television appearances after the Caracas affair, including two appearances on ABC's *Sportsbeat*, hosted by acclaimed journalist Howard Cosell.²⁶⁰ In the article, titled, "If Athletes Want to Cheat to Get to the Olympics... There's a Doctor to Help," Kerr provided candor on the

²⁵⁷ Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1983.

²⁵⁸ David Kerr in interview with author, 22 November 2018.

²⁵⁹ Bailey, "Policing vs. Monitoring," *The Washington Post*, 8 June 1984.

²⁶⁰ Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1983.

prevalence of doping in elite sport, physician-assisted doping, and the array of deleterious side-effects linked to unsupervised anabolic steroid use:

[In patients] I never see a serious side-effect... [but] see a few piddly side-effects... Since the beginning of the year, I have had fifteen patients get [male breast enlargement] in each of those cases, I simply switched them to different steroid, and the problem went away... I would gather that of those taking black-market anabolic drugs, sixty to seventy percent are experiencing... sometimes very serious side-effects [including] baldness, sterility, and hypertension.²⁶¹

In a playful and somewhat cynical reference to the great number of elite athletes he was treating, the *Los Angeles Times* journalists anointed Kerr “the unofficial doctor of the [Los Angeles Olympic] Games.”²⁶²

The Pan-American Games scandal was revelatory, if not alarming, for sporting officials and the public, and certainly made for a captivating news story. It seemed doping was far more pervasive than many had imagined, turning from an arcane issue into one of broad exposure. Now a well-established authority on chemical enhancement, Kerr was a fixture in doping-related discussion in the lead up to the 1984 Games in Los Angeles, rarely passing up opportunities to impart his knowledge to television and print media sources. A prevailing theme in Kerr’s discourse during this period was consternation of the potential dangers of black market anabolics. For example, in an interview for the *Washington Post* less than six weeks before the opening ceremonies in Los Angeles, the doctor told journalist Sandra Bailey he had witnessed adverse side-effects in athletes using anabolic steroids without “the close monitoring of drug-intake patterns” by a physician, particularly “chronic liver problems.”²⁶³ Elsewhere in the article Kerr affirmed what many already suspected: that irrespective of the drugs’ status in sport, athletes were going to use them, and thus, physicians had a professional obligation to minimize

²⁶¹ Ibid.

²⁶² Ibid.

²⁶³ Bailey, “Policing vs. Monitoring,” *The Washington Post*, 8 June 1984.

harm.²⁶⁴ Similarly, in a *People Magazine* interview two weeks before the Games opened, Kerr opined the “vast majority” of athletes were using potentially dangerous “illegal drugs,” and were administering them in doses that far-exceeded what any physician would recommend.²⁶⁵ As he had in *Practical Use*, published articles, and past interviews, Kerr cited the dearth of information on the long-term side-effects of steroid use, but reasoned they were no more hazardous than “heart medicine, antibiotics, and a lot of other [drugs],” if administered under the care of a physician.²⁶⁶

The “unofficial doctor of the Games” moniker was befitting of Kerr. In an eye-opening interview two days *before* the Los Angeles Games came to a close, he told Jim Feinstein of *The Washington Post* that he had treated more than “a dozen” of the Games’ medallists with anabolic steroids, but refused to reveal their identities or even the events they had contested.²⁶⁷ He also admitted to assisting athletes in side-stepping doping controls at the Games, which by his judgement, were largely ineffectual. “A good number of my athletes... won medals [and] stopped taking the drugs in the fall or winter so they wouldn’t have to worry about testing,” Kerr explained, “I know of other athletes who tell me they halted their drugs only fifteen to seventeen days before the tests and told me they passed the test... With the stories the [International] Olympic Committee (IOC) has given out about how reliable the tests are, it seems hard to believe.”²⁶⁸ For the doctor, given that the ergogenic effects of anabolics could be sustained for months, the IOC’s doping controls were an exercise in futility. Interviewed in the same article, United States Olympic Committee (USOC) physician Tony Daly repudiated Kerr’s statements,

²⁶⁴ Ibid.

²⁶⁵ Chu, “A California Sports Doctor,” *People*, 16 July 1984.

²⁶⁶ Ibid.

²⁶⁷ Feinstein, “Doctor Says Steroid Patients,” *The Washington Post*, 10 August 1984.

²⁶⁸ Ibid.

arguing that, “[anabolic steroids] have to be in the [body] to do any good,” and that steroid users could not successfully elude doping controls by simply discontinuing the drugs a few months before an event.²⁶⁹ While Daly was considered by many to be an expert in this area, there is no evidence to suggest he ever treated athletes with anabolics or had any expertise on the subject. In an appearance before the *Dubin Inquiry* in 1989, Kerr admitted to tailoring steroid programs for twenty medallists from Los Angeles.²⁷⁰

THE GODFATHER OF GROWTH

Kerr was indeed an innovator in physician-assisted steroid use, but also heralded Somatropic Hormone (STH), an early form of Human Growth Hormone (HGH), as a useful ergogenic.²⁷¹ Years before the pituitary derived substance became, according to Kerr, “the fad anabolic drug” amongst Olympic and professional athletes, the doctor was regularly administering it to patients whilst compiling empirical data on its biochemical effects in the body.²⁷² The allure of STH seemed to come as a corollary to the introduction of a more reliable drug-screening method, the gas chromatography-mass spectrometry (GC-MS) assay, in the early 1980s.²⁷³ In response to the superior test for anabolics, athletes increasingly turned to STH, by virtue of the fact the substance was not banned by the IOC, and could not be identified by testing instruments of the

²⁶⁹ Ibid.

²⁷⁰ Mary Hynes, “Nerve Gas Used by Athletes, Inquiry Told,” *The Globe and Mail*, 20 June 1989; Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

²⁷¹ Somatropic Hormone was an early endogenous variety of human growth hormone and was extracted from the pituitary glands of human cadavers. Recombinant (synthetic) growth hormone would not be available until the spring of 1985.

²⁷² Chu, “A California Sports Doctor,” *People*, 16 July 1984.

²⁷³ The Gas Chromatography-Mass Spectrometry assay was first utilized in the anti-doping movement in 1982 by renowned anti-doping scientist Manfred Donike. The first major competition for which this technology was used was the 1983 Pan-American Games in Caracas; for further reading, see Todd and Rosenke, “The Event that Shook the Whole World Up,” 167-170.

period.²⁷⁴ Speaking at an HGH symposium at the University of Texas (UT) in 1986, Kerr surmised that by the Los Angeles Games, “many [athletes] found the drug attractive... because it was undetectable... and with no test, there was no ban... it was a way... for athletes to thumb their noses at Olympic officials.”²⁷⁵ While at the time anti-doping authorities projected a reliable detection method for STH was on the horizon, even going as far as to say it would be ready for the 1984 Los Angeles Olympics, no test was implemented until 2006.²⁷⁶ Later in his speech Kerr declared, “in the [Los Angeles Games], if there ever was a fad when it comes to medication, [STH] was indeed such a fad. Those athletes who had previously used the drug enjoyed great results... and those who hadn’t... wished they had.”²⁷⁷ Notwithstanding the fact that there was little in the way of clinical or anecdotal evidence that it was effective, Kerr had found STH was superior to anabolic steroids in its potential to produce long-term performance gains without the typical post-cycle “crash” following a lengthy steroid cycle.²⁷⁸ In the wake of the Pan-American

²⁷⁴ In fact, the IOC did not add growth hormone to its banned substance list until 1989, at which point a reliable detection method for the substance was still pending. In Richard I.G. Holt, “Detecting Growth Hormone Abuse in Athletes,” *Analytical and Bioanalytical Chemistry* 401, no.2 (2011): 449-462, the author notes that the GC-MS method cannot reliably detect growth hormone, as unlike anabolic steroids, its urinary metabolites are not a constant function of plasma. According to Holt, as of 2011 the development of a reliable test for growth hormone was still in its early stages.

²⁷⁵ Robert Kerr in conference address, Human Growth Hormone Symposium, The University of Texas at Austin, digitized on 3 December 2018.

²⁷⁶ In Bailey, “Policing vs. Monitoring,” *The Washington Post*, 8 June 1984, Bailey quotes Don Catlin – head of drug testing at the 1984 Los Angeles Olympics – as saying he was “optimistic” that a test for STH would be ready for the Games. According to Bailey, this seemed “unlikely” to “experts.” Leading into the 1990s, growth hormone continued to be the drug of choice for many Olympic athletes, as there had yet to be a reliable screening method for the drug. A research-scale test for human growth hormone was introduced at the 2004 Athens Olympic Games, and later applied at the 2006 Winter Olympic Games in Torino. To date, however, only fifteen athletes have tested positive for the substance. See for reference The World Anti-Doping Agency, “Human Growth Hormone (HGH) Testing,” accessed 3 November 2019, <https://www.wada-ama.org/en/questions-answers/human-growth-hormone-hgh-testing#item-641>.

²⁷⁷ Kerr in Growth Hormone Symposium, 1986.

²⁷⁸ For further reading on the introduction of the GC-MS assay, see Todd and Rosenke, “The Event that Shook the Whole World Up,” 167-168; and James E. Coleman and Joshua Levine, “Burden of Proof in Endogenous Substance Cases,” in *Doping and Anti-Doping Policy in Sport: Ethical, Legal and Social Perspectives*, eds. Brian McNamee and Verner Moller (London; New York: Routledge, 2011), 31; for Kerr’s comments on the advantages of STH over anabolic steroids, see Chu, “A California Sports Doctor,” *People*, 16 July 1984; and Richard Lyons, “Athletes Warned on Hormone: Side Effects Seen Serious,” *The New York Times*, 14 June 1984.

Games debacle, with the spectre of a drug sanction now a distinct possibility, the undetectable substance quickly became an alluring alternative to anabolic steroids. In reference to the substantial number of athletes rumored to be using STH by 1984, sport historian John Hoberman dubs the Summer Games in Los Angeles “the growth hormone Games.”²⁷⁹

The Growth of STH

First isolated from the anterior pituitary glands of human cadavers in 1956, STH was primarily used in medicine to treat growth hormone-deficient children; those afflicted with small stature due to underactive pituitary function.²⁸⁰ Several studies published between 1956 and 1958 demonstrated that disordered patients were benefitting from the administration of STH, and were growing to relatively normal heights and body proportions.²⁸¹ In the nascent years of its clinical use, dating to the early 1970s, STH was scarce and heavily regulated, and thus, supplies were apportioned to patients with HGH deficiencies, termed *pituitary dwarfism* at the time.²⁸² As a means to monitor the drug’s efficacy in clinical populations, a group of endocrinologists and research scientists formed the National Pituitary Agency (NPA) in 1960, taking control of most of the available STH in the United States. The NPA provided the substance free-of-charge to patients and families in exchange for their participation in clinical research studies. Nearly two decades passed before STH was readily available in the U.S. After obtaining patent rights from the French firm Hoechst-Roussel in the late 1970s, Serono Pharmaceuticals launched an aggressive promotional campaign for STH, and ultimately seized eighty-percent of what was a

²⁷⁹ John Hoberman interview in 9.79*.

²⁸⁰ Vageesh S. Ayaar, “History of Growth Hormone Therapy,” *Indian Journal of Endocrinology and Metabolism* 15, no.3 (2011): 162-163.

²⁸¹ For further reading, see M.S. Raben, “Treatment of a Pituitary Dwarf with Pituitary Growth Hormone,” *Journal of Clinical Endocrinology and Metabolism* 18 (1958): 901-903.

²⁸² Ibid; Chu, “A California Sports Doctor,” *People*, 16 July 1984.

relatively limited commercial market. In 1982, Pharmacia Fine Chemicals joined the American STH marketplace, expanding supplies such that it became widely available to private medical practices.²⁸³ By 1985, an estimated 3,000 patients in the United States had undergone STH therapy, the majority of whom were treated with NPA or Serono preparations.²⁸⁴

Several months after Serono entered the American STH market, Kerr began prescribing the hormone to his patients. While the precise date at which he did so was never made public, in June of 1984 Kerr told *The Washington Post* that he had “been working with it for four-and-a-half years,” on the order of late 1979 to early 1980.²⁸⁵ Quoted in a June 1983 issue of *Flex*, the doctor explained that “socialized medicine in Europe” had made STH more accessible, and supplies were no longer earmarked strictly for the treatment of pituitary disorders.²⁸⁶ Kerr detailed this process in *Practical Use*, writing, “In the last year or so, an increased supply of... [STH] has been [obtained] from European suppliers... in Scandinavian countries, anyone dying of any cause is subjected to [pituitary extraction].²⁸⁷ By 1982, only two years after Serono entered the American market, STH was already quite popular among sportsmen. Commenting on the drug’s in-vogue status in a 1984 interview, Kerr told to Peter Jennings on *ABC World News Tonight* that STH had been “all the rage” among track and field athletes for the preceding two years, and had surpassed anabolic steroids as the drug of choice for strength and muscle-building.²⁸⁸ Notwithstanding Dan Duchaine’s *Underground Steroid Handbook*, published

²⁸³ Statement of William N. Taylor in *Medical Devices and Drug Issues. Hearing before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce*, 100th Cong., 1st sess., 8, 21 April 1987, and 4 May 1987.

²⁸⁴ S. Douglas Frasier, M.D., “The Not-So-Good Old Days: Working with Pituitary Growth Hormone in North America, 1956 to 1985,” *The Journal of Pediatrics* 131, no.1 (1997): S2.

²⁸⁵ Bailey, “Policing vs. Monitoring,” *The Washington Post*, 8 June 1984.

²⁸⁶ “A Physician Gives an Opinion,” *Flex* 30.

²⁸⁷ Kerr, *Practical Use*, 62.

²⁸⁸ Robert Kerr in interview with Peter Jennings, *ABC World News Tonight*, ABC, 24 July 1984, accessed 2 December 2018 in the Vanderbilt University Television and Media archive.

contemporaneous to *Practical Use*, Kerr was the first to herald STH for its performance-boosting properties of STH.²⁸⁹ In a review published by the World Anti-Doping Agency in 2007, Italian Olympic Committee (CONI) member Alessandro Donati goes as far as to say Kerr's comments constituted an "explicit promotion of [STH]," and were a forerunner to the steady upturn in its use among elite athletes.²⁹⁰

Donati's judgement notwithstanding, Kerr appeared convinced that STH was a safe and effective substance, an observation predicated on clinical data from his patients. In fact, he seemed to favor STH over commonly used anabolics, including synthetic testosterone. As part of a brief four-page chapter in *Practical Use*, for instance, the doctor wrote, "So far with [STH] I've witnessed only great gains in both size and strength... derived faster and to a greater degree than conventional [anabolic steroids]."²⁹¹ He continued, "If [STH] lives up to its succession seen so far – this could be *the* anabolic drug of the future."²⁹² According to Kerr, the drug was still in-vogue six years later. "The real athletes aren't taking [anabolic steroids]... the elite Olympic athletes laugh at all this," said Kerr in an interview for *The Globe and Mail*, "They say, 'I haven't taken testosterone in a year, but I take STH.'"²⁹³ Later in the article the doctor explained that patients preferred STH because of its "permanency effect," that is, the retention of "strength and size" gains long after completing a course of treatment.²⁹⁴ Anabolic steroids and testosterone also enhanced athletic ability, he noted, but did not elicit the same "permanency effect" as STH.²⁹⁵ By Kerr's observations it was not only a superior anabolic but had a peculiar side-

²⁸⁹ The first edition of *Underground Steroid Handbook* was released sometime in 1982, but it is unclear when the book first became available. Kerr's *Practical Use* was also published in 1982. As neither work lists an exact publication month, it is unknown which came first.

²⁹⁰ Donati, "World Traffic in Doping Substances," 32.

²⁹¹ Kerr, *Practical Use*, 63.

²⁹² Ibid.

²⁹³ "Athletes Discover New Drug," *The Globe and Mail*, 14 November 1983.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

benefit. A week after the 1984 Games opened, the doctor told Jim Lehrer of the *MacNeil/Lehrer News Hour*, “in my practice [with STH] roughly one out of six [men] grows taller.”²⁹⁶

Importantly, Kerr’s corpus of data on STH marked the beginning of a new frontier in performance-drug research. While *Practical Use* presented a cursory analysis of the drug’s pharmacodynamics, and sporting applications, to that point there had yet to be any published data on its use in athlete populations, or for that matter, in healthy patients. Indeed, with STH in limited supply in the late 1970s, and the lion’s share under the NPA’s control, clinical studies had been limited strictly to patients suffering from pituitary-related disorders.²⁹⁷ As STH supplies increased leading into the 1980s, so did its popularity among elite athletes, many of whom sought out Kerr, the only physician to publicly herald the drug as an effective substitute for anabolic steroids. He claimed to have treated “about 100 athletes,” with STH by mid-1984, a relatively small number comprising mostly serious athletes, due to the drug’s high cost and limited supply.²⁹⁸ Indeed, a 12 January 1981 press release by Genentech Pharmaceuticals, a later manufacturer of growth hormone, noted, “it takes 50 cadavers to provide enough HGH to treat a single child for one year.”²⁹⁹ Speaking to the proliferation of STH in sports medicine, Kerr told *The New York Times* in 1984 that, at that time, he was only “one of several hundred doctors... prescribing [STH] for selected athletes.”³⁰⁰ Perhaps a result of his penchant for the limelight, no

²⁹⁶ Robert Kerr in interview with Jim Lehrer, “Athletes and Drugs,” *The MacNeil/Lehrer News Hour*, Public Broadcasting Service (PBS), 2 August 1984.

²⁹⁷ Frasier, “The Not-So-Good Old Days,” S2-S3.

²⁹⁸ Sell, “Growth Hormone Proves to be Tempting” *The Washington Post*, 10 August 1986; Kerr often spoke of the drug’s high cost and limited supply. See for example, Kerr, *Practical Use*, 63; “A Physician Gives His Opinion,” *Flex*, 30; Robert Kerr in interview by Morley Safer, *60 Minutes*, CBS, 26 July 1984, accessed 2 November 2015 in the H.J. Lutter Stark Center archives; and Steve Neems, “Roids: Everything You Would Know but were Afraid to Ask,” *High Times* (n.d.), accessed 11 December 2015 in the H.J. Lutter Stark Center archives.

²⁹⁹ Genentech Press Release, “FDA-Approved Clinical Tests on Humans Begin Today With Human Growth Hormone Made by Recombinant DNA,” accessed 14 November 2019, <https://www.gene.com/media/press-releases/4166/1981-01-12/fda-approved-clinical-tests-on-humans-be>.

³⁰⁰ Lyons, “Athletes Warned on Hormone,” *The New York Times*, 14 June 1984.

other physician gained public recognition as an STH expert. DK opined the drug came to “define him as a physician,” and “was a big reason [why]... he gained the fame he did.”³⁰¹

In a 1984 investigative piece for *High Times*, writer Steve Neems delivered an apt example of Kerr’s frugality when it came to prescribing STH. In the spring of 1984, according to Neems, he placed a phone call to Kerr’s San Gabriel clinic, attempting to procure the drug for personal use. Evidently there was a vetting process with respect to who was considered a worthy candidate. By Neems’ account, the clinic’s receptionist asked if he was “a member of the U.S. Olympic Team,” and denied his request on the grounds that “all of [the STH] was reserved for [team members only].”³⁰² This perhaps formed the basis for his rather specious finding that Kerr was, in fact, “the major supplier of [STH] to the 1984 American Olympic Team,” and may have been receiving USOC subsidies due to the high cost of the drug.³⁰³

“THEY’RE GOING TO COME AFTER HIM”

Kerr was a polarizing force for American sports physicians in the 1980s. On one hand, he was regarded by some as an advocate for athletes; a pragmatist who understood the elite sporting milieu and sought to minimize harm. Others viewed him as a cloak and dagger enabler; one who made unfounded claims to justify his methods and gain notoriety. During Kerr’s years in the public eye, several of his detractors levied such criticisms against him, maligning him as nothing more than a self-indulgent opportunist who traded patients’ health for fame and fortune. Indeed, his dual role as both a caregiver and abettor of banned substance use spurred pointed criticism from fellow sports physicians, several of whom questioned his motives and level of expertise.

³⁰¹ David Kerr in interview with author, 26 November 2018.

³⁰² Neems, “Roids,” *High Times*, n.d.

³⁰³ Ibid.

Granted, the point would have been moot had Kerr refrained from making public declarations of his exploits. Indeed, he seemed to share in the successes of patients, and regularly referenced his role in their achievements. Unsurprisingly, this gave rise to public censure from several noted figures in sports medicine.

Perhaps no doctor was more critical of Kerr during this period than Anthony Daly, a member of the International Olympic Committee (IOC) Medical Commission, and Medical Director for the 1984 Olympic Games in Los Angeles.³⁰⁴ An eminent figure in the anti-doping movement, Daly's objections centered on Kerr's undermining of drug-testing procedures, and willingness to assist athletes in risky practices. Over a two-year period, beginning in late 1983, the two physicians regularly exchanged barbs in the media, which typically involved Daly expressing serious reservations about Kerr's treatment of athletes, and claims that patients in his care had easily shirked drug screens in major competitions. For example, in a *Washington Post* article from 10 August 1984, Daly acknowledged that Kerr may have indeed supplied banned drugs to a "dozen" Olympic medallists, but noted the USOC's drug tests had rendered doping a futile exercise.³⁰⁵ "He can claim anything he wants... but I know our system is foolproof," he told journalist Jim Feinstein, "if the steroids are in the system, and they have to be to do any good, we're going to find them."³⁰⁶ Daly also questioned Kerr's motives for granting interviews, which he believed were less scrupulous. "[Kerr] likes being in the limelight. He likes publicity," said Daly.³⁰⁷

³⁰⁴ Lyons, "Athletes Warned on Hormone," *The New York Times*, 14 June 1984; and Bailey, "Policing vs. Monitoring," *The Washington Post*, 8 June 1984.

³⁰⁵ Feinstein, "Doctor Says Steroid Patients," *The Washington Post*, 10 August 1984.

³⁰⁶ Ibid.

³⁰⁷ Ibid.

In Kerr's view, Daly's antipathy for doping reflected a traditional, conservative approach to medicine, and a benighted outlook on performance-enhancement. In a December 1983 interview for *The Los Angeles Times*, Kerr surmised Daly's disapproval stemmed from an ignorance to the grim realities faced by elite athletes, and as such, he could not identify with the lesser-harm rationale for medical doping. "[Doctors like] Daly have not been jocks in their lifetime... [and] would love it if I stopped [prescribing] anabolic steroids," he reasoned, "but what's the other recourse? That [patients] have to go to the black market? Well, I don't think he'd want that either... I think he'd rather have them under a doctor's medical care."³⁰⁸ In the same interview, Kerr described the medical community's position on the matter, noting, "Except for a caustic comment from Dr. Daly, it's all been positive."³⁰⁹ If Kerr believed elite athletes were taking every possible advantage, licit or not, Daly's view was in direct contrast. In a 16 July 1984 issue of *People*, he told columnist Daniel Chu, "from my experience... more world-class athletes don't take anything than do. A lot say, 'I'm going to make it on my own – or not at all.'"³¹⁰

Likewise, physician and anti-doping scientist Don Catlin challenged Kerr publicly on at least one occasion. Founder of the UCLA Olympic Analytical Laboratory, and an innovator in methods of drug-detection, Catlin was wholly unconvinced that STH was a potent ergogenic aid, and found Kerr's beliefs to be baseless and unscientific. His dissent was palpable in a 1986 *Washington Post* interview: "In my opinion, which comes from my knowledge of internal medicine, endocrinology, and the study of growth hormone, I don't see any beneficial effect," he told journalist David Sell, "the only evidence [are] Dr. Kerr's articles in muscle magazines and

³⁰⁸ Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1984.

³⁰⁹ Ibid.

³¹⁰ Chu, "A California Sports Doctor," *People*, 16 July 1984.

anecdotes. I know of no scientific evidence that it works.”³¹¹ Interviewed for this essay, Catlin seemed to have unpleasant memories of his counterpart from three-decades earlier. In response to a broad question regarding Kerr’s activities in the 1980s, he recalled, “he was an enemy... providing drugs to [a lot of] Olympians and was fairly open about it... he was helping athletes break the rules.”³¹²

Sports physician Bob Goldman was yet another voice of disapproval, the proverbial foil to Kerr’s character in the 1980s doping narrative. Goldman, who holds two doctorates in addition to a medical license, was, like Kerr, regarded as an expert on performance-enhancing drugs, but stood resolute in his belief that physicians in Kerr’s line of work were doing more harm than good. In a 1983 interview for *The New York Times* he reasoned, “I’m sure Dr. Kerr means well, but he’s hurting people. Ten to twenty years from now, when these kids are coming down with every godforsaken disease imaginable, they’re going to come for him. But [by then] he’s going to be retired, living in the French Riviera. Who’s going to take responsibility then?”³¹³ Goldman alleged that Kerr was exploiting the fact that few physicians had experience working with anabolic steroids, and had parlayed it into a “lucrative business.”³¹⁴

Goldman went on to author the popular book *Death in the Locker Room: Steroids & Sports* in 1984, and like Kerr, was regarded as an expert on doping in sport. In a 2018 interview, Goldman claimed to have “done hundreds of interviews over the years,” including “forty to fifty [appearances] on CNN,” and “a segment on Larry King Live.”³¹⁵ The Illinois-based physician was not just an authority in the field, but later made a name for himself as a sports-doping

³¹¹ Sell, “Growth Hormone Proves to be Tempting,” *The Washington Post*, 10 August 1986.

³¹² Don Catlin in interview with author, 4 August 2018.

³¹³ Almond, Cart, and Harvey, “There’s a Doctor to Help,” *The Los Angeles Times*, 4 December 1983.

³¹⁴ Ibid.

³¹⁵ Bob Goldman in interview with author, 20 September 2018.

consultant. Not long after his book's release, Goldman recounted, he began assisting "the [Federal Bureau of Investigation] and the Drug Enforcement Administration (DEA)" in investigating "criminal activities involving anabolic steroids."³¹⁶ He also played a key role in "setting up anti-doping policy and drug testing" for several years in the 1980s, conferring with renowned anti-doping scientist Manfred Donike on matters pertinent to testing technology and anti-doping policy.³¹⁷

THE PATIENTS V. ROBERT KERR

Goldman's prediction that former patients would "come for" Kerr indeed came to fruition, and in fact, already had six months prior to the interview.³¹⁸ Between June 1983 and February 1985, three former patients filed civil actions against him in the Superior Court of California. All three complainants alleged they had suffered physical and emotional impairments as a direct result of Kerr's steroid treatments. According to documents from the Superior Court of California, plaintiffs Glen Maur, Marshall Morris, and William Lumas sought punitive damages and loss of wages restitution, with each bringing claims of medical malpractice, professional negligence, and lack of informed consent as causes of action. The men alleged Kerr neglected to inform them of the full scope of side-effects attendant to anabolic steroid use.³¹⁹

The first of such lawsuits was filed on 20 June 1983 by Los Angeles attorney Steve Roseman on behalf of Marshall Morris.³²⁰ In the initial statement of claim, the plaintiffs brought five separate causes of action against Kerr: medical malpractice, negligence, lack of informed

³¹⁶ Ibid.

³¹⁷ Ibid.

³¹⁸ Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1983.

³¹⁹ Court documents and other materials referenced in these cases were accessed in the personal collection of Drs. Jan and Terry Todd.

³²⁰ Marshall Morris and Nancy Morris v. Robert Kerr, "Statement of Claim," The Superior Court of California (Los Angeles), filed 20 July 1983.

consent, misrepresentation, and loss of consortium. For each cause of action, Morris sought “the maximum amount within the monetary jurisdiction” of the Superior Court of California; the largest settlement for each claim stipulated under California law.³²¹ In Morris’ affidavit from the initial statement of claim, he noted the timeframe within which he was Kerr’s patient began “on an unknown date in 1981,” and ended on “13 July 1982.”³²² Morris claimed that, for more than a year, he made regular visits to Kerr’s San Gabriel office for anabolic steroid prescriptions, reasoning he wanted to “[further] his career as a weightlifter.”³²³ After his final appointment, according to the document, Morris suffered a heart attack and a brain aneurism, both of which he claimed “were a direct result of his ingestion of the [anabolic steroids] prescribed by [Kerr].”³²⁴ Morris further claimed that as “a direct and proximate result” of Kerr’s negligence in prescribing [anabolic steroids]... he had suffered permanent injuries, including “paralysis... loss of speech, and [diminished] intellectual capacity.”³²⁵ While it has been documented that Kerr did, in fact, provide his patients with a waiver itemizing the possible side-effects of anabolic steroid use, Morris alleged he was given explicit warning of the drugs’ adverse effects on the heart and blood vessels.³²⁶ No court records indicating the outcome of this case are available, however, in an April 1989 interview for *USA Today*, Roseman revealed the two sides had reached an out of court settlement.³²⁷

³²¹ Ibid.

³²² Ibid.

³²³ Ibid.

³²⁴ Ibid.

³²⁵ Ibid.

³²⁶ Ibid; while investigating Morris’ allegations the author obtained a copy of Diane Williams’ patient waiver form, dated 1 March 1984. Potential side-effects of anabolic steroids listed in the form are as follows: weight increase, liver and kidney pathology, shrinking of the testes, acne, hypertension, gynecomastia, personality change, and decreased immune function. It remains unclear whether Morris was given the same form in 1981, but given Issajenko’s *Dubin Inquiry* testimony, in all likelihood the documents were identical.

³²⁷ Woodward, “Reputation Led Athletes,” *USA Today*, 6 April 1989.

Barely a year passed before Roseman brought a second civil action against Kerr on behalf of an injured client. On 20 July 1984, the attorney filed a statement of claim for Glen Maur, a thirty-four-year-old former Mr. Southern California, and a patient of Kerr's for approximately three years; beginning sometime in 1980 or early 1981, through 29 April 1983.³²⁸ Similar to Morris, Maur cited medical malpractice, negligence, lack of informed consent, and *misrepresentation* as causes of action, and sought the maximum monetary award for each complaint.³²⁹ Maur claimed that Kerr first prescribed him anabolic steroids after their initial meeting, and on several occasions, injected him with a drug not mentioned by name in the document.³³⁰ According to court filings, after suffering chest pains and shortness of breath for more than a week, Maur was hospitalized on 21 April 1983, after which doctors determined he had, at some point, unknowingly suffered a heart attack and required open-heart surgery.³³¹ Eight days later doctors concluded his coronary artery disease was "causally related to the ingestion of [anabolic] steroids," which Maur later told *ABC World News Tonight* resulted in "five heart-bypasses" over the next year.³³² No records indicating the resolution of this case are available, and therefore, its outcome is unknown. In an interview for this dissertation, California attorney Kelvan Howard explained, "in circumstances where the decision for a... lawsuit is not part of the

³²⁸ Glen Maur v. Robert Kerr, Superior Court of California (Los Angeles), case no. 39878, filed 20 July 1984.

³²⁹ In Shafeek. S. Sanbar and James Warner, "Medical Malpractice Overview," in *Legal Medicine*, ed. Shafeek S. Sanbar (Philadelphia, PA: Mosby Elsevier, 2007), 259, the authors note that, by filing a misrepresentation claim, a plaintiff must demonstrate the following: the defendant knowingly made a false representation; the false representation was made in order to benefit the defendant, or to cause harm to another person; the plaintiff relied on the misrepresentation as true; and the plaintiff was injured as a result of his or her reliance. For further reading, see for example Bernard Lo, *Resolving Ethical Dilemmas: A Guide for Physicians* (Baltimore, MD: Lippincott, Williams, and Wilkins, 2009), 51-53; and Daniel J. Kain, "'It's Just a Concussion:' The National Football League's Denial of a Causal Link Between Multiple Concussions and Later-Life Cognitive Decline," *Rutgers Law Journal* 40 (2009): 722-723.

³³⁰ Ibid.

³³¹ Ibid; Glen Maur in interview with Peter Jennings, *ABC World News Tonight*, 24 July 1984.

³³² Ibid.

official record, it almost always means the two sides reached an out-of-court settlement.”³³³

Incidentally, in a *Los Angeles Times* interview published in January of 1984, Maur admitted to using anabolic steroids for more than a decade before first visiting Kerr. Barely out of high school and “tired of being skinny,” the retired bodybuilder recalled, he started with “small dosages” to supplement a new weight training program.³³⁴ After gaining more experience in the gym, “a path to [higher doses] and stronger chemicals” was the next logical step.³³⁵

Just seven months later, thirty-eight-year-old William Lumas filed a third lawsuit against Kerr in less than two years.³³⁶ A recreational bodybuilder and trucking sales representative from Pasadena, Lumas began lifting weights sometime in 1979, desperate to add muscle mass to his slender 130-pound frame.³³⁷ In his deposition for the case, Kerr testified that Lumas first requested anabolic steroid treatments in October of 1979, complaining he was “embarrassed by a deformity in his chest” left by a surgical procedure, and more generally, that he had been “slender all his life... and wanted to be a bodybuilder.”³³⁸ In later testimony Kerr admitted to prescribing Lumas the potent anabolic steroids Dianabol and Anadrol intermittently for five years, ending in August of 1984.³³⁹ According to hospital records, Lumas was admitted to Long Beach Memorial Medical Center on 20 October 1984 after experiencing severe abdominal pain,

³³³ Kelvan Howard in interview with author, 4 January 2019; the author consulted with two attorneys who specialize in malpractice lawsuits. Both agreed that Roseman – on behalf of Maur - and Kerr’s malpractice insurance company likely came to terms on an out-of-court settlement.

³³⁴ Elliot Almond, Julie Cart, and Randy Harvey, “Drugs Made Bodybuilder Feel Invincible Until They Almost Killed Him,” *The Los Angeles Times*, 31 January 1984.

³³⁵ *Ibid.*

³³⁶ David M. Harney in letter to Robert Kerr,” 22 February 1985.

³³⁷ David Dietz, “Athletes on Steroids: Muscle-Building Drug with Rabid Consequences,” *The San Francisco Examiner*, 3 September 1986.

³³⁸ William Lumas v. Robert Kerr, “Deposition of Robert Kerr,” Superior Court of California (Los Angeles), 22 April 1985.

³³⁹ Pete Smith in interview with author, 14 August 2018; the author consulted with “Pete,” a recreational bodybuilder at a local gym in Austin, Texas. Smith described Anadrol as a “serious” anabolic steroid that can produce superior gains in muscle mass, but also a range of deleterious side-effects.

nausea, vomiting, and constipation.³⁴⁰ A physical examination revealed a large, solid hypovascular tumor on the right lobe of his liver, which was found to be cancerous upon further examination.³⁴¹ Six days later Lumas was transported to UCLA Medical Center for emergency surgery, during which doctors removed a “four pound tumor... along with all-but one-third of [his] liver.”³⁴² At one stage, his wife Patricia testified, “doctors had told me [Lumas] had only a one-percent chance to live,” and “chemotherapy might be a waste of time.”³⁴³

In a letter to Kerr dated 22 February 1985, Lumas’ attorney Richard Wolfe alleged his client’s health problems came as a direct result of anabolic steroid use, and that Kerr’s failure to disclose the drugs’ side-effects was in violation of Lumas’ rights as a patient.³⁴⁴

William Lumas [has] suffered severe... and permanent injuries as a result of utilizing your product known as Anadrol 50... Our client [was] ignorant to the exact nature of your product and relied on your representations that [it] was safe... without [posing] any danger to him... You failed to warn [him] of the dangers and untoward consequences of its use... The [anabolic steroids] you sold to William Lumas... were not fit for the purpose intended... nor were [they] of merchantable quality... this letter is to inform you that the warranties of reasonable fitness... were thereby breached by you, and that as a result... Lumas suffered and developed serious and permanent injuries... [and] Patricia Lumas also suffered injuries to her person.³⁴⁵

In later interviews, Lumas attributed his liver condition to Kerr’s failure to disclose vital information in the early stages of treatment. For instance, in a 9 April 1986 article in the *Los Angeles Times*, Harvey reported that prior to the hospital visit Lumas was unaware of the side-effects attendant to anabolic steroid use. “I can’t remember whether he recommended I take steroids, but when I told him I wanted them he gave me a prescription,” said Lumas, “I really

³⁴⁰ Hospital record of William Lumas, no. 92445634-001, Memorial Medical Center, Long Beach, CA, 20 October 1984.

³⁴¹ Ibid.

³⁴² Harvey, “Join Forces,” *The Los Angeles Times*, 9 April 1986.

³⁴³ Ibid.

³⁴⁴ Richard Wolfe in notice of representation letter to Robert Kerr, 22 February 1985.

³⁴⁵ Ibid.

trusted the guy [but] he never warned me about the side-effects.”³⁴⁶ In the same interview for *USA Today*, Roseman revealed the case had been settled out of court for an undisclosed amount.³⁴⁷ Quoted in the same article, Kerr maintained it was not he who was to blame, but rather, the risky behaviors of steroid users. “I don’t advocate anabolic steroids [but] if you are [using them], you ought to be under a doctor’s care,” he told Woodward, “every case I’ve heard of with regard to their side-effects has been the result of [their purchase] on the black market.”³⁴⁸ As no additional court documents for this lawsuit were recovered, details of the settlement reached by the two sides is unknown. Speaking to the outcome of the case, Howard speculated, “For an injury [that severe] the payout would be substantial, even in the 1980s... [Kerr’s] malpractice insurance would have handled that... I’d estimate the [settlement] was... somewhere between [\$150,000] and \$300,000.”³⁴⁹

Ahead of “Schedule”

The Lumas case proved to have far-reaching significance. While the bodybuilder was at home recovering from liver surgery, California lobbyist and volunteer nurse Kathy Lynch was apprised of the situation, and proceeded to launch a state-wide public-relations campaign against anabolic steroids, with Lumas as her star witness.³⁵⁰ Lynch, who grew up in Jefferson, Iowa, had earned a graduate degree in industrial labor relations at Iowa State University, then briefly interned with the Iowa State Government before accepting a lobbying position with the California Trucking Association (CTA) in Sacramento.³⁵¹ Less than six months after a CTA colleague informed her

³⁴⁶ Harvey, “Join Forces,” *The Los Angeles Times*, 9 April 1986.

³⁴⁷ Woodward, “Reputation Led Athletes,” *USA Today*, 6 April 1989.

³⁴⁸ Ibid.

³⁴⁹ Kelvan Howard in interview with author, 12 July 2018.

³⁵⁰ Dietz, “Athletes on Steroids,” *The San Francisco Examiner*, 3 September 1986; and Harvey, “Join Forces,” *The Los Angeles Times*, 9 April 1986.

³⁵¹ Harvey, “Join Forces,” *The Los Angeles Times*, 9 April 1986.

of Lumas' condition, Lynch combined forces with local public relations specialist Leo McCarthy to found Steroids Out of Sports (SOS), a non-profit organization targeting more stringent legislation against anabolic steroids.³⁵² The alliance proved to be a fruitful one. Armed with political capital, Lynch arranged for Lumas to meet with state assemblymen Gary Condit and Steve Clute, the democrat representatives from Riverside and Ceres respectively, to discuss the prospect of steroid legislation in California. In the summer of 1985, Condit and Clute introduced three bills in the California legislature, one of which proposed anabolic steroids be codified under the California Uniform Controlled Substances Act (CUCSA).³⁵³ In an ironic plot twist, Goldman denounced the legislation in a 9 April 1986 interview for *The Los Angeles Times*: "There are some doctors prescribing steroids to athletes who have to be dealt with, but there are ways to do that within the medical profession," he told columnist Randy Harvey, "I really don't like legislators telling doctors what they should and should not do."³⁵⁴

On 1 January 1987, after three revisions to the original bill, anabolic steroids were added to Schedule III of the Act, which imposed a maximum penalty of one year in jail for their unlawful possession.³⁵⁵ Further, the new law specified "felony penalties for [physicians] prescribing anabolic steroids for non-medical purposes," meaning doctors like Kerr could no

³⁵² Ibid.

³⁵³ Robert Crabbe, "Legislation Aimed at Discouraging Athletes, Especially Teenagers, from Using Body-Building Drugs," *United Press International*, 4 December 1985; drafted in 1972 - two years after similar federal legislation was enacted - the *California Uniform Controlled Substances Act* originally stipulated that anabolic steroids were "exempt" from state drug laws, and thus, were not considered controlled substances. It would be fifteen years before they were officially added to the Act. Further, from 1972 through the end of 1986, anabolic steroids were still considered a "monitored prescription drug" in California, meaning their illegal distribution was still a felony offense. For further reading, see John Doe M.D., and Steve Roe v. The United States of America (Grand Jury Proceedings), United States Court of Appeals for the Ninth Circuit, 801 F.2d 1164, 1986; for California's first controlled substance legislation, see The California Uniform Controlled Substances Act, "Standards and Schedules," H.S. 11032, Ch. 1407, 1972.

³⁵⁴ Harvey, "Join Forces," *The Los Angeles Times*, 9 April 1986.

³⁵⁵ California State Legislature, *Summary Digest of Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments) Adopted in 1986* (Volume 1), compiled by Bion M. Gregory, Darryl R. White, and James D. Driscoll (Sacramento: California Legislature, 1986), 376.

longer dispense the drugs for extra-medical purposes.³⁵⁶ The Lumas case was indeed a formative one, as it set off a sequence of events that resulted the proscription of anabolic steroids under California law. By 1989, the state legislatures in Alabama, Florida, Idaho, Kansas, Minnesota, North Carolina, Texas, and Utah had codified anabolic steroids as controlled substances.³⁵⁷

THE GROWTH OF A HORMONE ACTIVIST

The 1984 Olympic Games was the last major competition for which Kerr prescribed banned substances to athletes, at least he claimed so. Patients were supplementing prescription anabolics with potentially dangerous black market products, in patent disregard of his advice. Several news articles published after the Games reflect the doctor's frustration, and resignation that he could no longer protect the best interests of patients. This time Kerr's insights were not featured in television interviews or tantalizing exposes, perhaps because anti-drug rhetoric was old news by the mid-1980s. In an appearance on *The MacNeil-Lehrer News Hour* on 28 May 1986, for the first time, Kerr questioned the value of medical doping:

At one time I felt that if a physician could evaluate athletes who desired to take anabolic substances... then there would be no need to go to [the] black market... but this is simply not the case. Many of the athletes will have their prescription[s] filled at the drugstore and then visit their [neighborhood] dealer, just to see what... drugs can be supplemented with [prescription anabolics].³⁵⁸

Likewise, in August of 1986 Kerr told *Washington Post* journalist David Sell, "they take what I prescribe and supplement it with five or six other things. I've changed my mind. You can't trust athletes."³⁵⁹ The doctor reiterated this view in interviews and government testimony in the

³⁵⁶ Ibid.; the final draft of the bill, an amendment to the *California Uniform Controlled Substances Act*, was signed by the California State Senate on 26 June 1986.

³⁵⁷ *Drug Misuse: Anabolic Steroids and Human Growth Hormone*, 38.

³⁵⁸ Robert Kerr in interview with Jim Lehrer, "Steroids in Sports," *The MacNeil-Lehrer News Hour*, PBS, 28 May 1986.

³⁵⁹ Sell, "Growth Hormone Proves to be Tempting," *The Washington Post*, 10 August 1986.

coming years, and by 1989, appeared to have grown more polarized in his stance. But apparently his reputation preceded him. “No amount of counselling would dissuade athletes... frankly, I was becoming old-fashioned to them,” grumbled Kerr in a *Los Angeles Times* interview that June, “I would have nothing to do with drugs that were not legal... now patients are advised if they even mention the word steroids, that’s the end of our session.”³⁶⁰

Kerr not only stopped prescribing anabolics after the Los Angeles Olympics – at least he claimed so – but within a year, had embraced the role of informant and expert witness, for the anti-doping movement, and government inquests into drug use in sport. On 1 March 1985 the doctor penned a letter to five respected sports medicine practitioners to share intel on the bizarre and potentially hazardous measures athletes were taking to gain an advantage.³⁶¹ Among the practices Kerr described were athletes’ use of the dangerous chemical strychnine to increase aerobic threshold, sport scientists and coaches devising protocols to side-step drug tests, and the use of medical procedures as a means of performance-enhancement.³⁶² Describing a particularly unusual practice employed by Soviet sport scientists, Kerr wrote, “my sources tell me that... Russian swimmers are being injected with [one-and-a half] liters of air into the rectum and transverse colon. This is to give better flotation capacity at the hip joint... I imagine this would cause some embarrassment to some of the swimmers.”³⁶³

³⁶⁰ Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

³⁶¹ Ibid; and Janofsky, “Doctor Says He Supplied Steroids to Medalists,” *The New York Times*, 20 June 1989.

³⁶² Ibid.

³⁶³ Hynes, “Nerve Gas,” *The Globe and Mail*, 20 June 1989; the author was unable to find the original letter Kerr distributed, however, the cited news article quote excerpts from the letter Kerr read in the *Dubin Inquiry* in 1989.

Hard Evidence

A year after Kerr changed allegiances, the drug he once heralded as “superior” to anabolic steroids would be in scarce supply no longer.³⁶⁴ On 18 October 1985, Genentech Pharmaceuticals announced its release of a new synthetic version of HGH, increasing the market supply of the drug to unprecedented quantities. In early 1985 the distribution of pituitary-derived growth hormone was ceased after several children being treated with it contracted Creutzfeldt-Jakob disease, an insidious virus that causes brain degeneration and eventually death.³⁶⁵ The San Francisco-based company aimed to strike while the proverbial iron was hot. Utilizing recombinant DNA technology, Genentech had first identified biosynthetic growth hormone in 1979 after years of failed attempts, characterized by historian Richard Blizzard as “a competitive race to develop the methodology.”³⁶⁶ However, the initial manufacturing process was both costly and time consuming and did not produce a yield sufficient to turn a profit. In a 1986 article for *Nature Biotechnology*, Vageesh Ayyar noted that Genentech refined its original production process over several years, and by 1985, could manufacture HGH in quantities that exceeded patient demand.³⁶⁷ One month before the drug was approved for clinical trials, Henry Miller of the FDA’s Bureau of Drugs announced, “this will provide potentially limitless supplies of HGH for treating both the short stature of pituitary origin and for clinical studies for other indications.”³⁶⁸

³⁶⁴ “Athletes Discover,” *The Globe and Mail*, 14 November 1983.

³⁶⁵ Sell, “Growth Hormone Proves to be Tempting,” *The Washington Post*, 10 August 1986; for further reading on Creutzfeldt-Jakob Disease, see P. Brown, F. Cathala, P. Castaigne, and D.C. Gajdusek, “Creutzfeldt-Jakob Disease: Clinical Analysis of a Consecutive Series of 230 Neuropathologically Verified Cases,” *Annals of Neurology* 20, no. 5 (1986): 597–602.

³⁶⁶ Richard Blizzard, “History of Growth Hormone Therapy,” *The Indian Journal of Pediatrics* 79, no. 1 (2012): 90; for further information see Genentech Press Release, “First Successful Bacterial Production of Human Growth Hormone Announced,” accessed 5 December 2019, <https://www.gene.com/media/press-releases/4161/1979-07-11/first-successful-bacterial-production-of>.

³⁶⁷ Ayyar, “History of Growth Hormone Therapy,” 162–165.

³⁶⁸ National Institute of Health, “Human Growth Hormone,” *Research Resources Report*, December 1980.

Kerr was all too familiar with growth hormone's popularity amongst athletes and barbell men, and was convinced the new synthetic version would expeditiously fall in the hands of illicit suppliers. At the HGH symposium, staged in April of 1986 at the UT campus in Austin, the doctor predicted Genentech's product would soon pervade the black market, given the popularity and scarce supplies of its pituitary-derived predecessor. While there was "no evidence to suggest [Protropin] was being sold illegally" at the time, Kerr noted in his conference address, it would be "on the black market in a matter of weeks" after the company's full-scale release of the product that spring.³⁶⁹ Genentech's Director of Medical Affairs Ann Johansen attended the proceedings, and was contacted by Kerr after they wrapped. "[At the conference] I mentioned to you... I was concerned that [Protropin] might become available [on the] black market," the doctor wrote in a letter to Johansen the following spring, "I've heard from coaches, athletes, and trainers who say that... Genentech growth hormone is readily available through black market sources, throughout the hemisphere. I've also heard from people in Western Europe who say... they are obtaining it there."³⁷⁰ Amongst the symposium's attendees were husband and wife powerlifting greats Jan and Terry Todd, John Hoberman, Don Catlin, and physician and doping expert William Taylor.³⁷¹

In February of 1987, Kerr penned a letter to USOC physician Robert Voy to inform him that adulterated versions of Protropin, and Eli Lilly's new HGH drug Humatrope were widespread in the black market. Considered a leading expert in high-performance sports medicine, Voy served as Chief Medical Officer for the 1984 U.S. Olympic Team in Los Angeles,

³⁶⁹ Kerr in Growth Hormone Symposium, UT Austin, July 1986.

³⁷⁰ Robert Kerr in letter to Ann Johansen, 17 February 1987, in *Medical Devices and Drug Issues*, 37.

³⁷¹ Growth Hormone Symposium, UT Austin, July 1986; and Sell, "Growth Hormone Proves to be Tempting," *The Washington Post*, 10 August 1986.

and later for the 1988 Summer Games in Seoul.³⁷² After the doctors exchanged several letters, according to Kerr, Voy asked if he would be interested in testifying before U.S. Congressional hearings on doping in sport.³⁷³ Over three hearings titled *Medical Devices and Drug Use*, the Senate Subcommittee on Health and the Environment probed the illicit trafficking of HGH and anabolic steroids, and the “need for legislation to control potential abuses” of the drugs.³⁷⁴ Indeed, several policymakers sought to codify HGH as a Schedule II drug under the Federal Controlled Substances Act (CSA), with the same classification as harmful drugs like Oxycontin and Percocet.³⁷⁵

Two weeks after contacting Voy, Kerr alerted Johansen to what appeared to be an escalating situation, one he had foretold the past summer. “It seems that there is a wealth of Protoprin for sale on the black market. I gather that it is being sold for \$300 or so for ten units,” Kerr wrote, “I thought this should be brought to your attention... I have not heard where the black market sources obtain the product... but perhaps you might be able to investigate this situation and find a remedy for it.”³⁷⁶ Johansen mailed a reply in early March informing Kerr that his concerns were appreciated, but Genentech had “obtained no evidence of [the] illegal

³⁷² Peter Alfano, “The Image Remains a Problem for Lifters,” *The New York Times*, 13 May 1984; and Lawrence K. Altman, “The Doctor’s World; For New Specialists in Drug Detection, Athletes Set Fast Pace,” *The New York Times*, 22 November 1988.

³⁷³ *Medical Devices and Drug Issues*, 20.

³⁷⁴ *Ibid.*; Kerr’s testimony before the Subcommittee Committee, coupled with letters he wrote to Genentech’s Ann Johansen, indicate he was in correspondence with Voy between February and March of 1987. A letter Kerr wrote to Johansen on 17 March informed her that Voy had already invited him to the hearings at that point. In an earlier letter to Johansen dated 17 February 1987, Kerr made no mention of this. Thus, it stands to reason that he was extended the invitation sometime between 17 February and 17 March 1987.

³⁷⁵ The Comprehensive Drug Abuse Prevention and Control Act of 1970, Pub. L. No. 91–513, 84 Stat. (1970), article 812 (A-C); the Controlled Substances Act was passed in 1970 as Title II of the above as regulatory legislation for substances listed in the *United States Pharmacopeia*; namely to restrict habit-forming drugs with a high potential for abuse. Drugs were evaluated and classified by five schedules. Those with high abuse-potential and little or no medical use under Schedule I. Correspondingly, drugs classified under Schedule V were found to have legitimate medical uses with little abuse and/or dependency potential. For a more comprehensive summary of this legislation, see Robert C. Bonner and Gene R. Haislip, *A Security Outline of the Controlled Substances Act of 1970* (Washington, D.C.: Drug Enforcement Administration, 1991).

³⁷⁶ Robert Kerr in letter to Ann Johansen, 17 February 1987, in *Medical Devices and Drug Issues*, 37.

distribution of Protropin,” and that “any hard evidence” should be forwarded to the FDA and the United States Department of Justice (DOJ).³⁷⁷ At the time the agencies were partnering with the FBI in a nationwide investigation into illicit supply networks for anabolic steroids, and nineteen months earlier, formed an inter-agency task force to look into the matter. However, there is no evidence to confirm that HGH was a part of the federal probe.

In less than a week Kerr managed to track down the “hard evidence” cited by Johansen. The doctor found Genentech’s HGH was not only being sold on the black market, but had intel that suggested it was widely available. “I do not think that you really know the degree that Protropin has invaded the black market,” Kerr wrote to Johansen on 17 March, “I recently purchased a [bottle]... from a... dealer to prove how easy it was.”³⁷⁸ Through connections in the sporting community, the doctor had also learned that the drug had become immensely popular among illicit suppliers. Speaking to this point, he wrote to Johansen, “I know of probably at least... twelve black market dealers that I have heard of through the grapevine that can supply [Protropin] at any time.”³⁷⁹ He also noted a boxcar shipment of Protropin had recently fallen into the hands of illicit dealers, and that the shipping company had labeled it “damaged in transit.”³⁸⁰ At the Senate Committee hearings six weeks later Kerr described a second incident that assuredly hit closer to home for Genentech’s top brass: “One week ago I spoke to an Olympic weightlifter... who just bought two containers of Protropin... [from] an employee at Genentech... I would suggest for the sake of the scandal that Genentech undertake an internal investigation into this matter.”³⁸¹

³⁷⁷ Ann Johansen in letter to Robert Kerr, 12 March 1987, in *Medical Devices and Drug Issues*, 38.

³⁷⁸ Robert Kerr in letter to Ann Johansen, 17 March 1987, in *Medical Devices and Drug Issues*, 39.

³⁷⁹ Ibid.

³⁸⁰ Ibid.

³⁸¹ Kerr in *Medical Devices and Drug Issues*, 26.

“A Significant Public Health Hazard”

The doctor’s testimony before Congress, as cited in his written statement, was in the capacity of growth hormone expert and “lobbyist” for harsher penalties against drug offenders.³⁸² On 8 April Kerr testified that after several telephone conversations with Voy that February, the two hatched a plan to expose the ease by which Protropin could be obtained from illicit suppliers. According to Kerr, he and Voy each purchased a vial of Protropin with the intention of “tracing their sources from Genentech” using serial numbers on the containers’ labeling.³⁸³ After discovering a vial of black market Protropin fetched up to \$450, Kerr assured his new partner in espionage that he would personally “buy two vials of 10ccs each,” which he joked to the Subcommittee were probably not “tax deductible.”³⁸⁴ Reasoning it would be “too easy” to procure the substance from a known dealer, Kerr testified, he chose a random bodybuilder whom he knew “in the past had taken anabolic drugs from the black market,” and received a vial of Protropin in the mail a week later.”³⁸⁵ To support these statements Kerr brought with him an assortment of recently acquired counterfeit growth hormone vials, all of which had been tampered with.³⁸⁶ Voy also testified on 8 April, and spoke to the proliferation of HGH on the black market, echoing Kerr’s letters to Johansen that winter: “Since the marketing of [Protropin]... the U.S. Olympic Committee has been aware of [its] increasing abuse... most information indicates that the black market provides the major source of synthetic growth hormone... [there is] certainly a health risk.”³⁸⁷

At the time the two physicians appeared before the Subcommittee, neither HGH nor anabolic steroids were not codified as controlled substances, and therefore, criminal penalties for

³⁸² Ibid., 20.

³⁸³ Ibid., 20.

³⁸⁴ Ibid., 20-21

³⁸⁵ Ibid., 21, 23.

³⁸⁶ Ibid., 19-20.

³⁸⁷ Written statement of Robert Voy (M.D.) in *Medical Devices and Drug Issues*, 12.

their possession and illegal distribution were relatively lenient.³⁸⁸ Since 1958, the year Dianabol was approved as the first anabolic steroid for human use, the drugs had been regulated by the FDA under the Federal Food, Drug and Cosmetic Act (FDCA) of 1938, which vested the agency with jurisdictional oversight over prescription drugs and dietary supplements.³⁸⁹ Amid revelations of the USOC's aiding and abetting of drug-taking among American athletes, in January of 1985 the FDA promulgated an official position on the underground trafficking of anabolic steroids and HGH, stipulating they posed "a significant public health hazard," that had escalated to levels far exceeding the agency's capabilities.³⁹⁰ According to Leslie Southwick, who at the time was the U.S. Deputy Assistant Attorney General, the FDA had prosecuted more than thirty illicit suppliers of anabolics at the time, but lacked the resources to mount a serious investigation into the underground market.³⁹¹ In early 1985 its newly-appointed National Steroid Coordinator Dennis Degan formally requested assistance from the DOJ to "recruit and coordinate... law enforcement resources."³⁹² A compliance officer for the FDA's Detroit office, Degan was instrumental in the creation of the task force, which by May of 1987 had dismantled a nationwide steroid distribution ring worth more than \$70 million.³⁹³

³⁸⁸ Given that anabolic steroids and human growth hormone were classified as prescription drugs but were not codified under the Controlled Substances Act until 1990, the FDA had sole jurisdictional authority over their regulation until 1985, after which the agency requested assistance from the U.S. Justice Department. The Omnibus Drug Initiative Act in 1988 was the first legislation enacted that formally proscribed the unlawful distribution of anabolic steroids under federal law. See for reference The Omnibus Drug Initiative Act of 1988, H.R. 5210, 100th Cong. (1988); and *Dubin Inquiry*, 613-614.

³⁸⁹ See for reference Federal Food, Drug and Cosmetic Act of 1938, Pub. L. No. 75-717, 52 Stat. 1040 (1938), 49.

³⁹⁰ Subcommittee on Crime of the Committee on the Judiciary, *Anabolic Steroids Control Act of 1990: Hearings Before the Subcommittee on Crime of the Committee of the Judiciary*, H.R. 4658, 101 Cong., 2nd sess., 17 May 1990; for the USOC's cover-ups, see Hunt, *Drug Games*, 72; and Todd and Rosenke, "The Event that Shook the Whole World Up," 171-172.

³⁹¹ *Ibid.*

³⁹² *Ibid.*

³⁹³ See for reference *United States of America v. David Jenkins et. al.*, 3; Sharon Snider, "Phony Steroid Dealers Receive Real Sentence," *FDA Reports*, July-August 1990, 33; and Alan L. Hoeting in interview with Robert A. Tucker, "The History of the Food and Drug Administration," 21 April 1999, accessed 2 November 2019, <https://www.fda.gov/downloads/AboutFDA/History/ResearchTeaching/OralHistories/UCM264722.pdf>.

By Kerr's judgement the joint-investigation was long overdue, as were more stringent laws regulating anabolic hormones. "I reported a number of dealers to [the] FDA and other law enforcement agencies," he told the Subcommittee, "and most of [them] I found are back on the street, plying their trade... the laws obviously aren't strict enough."³⁹⁴ He also noted that steroid dealers were marketing their products in mail-order catalogues and flyers, and that obtaining the drugs was as easy as filling out an order form and writing a check.³⁹⁵ According to Kerr, the FDA failed to act on his intel.³⁹⁶ Nevertheless, DK recalled his father continued to work with several local and federal law enforcement agencies, including the FDA, DEA, and FBI, from the late 1980s through the late 1990s, doing so "purely out of the goodness of his heart."³⁹⁷

Medicine vs. Anabolics: A Two-Front Battle

In 1988 two bills targeting harsher penalties for the sale and distribution of anabolic hormones were brought to the U.S. House of Representatives. Titled *The Anti-Drug Abuse Act* and *The Anabolic Steroid Restriction Act*, both proposed anabolic steroids and HGH be scheduled under the CSA, and three-year prison terms for their unlawful distribution.³⁹⁸ While the latter bill was defeated by committee markup in the Senate, The Anti-Drug Abuse Act (ADAA) was ratified in November of 1988; an amendment to the FDCA that stipulated a minimum one-year prison sentence for the distribution, or possession "with the intent to distribute any anabolic steroid other than for the *treatment of a disease* in accordance with a physician's order."³⁹⁹ Medical

³⁹⁴ *Medical Devices and Drug Issues*, 18.

³⁹⁵ *Ibid.*

³⁹⁶ *Ibid.*

³⁹⁷ David Kerr in interview with author, 7 December 2018.

³⁹⁸ *Steroids in Amateur and Professional Sports*, 35.

³⁹⁹ The Anti-Drug Abuse Act of 1988, 4230.

doping was now prohibited by law in the United States. The Act also mandated “longer prison terms if distribution or intent is directed at an individual under the age of 18.”⁴⁰⁰

In effect, the ADAA limited physicians’ professional discretion, given that the legislation outlawed the prescription of anabolic hormones for non-medical conditions. In “Anabolic Steroids: Addictive, Psychiatric, and Medical Consequences,” addiction specialist Kirk Brower (M.D.) notes, “the [American Medical Association] opposed [this] Congressional action into physicians’ prescribing practices,” a foreseeable outcome given the organization’s track record of lobbying against political intrusion in medicine.⁴⁰¹ According to health policy historian Dominique Tobbell, the AMA had a history of “vociferously oppos[ing] legislation that threatened to... undermine physicians’ autonomy,” particularly when it came to prescription drugs.⁴⁰²

Ironically, the AMA’s opposition to anabolic steroid laws was preceded by years of policy statements condemning medical doping. The organization first disseminated this position to member physicians seven years after Kerr graduated from medical school. In 1971 the Committee on the Medical Aspects of Sports (CMAS) addressed the issue in “Fundamental of Athletic Training,” a joint publication with the National Athletic Trainers Association (NATA):

To use a drug [in treatment] there must be justifiable purpose based on sound medical judgement... a medical diagnosis of a clinical deficiency must precede treatment... There is no excuse for giving anabolic steroids to healthy athletes of any age... the ill-effects - decrease in ultimate height, virilization... [and] decreased liver function - are insidious and not immediately apparent. If these considerations are not convincing, the legal (where sold without medical prescription) and the ethical (the use of prescription drugs for healthy persons in the quest for advantage in sport) implications cannot lie disregarded.⁴⁰³

⁴⁰⁰ Ibid.

⁴⁰¹ Kirk J. Brower, “Anabolic Steroids: Addictive, Psychiatric, and Medical Consequences,” *The American Journal of Addictions* 1, no. 2 (1991): 104.

⁴⁰² Dominique A. Tobbell, “Allied Against Reform: Pharmaceutical Industry-Academic Physician Relations in the United States, 1945-1970,” *Bulletin of the History of Medicine* 82, no. 4 (2008): 903.

⁴⁰³ American Medical Association, Committee on the Medical Aspects of Sports, “Drug Use and Abuse,” in *Proper and Improper Use of Drugs*, 414-415.

In the early 1970s the AMA launched an educational campaign aimed at ameliorating the drug problem in American sport, and in several resolutions adopted thereafter, reiterated that medical was an unethical practice. In June of 1972, amid revelations of rampant doping among the nation's athletes, the organization confronted the issue at its annual House of Delegates convention in San Francisco. After four days of proceedings at the Hilton Hotel in the city's posh Union Square district, the AMA adopted "Resolution 89," a directive aimed at alerting physicians and the general public to the harms posed by medical doping, and eliminating the practice altogether. First introduced by the Committee on the Environment and Public Health, the action impelled member physicians to "exert rigid control over [the] prescription of... androgenic-anabolic steroids to athletes," and proposed an educational program aimed at "re-alerting [physicians]... athletes... and the public... to the importance of [the] problem and the need for vigorous action."⁴⁰⁴ In an appearance before the U.S Senate a year later, CMAS representative Donald Cooper noted the resolution, "reiterated an unequivocal statement... that... anabolic steroid drugs have no medical purpose in athletics."⁴⁰⁵

Leading into the 1980s, the AMA continued to voice a strong opposition to drug use in sport, contemporaneous to its crusade against Congressional actions aimed at limiting physicians' oversight over prescription drugs. In 1980, less than two years before *Practical Use* propelled Kerr into the limelight, the AMA reaffirmed its position on androgens in the fourth edition of *AMA Drug Evaluations: A Reference Book for Drug Use*. A short excerpt published in *The Washington Post* in the summer of 1981 reads, "The use of anabolic steroids to improve athletic performance is unanimously condemned... it is believed that many athletes... regularly

⁴⁰⁴ American Medical Association, Committee on Environment and Public Health, "Resolution 89: Non-Therapeutic Use of Pharmacological Agents by Athletes," in *Proceedings of House of Delegates, 121st Annual Convention* (San Francisco, CA: American Medical Association, 1972), 348.

⁴⁰⁵ *Proper and Improper Use of Drugs*, "Statement of Donald L. Cooper, M.D.," 10.

ingest dosages... that far exceed those used for other purposes.”⁴⁰⁶ The following year the World Medical Association (WMA) followed suit by denouncing physician-assisted doping at its 34th General Assembly in Lisbon, Portugal:

A physician should be aware that the use of doping practices by a physician is in violation of the medical oath... the WMA considers the problem of doping to be a threat to the health of athletes... as well as being in conflict with the principles of medical ethics. The physician must thus oppose and refuse to administer or condone any such means or methods which is not in accordance with medical ethics [and] which might be harmful to the athlete... Doping to improve an athlete's performance is unethical... the physician should inform the athlete... of the consequences of [doping]... guard against [it]... [and]... protect the athlete against pressures which might induce him or her to use these methods.⁴⁰⁷

The AMA first disseminated a *public* position on hormonal doping in 1986, nearly two years after Kerr ceased his work with anabolics.⁴⁰⁸ After several years of research the organization's Council on Scientific Affairs drafted a report titled, “Drug Abuse in Athletes: Anabolic Steroids and Human Growth Hormone,” which was admitted into the official record at the 1987 hearings:

The problem of misuse of anabolic hormones is complex... [and includes] the adverse effects of misuse... [and] the concept of violation of fair play... steroids are used at all levels of [sport] and [are] believed to be widespread... and are easily obtained on the black market... There are clear adverse affects associated with anabolic steroids... and... [athletes'] doses may be far greater than those considered to be therapeutic... but [they] do have legitimate medical uses in several conditions (certain anemias, hereditary angioedema, breast cancer, and possibly osteoporosis).⁴⁰⁹

⁴⁰⁶ Kerry Dougherty, “Plucknett Returns Spotlight to Steroids,” *The Washington Post*, 19 July 1981.

⁴⁰⁷ World Medical Association, “Sport Medicine,” in *Declaration of Lisbon on the Rights of the Patient, 34th World Medical Assembly* (Lisbon, Portugal: World Medical Association, 1981), art. 3, sec. 4 (a-g), sec. 5.

⁴⁰⁸ The AMA's first public position on anabolic steroids was published two years later in American Medical Association, Council on Scientific Affairs, “Drug Abuse in Athletics: Anabolic Steroids and Human Growth Hormone,” *Journal of the American Medical Association* 259, no. 11 (1988): 1703-1705; as part of his testimony fifteen years earlier before the United States Senate Judiciary Committee, AMA representative Donald Cooper stated there was a “strong concern” in the AMA regarding the widespread use of drugs in sport. Cooper also informed the Committee that, as of 1972, the AMA had developed programs designed to educate coaches and athletes on the health hazards associated with anabolic steroid use, and stated the Association was dedicated to supporting “general prevention” programs. See for reference *Proper and Improper Use of Drugs by Athletes*, “Statement of Donald L. Cooper M.D, 10-12; for further reading on the AMA's position on anabolic steroids, see Dougherty, “Plucknett Returns Spotlight to Steroids,” *The Washington Post*, 19 July 1981.

⁴⁰⁹ American Medical Association, Council on Scientific Affairs, “Drug Misuse: Anabolic Steroids and Human Growth Hormone,” Resolution 57, A-86, 1986, 153-155.

Perhaps because the document was published a year before the hearings opened, it included no arguments against the scheduling of anabolic steroids, a central issue at the proceedings. The Council did, however, attach a boilerplate section titled, “Educational Action for Drugs with Abuse Potential,” emphasizing drug education, and the “judicious use of news media... and AMA publications to publicize [its] interest in the [doping] problem.”⁴¹⁰ Several “regulatory actions” targeting the drugs’ illicit supply networks were enumerated, and in addition, the Council drafted a rebuttal to the proposed regulations on HGH:

The AMA opposes legislation that would schedule HGH under the [CSA]. The proper route for scheduling is through the well-developed regulatory process... not by legislation... HGH does not meet the criteria for... schedule II... in that it does not lead to severe psychological or physical dependence... the inclusion of an atypical compound such as HGH is a major change in policy that demands in-depth study... [there must be] substantial evidence that [it] has a high potential for abuse. While the AMA recognizes that [it] has a limited potential for abuse, little or no data exist [to] substantiate [this claim].⁴¹¹

“IF YOU COME TO CANADA YOU WILL BE KILLED”

Kerr made his final appearance in the public eye two years after appearing before Congress, this time at the behest of the Canadian government.⁴¹² On 19 June 1989, the doctor testified before the *Dubin Inquiry*, a nine-month investigation convened on the recommendation of Prime Minister Brian Mulroney in response to what was perhaps the most dramatic and impactful doping scandal theretofore. Some thirty-six hours after defeating arch-nemesis Carl Lewis in the 100 meter final at the 1988 Seoul Olympic Games, in world-record fashion no less, Canadian

⁴¹⁰ Ibid., 155.

⁴¹¹ Statement of the American Medical Association to the Subcommittee on Health and the Environment, Committee on Energy and Commerce, United States House of Representatives, “Re. Scheduling of Human Growth Hormone Under Schedule II of the Controlled Substances Act,” in *Steroids in Amateur and Professional Sports*, 148-150, 22 April 1987.

⁴¹² Kerr granted the occasional interview after 1989, according to DK, but this was his final public appearance.

Ben Johnson was found positive for the anabolic steroid Stanozolol.⁴¹³ The IOC took swift and decisive action, stripping Johnson of his gold medal and world-best mark of 9.79 seconds, and banishing him from athletic competition for two years.⁴¹⁴ Alarmed by what appeared to be endemic drug-use in both domestic and international sport, the Canadian government called the inquiry to address a “clear public concern” that doping had become a serious problem, and to ascertain the “facts and circumstances surrounding athletes’ use of [performance-enhancing drugs].”⁴¹⁵

Kerr’s appearance before the inquiry stemmed from Angella Issajenko’s testimony on 13 March 1989. A former training mate of Johnson’s, the Canadian admitted to “using anabolic steroids for four years” before meeting with the doctor, and that she had been purchasing them on the black market since 1980.⁴¹⁶ In a *Washington Post* article five days later, columnist Bill Brubaker reported “Kerr’s name surfaced in the inquiry... when Issajenko testified she had received [prescriptions] from Kerr in 1983 and discussed her prior steroid use with [him]” in her lone visit to his San Gabriel practice.⁴¹⁷ In an interview for the same article, Kerr disputed the latter detail: “When she came to visit me in ’83, she said she’d never taken steroids before and that she was at a great disadvantage because everybody else... was taking [them].”⁴¹⁸ It appeared Kerr was right. Athletes could not be trusted.

⁴¹³ Ken Denlinger, “Johnson: Unforgettable, Not Forgivable,” *The Washington Post*, 16 July 1989; and Hynes, “Nerve Gas,” *The Globe and Mail*, 20 June 1989.

⁴¹⁴ For a detailed review of the Johnson incident, see Beamish and Ritchie, “‘The Spirit of Sport,’” 47-72; and Bruce Kidd, “Seoul to the World, the World to Seoul ... and Ben Johnson: Canada at the 1988 Olympics,” *Sport in Society* 16, no. 4 (2013): 449-63.

⁴¹⁵ Justice Charles Dubin in *Dubin Inquiry*, xviii.

⁴¹⁶ Joseph Hall and Mary Ormsby, “Drug Left Her ‘Very Aggressive’ Sprinter Issajenko Tells Probe,” *The Toronto Star*, 13 March 1989; and “Athletes Named at Probe Bought Steroids, Pair Say,” *The Toronto Star*, 10 April 1989.

⁴¹⁷ Bill Brubaker, “California Doctor Will Testify on Johnson’s Source of Steroids,” *The Washington Post*, 18 March 1989.

⁴¹⁸ *Ibid.*

The doctor appeared before the *Dubin Inquiry* on 18 June. In nearly a full day of testimony, Kerr elucidated the mindset of elite athletes in drug-laden sports, black market and legitimate drug sources, obscure and undetectable doping methods, and Eastern Bloc doping practices.⁴¹⁹ In testimony on 18 June, for instance, he detailed the German Democratic Republic's (GDR) "pre-testing" program, which involved team physicians conducting pre-emptive drug screenings to ensure athletes competing abroad would test clean in competition.⁴²⁰ Kerr also told the inquiry that strychnine, a highly toxic chemical used to kill rodents, was "the most powerful central nervous system stimulant available," and was commonly used in endurance sports.⁴²¹ In reference to the narrow safety margins for dosing the drug, he explained, "Obviously if the drug doesn't wear off or an antidote isn't given, you'd stop breathing... it just shows the ridiculous [lengths] people will go to [to win]." ⁴²² Michael Janofsky of *The Los Angeles Times* reported the doctor also informed the commission he knew of "72 other doctors in the Los Angeles area, among them four or five in San Gabriel, who [were treating] athletes with banned drugs" at the time.⁴²³

Further, Kerr played a central role in the commission's investigation into Johnson's positive test. Several months earlier, the doctor testified, a Dutch track coach gave him a vial of "Estragol," the undetectable steroid Johnson had allegedly been using.⁴²⁴ Kerr testified that he

⁴¹⁹ Robert Kerr in testimony before the *Dubin Inquiry*, 115, 347; Hynes, "Nerve Gas," *The Globe and Mail*, 20 June 1989; and Denlinger, "Unforgettable," *The Washington Post*, 16 July 1989.

⁴²⁰ Ibid.; and Harvey, "Bizarre Medical Practices," *The Los Angeles Times*, 20 June 1989; and Janofsky, "Steroids to Medalists," *The New York Times*, 20 June 1989.

⁴²¹ Ibid.; as early as 1897 strychnine was known to be a performance-enhancing agent. In H.G. Wells, *The Invisible Man* (New York: Oxford University Press, 1996), the book's protagonist brands strychnine a "grand tonic" that put him in a "vastly invigorated" state. Strychnine was purportedly taken by athletes as a performance-enhancing agent by Eastern-Bloc nations at the time of Johnson's positive test but was most commonly used as a pesticide to kill small birds and rodents. For further reading, see R.K. Sharma, *Concise Textbook of Forensic Medicine & Toxicology* (New Delhi: Elsevier, 2008), 275-282.

⁴²² Hynes, "Nerve Gas," *The Globe and Mail*, 20 June 1989.

⁴²³ Harvey, "Bizarre Medical Practices," *The Los Angeles Times*, 20 June 1989.

⁴²⁴ The Dubin Commission determined that Astaphan was either misinformed about Estragol or lied about the gaining access to it. See for reference *Dubin Inquiry*, 301,

brought half of the substance to Don Catlin at the UCLA Analytical Laboratory, who later informed him it was actually Stanozolol, the banned steroid for which Johnson tested positive.⁴²⁵ In an article covering the proceedings, *Los Angeles Times* journalist Randy Harvey noted that the Dutch coach asked Kerr about Estragol after purchasing a supply from Johnson's physician, Jamie Astaphan, who claimed to have obtained forty-four vials of the drug from an Eastern Bloc athlete. Through inside sources, Kerr told the commission, he learned Astaphan had been buying Stanozolol wholesale from a veterinary source, and regularly prescribed it to athletes in the Toronto area. "I'd like for the truth to come out about Astaphan," Kerr told Harvey four days after taking the witness stand.⁴²⁶ Also known by its brand name Winstrol V, Stanozolol had been on the IOC's banned substance list since 1974. According to biochemist Robert Masse and colleagues, its metabolites could easily be detected in urinalysis with the drug screening assays used in 1988.⁴²⁷

Presumably over the possibility he would reveal athletes' identities, Kerr received a death threat several months before making his trip to Canada. On the evening of 15 March 1989, he told Bill Brubaker of *The Washington Post*, a man called his home with the message, "if you come to Canada, you will be killed."⁴²⁸ The ex-Marine was undaunted. Later in the article Kerr was quoted as saying, "somebody doesn't want me up there... But I've already turned over the physical evidence, and my testimony to [Canadian officials] so, frankly, if something happens to me up there it's no big thing because they have the information."⁴²⁹ According to DK, incidents of that nature were commonplace, and it was "business as usual" at the family's San Gabriel

⁴²⁵ Randy Harvey, "Kerr Says Evidence Linking Astaphan was not Allowed," *The Los Angeles Times*, 22 June 1989.

⁴²⁶ Ibid.

⁴²⁷ Masse, Ayotte, Bi, and Dugal, "Detection and Characterization of Stanozolol, 35-36.

⁴²⁸ Brubaker, "Johnson's Source of Steroids," *The Washington Post*, 18 March 1989.

⁴²⁹ Ibid.

home.⁴³⁰ “That was not the first time he was threatened... the death threats began after [the Caracas scandal] in 1983... there were four or five of them total,” he recalled, “Dad did ruffle some feathers... guys who [he] wouldn’t [treat] would call...the house... and sometimes parked across the street... for a while there was an element of danger around there.”⁴³¹

LATER YEARS AND PASSING

Kerr quietly faded from the public eye after leaving Toronto. As DK recalled, his “exit from the spotlight” was premeditated, as he was “done with the doping stuff,” and was committed to spending more time with patients and family.⁴³² Notwithstanding the fact it had been nearly five years since Kerr had worked with anabolics, little changed for the doctor after he left the limelight. He continued to operate a successful family and sports medicine practice through the 1990s while assisting federal and local law enforcement in investigating black market PEDs, and also served as team physician for two local high school sports programs in the 1990s.⁴³³

On 3 January 2001, Robert Kerr died of a heart-attack at the age of 65. A Type-2 diabetic in his later years, Kerr “had always been a stout man,” according to DK, “drank ten cans of Pepsi per day... and [at one time] weighed in excess of 240 pounds.”⁴³⁴ DK explained that after Kerr hit his maximum weight, he “ended up trimming down, and died at around 190 to 200 pounds... but the diabetes remained.”⁴³⁵ In October of 2000, Kerr developed septicemia after surgically removing a corn from his own foot, and refused to go to the hospital.⁴³⁶ Two weeks later, at the behest of his wife Barbara, Kerr admitted himself to San Gabriel Valley Medical

⁴³⁰ David Kerr in interview with author, 2 December 2018.

⁴³¹ Ibid.

⁴³² Ibid.

⁴³³ Ibid; and “Doctor Pushed for Drugs in Sport,” *The Herald Sun* (Melbourne, Australia), 10 January 2001.

⁴³⁴ David Kerr in interview with author, 22 November 2018.

⁴³⁵ Ibid.

⁴³⁶ Ibid.

Center, but left the hospital early, limping home on an infected foot. In a matter of weeks, DK recalled, the foot “turned,” and his health quickly deteriorated.⁴³⁷ Speaking to his father’s negligent behavior, he surmised, “it was a blow to his ego... the great Dr. Kerr made such a blunder. He was embarrassed, and [did not] want his colleagues to see him like that.”⁴³⁸



Figure 2. Three generations of Kerrs, Christmas, 2000. This photo was taken less than a month before Robert Kerr passed away.

CONCLUSION

The Anti-Drug Abuse Act of 1988 proscribed the non-medical delivery of anabolics, but nevertheless, the practice continued into the 1990s. On 14 August 1989, California pediatrician William Jekot was indicted by a grand jury on twenty-seven felony counts of distributing anabolic steroids and HGH in the Los Angeles area, dating back to 1986.⁴³⁹ At the time of the

⁴³⁷ Ibid; “Dr. Robert Kerr, 65; Known as Steroid Guru,” *The New York Times*, 9 January 2001.

⁴³⁸ David Kerr in interview with author, 22 November 2018.

⁴³⁹ Henry Weinstein, “Doctor Indicted on 27 Counts as Steroid Supplier Drugs: L.A. physician is Accused of Illegal Distribution to Athletes and Bodybuilders. His Lawyer Says the Government is Trying to Make an Example out of His Client,” *The Los Angeles Times*, 15 August 1991.

indictment Jekot maintained it had been two years since he last prescribed anabolics, however, an ongoing federal investigation revealed he had worked as a “middleman” for the largest steroid-distribution ring in U.S. history.⁴⁴⁰ At its peak, said U.S. Attorney Philip Halpern in a 2019 interview, “the operation was supplying seventy percent of the nation’s black market... valued at more than \$100 million.”⁴⁴¹ An 11 August 1991 article in *Los Angeles Times* reported that Jekot purchased the counterfeit drugs from the network’s mastermind David Jenkins, a Scottish track and field athlete and silver medallist at the 1972 Munich Olympic Games.⁴⁴² A month before the case went to trial, a *The Washington Post* article reported that Jekot had fallen victim to a sting operation organized by the U.S. Customs Service. As part of a clemency deal for past drug convictions, a former patient visited the physician’s office and obtained black market anabolics while investigators listened in. Jekot was arrested shortly thereafter, and indicted on twenty-seven felony counts of illegal activity involving steroids.⁴⁴³ Evidently, Jekot, like Kerr, had a penchant for working with high-profile stars. The investigation revealed he had sold steroids and HGH to NFL stars Lyle Alzado and Danny Noonan, and *Baywatch* star David Hasselhoff.⁴⁴⁴ Federal authorities were first alerted to the doctor’s misconduct during *Dubin Inquiry* proceedings, during which Jamie Astaphan branded him the doctor “most American track and field athletes go to” for anabolic steroids.⁴⁴⁵ Court records of Jekot’s appeals case indicate he was sentenced to a five-year prison term for “conspiracy to obtain and distribute

⁴⁴⁰ In drug trafficking parlance, a “middle-man” acts as an intermediary between a dealer who purchases in bulk, and either another dealer or street customers. See for reference Joao Helion Costa Vargas, *Never Meant to Survive: Genocide and Utopias in Black Diaspora Communities* (Lanham, MD: Rowman and Littlefield, 2008), 190.

⁴⁴¹ Philip Halpern in interview with author, 24 August 2019.

⁴⁴² “Names Emerge in L.A. Steroid Case,” *The Washington Post*, 1 September 1991; and Weinstein, “L.A. Physician is Accused,” *The Los Angeles Times*, 15 August 1991.

⁴⁴³ Weinstein, “L.A. Physician,” *The Los Angeles Times*, 15 August 1991.

⁴⁴⁴ Ibid; and “Names Emerge,” *The Washington Post*, 1 September 1991.

⁴⁴⁵ Henry Weinstein, “Doctor Given 5-Year Term for Steroid Distribution,” *The Los Angeles Times*, 1 October 1991.

anabolic steroids and HGH.”⁴⁴⁶ Less than a year later, the California Bureau of Narcotics raided the office of Orange County physician George Kooshian after a two-year investigation revealed he had been illegally prescribing bodybuilding drugs in the Los Angeles area.⁴⁴⁷ While no formal charges were filed, sixteen years later Kooshian was arrested for prescribing counterfeit AIDS medication to his patients.⁴⁴⁸

In his doping memoir *Drugs, Sport, and Politics*, Voy argues that physicians like Jekot, Kooshian, and Kerr galvanized politicians in the pursuit of more stringent anabolic steroid laws.⁴⁴⁹ While there is no direct causal link between Kerr’s doping practice and Congressional actions against steroids, the Lumas lawsuit and the ensuing lobbying efforts of Kathy Lynch expedited the issue to the political agenda in California. Within six months of Wolfe filing the initial statement of claim, legislators had introduced two bills pursuant to criminalizing anabolic steroids under state drug laws. The CUCSA was amended eighteen months later, making California the first state to classify the drugs as controlled substances.

State and federal legislation enacted in the late 1980s ushered in a new era for anabolic steroids, limiting medical discretion when it came to prescribing practices. As it happened, Kerr’s work did not contravene federal or state drug legislation, presuming he ceased working with anabolics in 1984. Indeed, more than two years passed before the CUCSA outlawed medical doping in California, and four years before the ADAA was passed in Congress. When the FDA granted New Drug Applications (NDAs) for Dianabol, and later a host of other anabolic steroids in the early 1960s, they were delivered to patients at the physician’s discretion

⁴⁴⁶ United States of America v. Walter F. Jekot, M.D., 47 F.3d 1176 (9th Cir. 1995).

⁴⁴⁷ Jim Carlton, “Doctor Files Seized in Steroid Probe,” *The Los Angeles Times*, 19 January 1990.

⁴⁴⁸ Federal Bureau of Investigation, “Doctor Who Pleaded Guilty to Health Care Fraud for Giving AIDS and HIV Patients Diluted Medications Sentenced to 15 Months in Federal Prison,” FBI Press Release, 22 February 2010; and Jia Rui Chong, “AIDS Doctor Pleads Guilty to Healthcare Fraud,” *The Los Angeles Times*, 27 February 2009.

⁴⁴⁹ Voy and Deeter, *Drugs, Sport, and Politics*, 126.

irrespective of clinical indications.⁴⁵⁰ In the late 1960s the FDA made it impermissible for drug companies to market anabolic steroids as performance-enhancers, finding they were “probably effective” as adjunctive therapies for several medical conditions, including *osteoporosis* and *pituitary dwarfism*.⁴⁵¹ While the action limited the clinical *indications* for the drugs, their clinical *applications* fell under physicians’ purview. Section 906 of the FDCA prohibits the FDA from interfering with the practice of medicine, and thus, the agency had no jurisdiction over the choices made by doctors.⁴⁵² Indeed, the “off-label” prescribing of anabolic steroids was strictly a matter of professional discretion, and according to legal scholars James Beck and Elizabeth Azari, “not an FDA matter.”⁴⁵³ Allergy specialist Ray Vaughan (M.D.) detailed this professional standard in an interview for this paper:

Doctors have full autonomy in decisions about what drug to prescribe... the good ones always consider the patient’s well-being... In most cases... you do an assessment first... you weigh the benefits and the risks [and] make sure the patient is aware of them... it boils down to informed consent... regardless of the treatment scenario, doctors have to explain to patients... the problems associated with it... to the best of their ability... it’s common sense [and] has been a minimum standard of practice since [the late 1940s].⁴⁵⁴

At the time Lumas filed court papers in Los Angeles, Kerr was already facing malpractice litigation from Morris and Maur and had abandoned his hormone practice seven months earlier, or so he claimed. If the doctor indeed stopped working with anabolics in the summer of 1984, his statements can be called into question. Morris filed suit in June of 1983, and

⁴⁵⁰ U.S. General Services Administration, “Drugs for Human Use,” 10328; and Jean Forcroy, “Designer Steroids: Past, Present and Future,” *Current Opinion in Endocrinology and Diabetes* 13 (2006): 307.

⁴⁵¹ United States General Services Administration, “Drugs for Human Use: Certain Anabolic Steroids; Drug Efficacy Study Implementation,” *Federal Register* 35, no. 122 (24 June 1970): 10328.

⁴⁵² Federal Food, Drug and Cosmetic Act of 1938, 39; and James M. Beck and Elizabeth D. Azari, “FDA, Off-Label Use, and Informed Consent: Debunking Myths and Misconceptions,” *Food and Drug Law Journal* 53, no. 1 (1998): 73-74.

⁴⁵³ Beck and Azari, “FDA, Off-Label Use,” 72, 76; for details on discretionary off-label prescribing in this era, see Veronica Henry, “Off-Label Prescribing: Legal Implications,” *The Journal of Legal Medicine* 20 (1999): 365; and Sue Boe, “The Increasing Use of Prescription and Over-the-Counter Psychoactive Drugs by Adults in the U.S.,” *Journal of Drug Uses* 1 (1971): 290.

⁴⁵⁴ Ray Vaughan (M.D.) in interview with author, 15 September 2019.

Maur just eight days before the Summer Olympics opened in Los Angeles. It stands to reason that the spectre of further lawsuits, and perhaps an inquiry from the Medical Board of California, may have been underlying reasons for Kerr's change in philosophy. Granted, this is not to suggest his public position, that athletes could not be trusted, was a convenient rationalization. A pacesetter in performance-drug discourse of the 1980s, Kerr expressed resignation that his expertise was no match for the unrelenting pursuit of athletic achievement. Motivations notwithstanding, staying the course might have brought more litigation and bad publicity, placing his career and reputation in jeopardy. The Lumas case in particular was likely the least palatable. Kerr may have had a fondness for the limelight, but on that occasion was cast as the villain in newspapers across the United States. The axiom "live by the sword and die by the sword" aptly characterizes the doctor's sports medicine career.⁴⁵⁵

Strictly on the bases of the AMA's ethical guidelines, and later those of the WMA, Kerr's work with hormones amounted to no less than a clear-cut violation of medical ethics. In ruling "there is no excuse for [prescribing] anabolic steroids to healthy athletes of any age... the ethical implications cannot lie disregarded," for instance, the AMA took an unequivocal stance on the matter.⁴⁵⁶ By literal construction Kerr may have practiced unethically, however, there are other variables to consider. In *Practical Use* and in later interviews and testimony, Kerr propounded a *harm reduction* rationale, advocating for medically-supervised doping in favor of athletes self-administering potentially unsafe black market substances.⁴⁵⁷ Under the care of a dutiful physician, he argued, androgens could be used judiciously through sensible dosages and regular

⁴⁵⁵ This phrase has biblical origins and was originally translated from the gospel of Matthew 26:52, which reads, "put up again thy sword into his place: for all they that take the sword shall perish with the sword."

⁴⁵⁶ American Medical Association, "Drug Use and Abuse," 414-415.

⁴⁵⁷ For further details on harm reduction in bioethical research, see Robert L. Dupont and Eric A. Voth, "Drug Legalization, Harm Reduction, and Drug Policy," *Annals of Internal Medicine* 123, no. 6 (1995): 462.

medical exams. His philosophy was grounded in the premise that, health hazards and anti-doping rules notwithstanding, doping was an irremediable aspect of elite sport. Amid revelations of the USOC's whitewashing of positive tests in the lead-up to the 1984 Summer Olympics, Kerr addressed the issue in an appearance on ABC's *Nightline* in 1985: "Athletes are going to take anabolic steroids... and the vast majority are [getting] them from the black market," he told host Charles Gibson, "athletes need [medical] assistance... someone to tell them what to take and when... [and] run the conventional laboratory tests."⁴⁵⁸ In Kerr's view, doping was a matter of course, and medical supervision served to mitigate risks. The doctor held steadfast in this position throughout his time in the public eye.

"Believe me, I'm the most ethical doctor... [I] do not condone anything that I consider unethical practice," said Kerr in a 1983 interview, "if the state medical board [in California] told me not to [prescribe anabolic steroids], I'd stop right away."⁴⁵⁹ Given the AMA's previous statements on the matter, and the fact that Morris had filed suit against Kerr six months earlier, it might have taken a hefty fine or suspended license to stop him. Nevertheless, the ethical complexion of Kerr's hormone practice can be evaluated through the principles of *beneficence* and *non-maleficence*. In the article "'Primum Non Nocere' and the Principle of Non-Maleficence," Gillon explains that these tenets, both outgrowths from the Hippocratic Oath, compel physicians to "do what they consider beneficial for patients," and foremost, "avoid harm" whenever possible.⁴⁶⁰ With Kerr serving as a prime example, physicians often face ethical dilemmas in this regard, and for patients' well-being must make clinical decisions that infringe

⁴⁵⁸ Robert Kerr in interview with Charles Gibson, *Nightline*, American Broadcasting Company (ABC), 5 March 1985; accessed in the Vanderbilt Television and News Archive, 22 March 2019.

⁴⁵⁹ Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1983.

⁴⁶⁰ Raanan Gillon, "'Primum Non Nocere' and the Principle of Non-Maleficence," *British Journal of Medicine* 291 (1985): 130.

upon these precepts. In prescribing a course of Methadone therapy, for instance, an addiction specialist aims to produce a long-term gain in survival or quality of life with a dependence-forming, albeit less potent narcotic. According to bioethicist Allan S. Brett, pharmacological interventions generally require a probabilistic benefit-harm assessment, leaving physicians with the delicate task of prioritizing doing good over doing no harm, or vice versa, on a case-by-case basis.⁴⁶¹ In his 1984 article “Ethical Issues in Risk Factor Intervention,” Brett explains that, under certain circumstances, prescribing a drug for non-therapeutic purposes can be medically justified: “The tension between benefits and liabilities is not necessarily resolved by appealing to statements of medical fact... the issue of adverse effects of a [drug therapy] has minor relevance in the non-coercive modification of risky behaviors... the value of [a treatment’s] potential future benefits must be examined [according to] the meaning of risk for each individual patient.”⁴⁶² In essence, prescribing a potentially dangerous drug to obviate the risk of more serious injury can serve to minimize harm, and yield a net benefit. Depending on the nature of the treatment and the patient’s individual needs, this could fall within the scope of ethical practice.

There is general agreement among bioethics researchers that when faced with ethical dilemmas, above all else, it is incumbent upon physicians to maximize global benefits for patients.⁴⁶³ Whether for public recognition or the best interests of patients, Kerr’s work with hormones aligned with this principle. This entailed minimizing foreseeable risk rather than

⁴⁶¹ Allan S. Brett, “Ethical Issues in Risk Factor Intervention,” *The American Journal of Medicine* 76, no. 4 (1984): 561.

⁴⁶² *Ibid.*, 560-561.

⁴⁶³ See for example Ruth Macklin, “Applying the Four Principles,” *Journal of Medical Ethics* 29, no. 5 (2003): 278; Frank Stuart Kinsinger, “Beneficence and the Professional’s Moral Imperative,” *Journal of Chiropractic Humanities* 16, no. 1 (2009): 45; Ana Maria Rancich, Marta Lucia Pérez, Celina Morales, and Ricardo Jorge Gelpi, “Beneficence, Justice, and Lifelong Learning Expressed in Medical Oaths,” *Journal of Continuing Education in the Health Professions* 25, no. 3 (2005): 211-213; and Laurence B. McCullough, *Historical Dictionary of Medical Ethics* (Lanham, MD: Rowman & Littlefield, 2018), 117.

aiming to eliminate it altogether, for his patients and those of other physicians. “The use of illegal medications, dispensed by unqualified persons, can only bring sorrow to the patient,” he wrote in *Practical Use*, “if you must take anabolic steroids, do so with the help of a physician... hopefully through this book I’ve been able to pass on some of the information I’ve gained throughout these years to physicians who are eager to increase their knowledge in this area.”⁴⁶⁴ Ergogenic hormones were a relatively arcane area of medicine at the time, and arguably, Kerr had an ethical obligation to prescribe them. This argument is founded in the premise that practicing with *beneficence* and *non-maleficence* is contingent upon a physician’s skill set and scope of competence. Specialized knowledge and practical experience inform clinical decision-making, the ethical probity of which can be context-dependent.⁴⁶⁵ To provide a crude example, an orthopaedic surgeon is duty-bound to give sound medical advice to a patient undergoing arthroscopic knee surgery, but without additional accreditation or licensure, cannot provide counsel on chemotherapy options. In essence, intellectual authority forms the bases for moral authority, and thus, beneficence in practice is a function of professional expertise. Medical ethicist Laurence McCullough does well to elucidate this concept in *Historical Dictionary of Medical Ethics*:

Invoking the ethical principle[s] of beneficence [and non-maleficence] successfully... requires one to have [the] intellectual authority to identify reliably... what is beneficial and harmful... and to make reliable judgments about how to balance [them]. The reliability of intellectual authority becomes the basis for the reliability of moral authority: acting on intellectually authoritative judgments.... In professional medical ethics, beneficence-based clinical judgment is paternalistic in the sense that the physician makes a justified claim to authority or superior knowledge about what forms of clinical management are medically reasonable and, therefore, are reliably expected to protect and promote the health-related interests of the patient.⁴⁶⁶

⁴⁶⁴ Kerr, *Practical Use*, 89.

⁴⁶⁵ McCullough, *Historical Dictionary of Medical Ethics*, 117-119.

⁴⁶⁶ *Ibid.*

In precis, the nexus between specialized knowledge and clinical judgment serves as the locus of analysis for evaluating the ethics of treatment decisions. It is generally agreed upon by medical scholars that individualized professional expertise begets a distinctive set of moral imperatives that inform treatment decisions.⁴⁶⁷

In view of McCullough's framework, Kerr's "superior knowledge" and erudition gave him intellectual and moral authority in the field of chemical enhancement, and the capacity to make beneficence-based decisions of which few others were capable.⁴⁶⁸ At least by his own account, the doctor employed a harm reduction approach through, as Brett elucidates, "the non-coercive modification of risky behaviors."⁴⁶⁹ Citing the spectre of athletes and barbell men navigating the treacherous waters of the black market, Kerr took matters into his own hands, utilizing a rare skill-set to preserve their health and well-being. Or at the very least he was convincing in promoting this philosophy. Motives notwithstanding, his practical knowledge may have begotten an individualized form of beneficent practice. Patients were going to use androgens and HGH one way or another, and for Kerr, doing good meant introducing a small amount of risk to obviate a far riskier behavior.

While there is nothing to suggest Kerr was versed in the AMA's position on medical doping, ironically, *turning away* steroid patients could also be construed as a breach of ethics, at least in his case. Athletes and bodybuilders were going to use them one way or the other, and cognizant or otherwise, were jeopardizing their health. Given his high level of expertise in what was then an obscure area of medicine, and knowledge of the surreptitious doping culture in sport,

⁴⁶⁷ See for reference Kinsinger, "Moral Imperative," 44-46; Pérez et. al., "Beneficence, Justice, and Lifelong Learning," 211-213; Alison Patrucco Barnes, "Beyond Guardianship Reform: A Reevaluation of Autonomy and Beneficence for a System of Principled Decision-Making in Long Term Care," *Emory Law Journal* 41, no. 3 (1992): 670.

⁴⁶⁸ McCullough, *Historical Dictionary of Medical Ethics*, 117-119.

⁴⁶⁹ Brett, "Ethical Issues in Risk Factor Intervention," 561.

Kerr was in a unique and perhaps unprecedented position to reliably assess risks and benefits for individual patients. In view of McCullough's framework, this begot a distinctive set of moral imperatives that ran counter to the medico-ethical norms of the era.⁴⁷⁰ If anyone, Kerr had a claim to superior knowledge when it came to anabolics, and was in a position to make beneficence-based judgements that, as McCullough explains, are "not necessarily resolved by appealing to statements of medical fact."⁴⁷¹ While the adverse effects of steroid use were well-documented by the late 1960s, data on the drugs' illicit supply lines and prevalence in elite sport were mostly anecdotal.⁴⁷² For Kerr, doping under medical care was not perfectly safe, but served the purpose of protecting patients' long-term quality of life through what Brett terms, "the non-coercive modification of risky behaviors."⁴⁷³ His work with anabolics, so Kerr thought, obviated the need to buy them on the black market, removing an incalculable and potentially dangerous variable from the doping equation. The doctor expounded this view for the whole of his public life; that medical supervision served to attenuate the health risks linked to steroid use, and consigning athletes and bodybuilders to a *Russian Roulette* game with unregulated drugs did not serve their best interests. As it happened, Kerr's rationale for *working* with anabolics mirrored the AMA's rationale for *condemning* medical doping. Both problematized the non-medical administration of the drugs as a serious health hazard, and cautioned against excessive dosing.

⁴⁷⁰ McCullough, *Historical Dictionary of Medical Ethics*, 117-119.

⁴⁷¹ *Ibid.*

⁴⁷² For early studies on the side-effects attendant to anabolic steroid use, see for example Hans Popper, "Cholestasis," *Annual Review of Medicine* 19 (1968): 39-56; Monte S. Bernstein, Robert L. Hunter, and Stanley Yachnin, "Hepatoma and Peliosis Hepatis Developing in a Patient with Fanconi's Anemia," *The New England Journal of Medicine* 284 (1971): 1135-1136; and F. Leonard Johnson, Kenneth G. Lerner, Marilyn Siegel, John R. Feagler, Philip W. Majerus, John R. Hartmann, and E. Donnell Thomas, "Association of Androgenic-Anabolic Steroid Therapy With Development of Hepatocellular Carcinoma," *The Lancet* 300, no. 7790 (1972): 1273-1276; and Shahidi, "Androgens and Erythropoiesis," 75.

⁴⁷³ Brett, "Ethical Issues in Risk Factor Intervention," 561.

Likewise, Kerr's harm reduction philosophy coincided with the modern anti-doping movement's foundational principle: to protect the health and welfare of athletes.⁴⁷⁴

It was not by sheer happenstance that Kerr gained recognition as an authority in sports doping. His emergence as a public figure coincided with a shifting moral zeitgeist in the early 1980s, marked by changing attitudes about doping in mainstream Americans. The Caracas scandal in August of 1983 destabilized the widely-held belief that drug use was practiced only by Eastern Bloc athletes, and engendered a public fascination with the issue in the 1980s. According to sport historians Jan Todd and Daniel Rosenke, "the highly visible exodus of American... athletes from Caracas... and the extensive [media] coverage the... doping scandal generated... signaled an end of innocence on the doping question, especially for... Americans."⁴⁷⁵ No longer could average citizens cling to the belief that the nation's sporting heroes were clean. If doping scandals made anabolic steroids "notorious" in the 1980s, as John Hoberman claims in *Testosterone Dreams: Rejuvenation, Aphrodisia, Doping*, they also gave Kerr a notoriety via television and print media.⁴⁷⁶ The fleeting popularity of *Practical Use* notwithstanding, the Caracas affair made Kerr a household name when it came to doping in sport. After working with anabolics in relative anonymity for seventeen years, as Kindred noted, the scandal "brought [Kerr] into public view," setting the stage for more than fifty interviews in the intervening months leading to the 1984 Summer Olympics.⁴⁷⁷

⁴⁷⁴ For scholarly commentary on the foundations of modern anti-doping philosophy, see for example Dimeo, Hunt, and Bowers, "Saint or Sinner?," 925-940; Rosen, *Dope*, 34; John Gleaves and Matthew Llewellyn, "Sport, Drugs and Amateurism: Tracing the Real Cultural Origins of Anti-Doping Rules in International Sport," *The International Journal of the History of Sport* 31, no. 8 (2014): 839-840; and Yesalis and Bahrke, "Anabolic Steroid and Stimulant Use," 441.

⁴⁷⁵ Todd and Rosenke, "The Event that Shook the Whole World Up," 164-165.

⁴⁷⁶ Hoberman, *Testosterone Dreams*, 201.

⁴⁷⁷ Kindred, "Placebos of Peril," *The Washington Post*, 25 August 1983; and Almond, Cart, and Harvey, "There's a Doctor to Help," *The Los Angeles Times*, 4 December 1983.

Ethical in practice or otherwise, Kerr's legacy is defined by the era in which he practiced, which happened to coincide with a veritable steroid revolution.⁴⁷⁸ During his post-secondary years a host of new anabolic steroids were approved for clinical use in the United States, including the ever-popular drugs Anavar, Deca-Durabolin, Winstrol.⁴⁷⁹ Usage rates steadily increased over the next decade, and by the mid-1970s steroid use was endemic in strength-oriented sports, and all-but ubiquitous in competitive bodybuilding.⁴⁸⁰ Meanwhile, according to medical scholars Gen Kanayama and Harrison Pope, "most of the general public, and the great majority of the medical community remained largely uninformed about [anabolic steroids]."⁴⁸¹ Granted, this medical nescience was not necessarily limited to a single drug classification. The rapidly expanding U.S. Pharmacopeia in the 1960s made staying current with newly-approved medications, in general, an absurd proposition. Between 1960 and 1967 an estimated 2,131 new prescription drugs were granted FDA approval, and more than 10,000 were in various stages of clinical trials.⁴⁸² The *Physician's Desk Reference* tripled in length.⁴⁸³ Medical professionals had not the time, nor perhaps the inclination to stay abreast.

⁴⁷⁸ In Viviane Quirke, "From Alkaloids to Gene Therapy: A Brief History of Drug Discovery in the 20th Century," in *Making Medicines: A Brief History of Pharmacy and Pharmaceuticals*, ed. Stuart Anderson (London, United Kingdom: Pharmaceutical Press, 2005), 177, the author notes a "vast increase in the number of therapeutic innovations," in the 1960s, most considerably when it came to the discovery of new drugs.

⁴⁷⁹ U.S. General Services Administration, "Drugs for Human Use," 10328; and Forcroy, "Designer Steroids," 307; Anavar, Deca Durabolin, and Winstrol were the respective trade names for Oxandrolone, Nandrolone Decanoate, and Stanozolol when they were first approved for clinical use. For further reading see Maurice Fox, Ann Minot, and Grant W. Liddle, "Oxandrolone: A Potent Anabolic Steroid of Novel Chemical Configuration," *The Journal of Clinical Endocrinology and Metabolism* 22, no. 9 (1962): 921-924; Alexander J. Tatem, Levi C. Holland, Jason Kovac, Jonathan A. Beilan, and Larry I. Lipshultz, "Nandrolone Decanoate Relieves Joint Pain in Hypogonadal Men: A Novel Prospective Pilot Study and Review of the Literature," *Translational Andrology and Urology* 9, supp. 2 (2020): S187; and J. Levin, J.A.P. Trafford, and P.M.F. Bishop, "Stanozolol, a New Anabolic Steroid," *Journal of New Drugs* 2, no.1 (1962): 50-55.

⁴⁸⁰ Kanayama and Pope Jr., "History and Epidemiology," 5; and Yesalis and Bahrke, "Anabolic Steroid and Stimulant Use," 438.

⁴⁸¹ Kanayama and Pope Jr., "History and Epidemiology," 5.

⁴⁸² Paul de Haen, "New Products Parade 1967," *Drug Intelligence* 2 (1968): 90, 93.

⁴⁸³ Jeremy A. Greene and Scott H. Podolsky, "Keeping Modern in Medicine: Pharmaceutical Promotion and Physician Education in Postwar America," *Bulletin of the History of Medicine* 83, no. 2 (2009): 335-336.

According to historians Jeremy Greene and Scott Podolsky, the glut of new information during this period gave rise to a “crisis in professional education,” wherein curricula and guidelines in postgraduate medical education could not keep pace with ongoing innovations in pharmaceuticals.⁴⁸⁴ With regard to the latter, it was not until the mid-1970s that U.S. physicians, albeit only in certain jurisdictions, were required by state regulatory boards to complete Continuing Medical Education (CME) programs for licensure and re-accreditation.⁴⁸⁵ This excluded general practitioners, Kerr among them, who were required by the American Academy of General Physicians (AAGP) to complete 150 CME hours every three years.⁴⁸⁶ Greene and Podolsky characterize the typical postgraduate education in the 1960s as an informal “piecemeal experience,” comprising combinations of “reading, consulting colleagues, attending local and national conferences,” and *occasionally* attending formal classes.⁴⁸⁷ Worst case scenario, an active physician in the 1970s had nothing in the way of supplementary drug education, a disquieting notion considering the American pharmaceutical market had quadrupled in size in the preceding two decades.⁴⁸⁸ Nevertheless, physicians practicing in the 1960s and early 1970s had to take it upon themselves to learn about anabolic steroids, which were spreading like wildfire through bodybuilding and high-performance sport. Kerr was certainly among these physicians. A forward-thinking, self-educated expert in an obscure area of medicine, the doctor was surely ahead of his time.

⁴⁸⁴ Greene and Podolsky, “Keeping Modern in Medicine,” 335-336.

⁴⁸⁵ Pamela M. Mazmanian, Robert K. Richards, Robert L. Tupper, and Dennis K. Wentz, “The Key Role of State Medical Societies in Continuing Medical Education,” in *Continuing Medical Education: Looking Back, Planning Ahead*, ed. Dennis K. Wentz (Hanover, NH: Dartmouth College Press, 2011), 91-95.

⁴⁸⁶ *Ibid.*, 92.

⁴⁸⁷ Basil Achilladelis, “Innovation in the Pharmaceutical Industry,” in *Pharmaceutical Innovation: Revolutionizing Human Health*, eds. Ralph Landau, Basil Achilladelis, and Alexander Scriabine (Philadelphia: Chemical Heritage Press, 1999), 80-83; and Greene and Podolsky, “Keeping Modern in Medicine,” 337.

⁴⁸⁸ *Ibid.*, 338.

Kerr was ensnared in a no-win scenario, whereby his professional obligations as he saw them were in disharmony with the ethical norms under which he practiced. The Caracas scandal built the San Gabriel doctor a platform to share his harm reduction philosophy, the number of athletes he had treated, and the methods he employed to side-step drug testing, perhaps to his own detriment. By expounding the view that anabolic steroids could be used safely and effectively, Kerr challenged the medical discourse of the period, and incited a de-facto medical ethics debate in the media. Detractors like Goldman and Daly viewed his actions as harmful, and his public statements contentious. To draw an analogy from Hollywood, Kerr was a rebel *with* a cause. In swimming against the currents of normative ethical practice, he aimed to serve the best interests of his patients, and in the process, became the first physician to publicly advocate for medical doping. Whether by design or happenstance the doctor branded himself an ergogenic expert, carving for himself a niche in the public eye that has not since been occupied.

Chapter 3: Mayhem at Mirabel: The Other “National Embarrassment” that Rocked Canadian Sport

The 1980s was a period of turbulence in Canadian sport, typified by two well-publicized doping scandals. The first played out at the 1983 Pan-American Games in Caracas, Venezuela. Nineteen athletes tested positive for performance-enhancing agents, and twelve fled the Games in fear they would meet the same fate.⁴⁸⁹ Among the drug offenders were Canadian weightlifters and Guy Greavette and Michel Viau, who between them earned five medals in Caracas.⁴⁹⁰ The men gained the unenviable distinction as the first two among a cavalcade of the nation’s weightlifters to face doping sanctions in the 1980s. Indeed, fifteen were penalized for drug use between 1983 and 1988, and several others for conspiring to evade anti-doping authorities.⁴⁹¹ While a scandal of such magnitude had never been seen before in the Olympic Movement, the fallout from Caracas paled in comparison to what unfolded five years later at the 1988 Summer Olympics in Seoul; in what scholars have often cited as *the* formative event in the history of anti-doping. Thirty-six hours after capturing a gold medal in the 100 meter final, the Games marquee event, Olympic officials announced Canadian sprinter Ben Johnson had tested positive for the anabolic steroid Stanozolol in a post-race drug screen.⁴⁹² The sporting world was sent into upheaval.

⁴⁸⁹ Todd and Rosenke, “The Event that Shook the Whole World Up,” 168.

⁴⁹⁰ “Drug-Linked Lifters Banned Two Years,” *The Washington Post*, 23 October 1983.

⁴⁹¹ See for reference Yvon Chouinard, *Origins of Canadian Olympic Weightlifting* (independent research monograph, 2011); Chouinard served as the Canadian Weightlifting Federation’s (CWF) Vice President of Administration from 1980-1987, and President from 1987-1990, was the President of the CWF Medical Committee in 1983, and front and center for both the Caracas and Mirabel incidents. Testifying before the *Dubin Inquiry* in 1989, Chouinard detailed his role in organizing random out-of-competition testing in Canadian weightlifting. The monograph comprises results from major competitions, Chouinard’s personal experiences in the sport, and interviews with weightlifters and ten former CWF presidents, coaches, and trainers; see also Dave Schoalts, “Demers Puts Scandal, Weightlifting Aside,” *The Globe and Mail*, 18 Feb 1989; and *Dubin Inquiry*, 170; the proceedings will be cited as *Dubin Inquiry* in later notes.

⁴⁹² For scholarly analysis of the impact of Johnson’s positive test on Canadian sport, see for example Kidd, “Seoul to the World, 449-63; Beamish, *Steroids: A New Look*, 82-83; and Bruce Kidd, Robert Edelman, and Susan Brownwell, “Comparative Analysis of Doping Scandals: Canada, Russia, and China,” in *Doping in Elite Sport: The*

Johnson had established himself as the world's finest sprinter in the preceding three years, besting arch-rival and track and field legend Carl Lewis in all but one race after the 1984 season. Johnson's disqualification represented yet another "national embarrassment" for fans and sporting officials in Canada, according to sport historian Bruce Kidd, and had a considerable impact on the nation's sporting bureaucracy.⁴⁹³ Two months later the Canadian Government established *The Commission of Inquiry into the Use of Banned Substances and Practices Intended to Increase Athletic Performance* (commonly known as the *Dubin Inquiry*) to investigate patterns of drug use in domestic and international athletes. Chaired by Ontario Chief Justice Charles Dubin, the public hearings were held over a ten-month period at a cost of approximately \$4 million.⁴⁹⁴ In his final report, Dubin concluded that drug use was rampant in high-performance sport, and sport administrators in Canada had been wilfully myopic, paying mere "lip service" to anti-doping guidelines.⁴⁹⁵ Scholars have noted the significance of the two scandals in the development of Canadian anti-doping policy.⁴⁹⁶

Still reeling from the Caracas affair, Sport Canada faced a second well-publicized drug scandal nine weeks later.⁴⁹⁷ On 31 October 1983, customs agents detained Canadian weightlifters Jacques Demers, Terence Hadlow, Mario Parente, and Michel Pietracupa at Montreal's Mirabel Airport after discovering a cache of Soviet-manufactured drugs in their luggage. Between the

Politics of Drugs in the Olympic Movement, eds. Wayne Wilson and Ed Derse (Champagne, IL: Human Kinetics, 2001), 153-188.

⁴⁹³ Kidd, "Seoul to the World," 459-461.

⁴⁹⁴ Dick Moriarty, Dennis Fairall, and P.J. Galasso, *Legislation and Litigation Resulting from the Canadian Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance* (Education Resource Information Center, 1991), 19.

⁴⁹⁵ *Dubin Inquiry*, 141-143.

⁴⁹⁶ For scholarly works drawing a corollary between the incidents and anti-doping policy formation in Canada, see for example Gregory Jackson and Ian Ritchie, "Leave it to the Experts: The Politics of 'Athlete-Centeredness' in the Canadian Sport System," *International Journal of Sport Management and Marketing* 2, no. 4 (2007): 402; Ritchie and Jackson, "Politics and Shock," 196, 203; and De Pencier, "Law and Athlete Drug Testing in Canada," *Marquette Sports Law Journal* 4, no. 2 (1994): 265.

⁴⁹⁷ Elliott Almond and Julie Cart, "Did USOC Underestimate Enemy in War on Drugs," *Los Angeles Times*, 28 July 1985, 120.

four men, the contents totalled 22,515 capsules of the drug Dianabol and 414 vials of injectable testosterone, both restricted substances under Schedule F of the Canadian Food and Drugs Act.⁴⁹⁸ The lifters were tried separately in Québec Provincial Court, each charged with importing controlled substances with the intent to distribute.⁴⁹⁹

If Caracas was the earthquake that shook Canadian sport, Mirabel was its aftershock. For the second time in less than three months, national team weightlifters were implicated in a widely-reported drug scandal, further tarnishing the nation's reputation in the international sporting community. Interviewed for this paper, former Canadian Weightlifting Federation (CWF) President Yvon Chouinard described the Mirabel affair as “shocking,” and a “public humiliation... with tremendous fallout.”⁵⁰⁰ While media coverage of the incident left many mainstream Canadians aghast, it may have been a matter of course. Two weeks after the scandal hit, CWF Executive Director Keith Nesbitt noted in a memorandum, “[The CWF] has been seriously smeared by the four athletes who tried to smuggle in anabolic steroids.... comments by various athletes and officials have suggested that this practice is so common that everyone knows about it.”⁵⁰¹ The Mirabel incident garnered extensive media coverage in Canada and abroad, but perhaps because of the enormity of the scandals in Caracas and Seoul, has received limited scholarly attention. While no substantive changes were made in the wake of Caracas, within five weeks of Mirabel the Canadian Government issued the nation's first anti-doping policy, an

⁴⁹⁸ “Steroids Confiscated from Canadian Lifters,” *The Los Angeles Times*, 5 November 1983; at the time, anabolic steroids and testosterone were listed under “Schedule F” of the Canadian Food and Drugs Act, and were not technically controlled substances at the time. Consequently, criminal penalties for their unlawful possession and distribution were relatively lenient. It should be noted the Act also listed several anabolic steroids that could be purchased legally, so long as they were used in “veterinary medicine.” For further reading, see *The Food and Drugs Act*, R.S.C., 1985, c. F-27; and *Dubin Inquiry*, 371-373.

⁴⁹⁹ *The Food and Drugs Act*, “Regulations Respecting Drugs Manufactured Outside Canada,” 30-2 (1985): 21; and Peggy Curran, “Weightlifter Guilty of Importing Steroids Discharged,” *The Gazette* (Montreal), 17 May 1984.

⁵⁰⁰ Yvon Chouinard in interview with author, 9 November 2015.

⁵⁰¹ *Dubin Inquiry*, “Chapter 5: Weightlifting,” 152.

unprecedented step in the anti-doping movement. A month later the Canadian Olympic Association (COA) issued a policy to compliment Sport Canada's, and added eligibility criteria for Olympic athletes sanctioned for drug use.⁵⁰² The fall of 1983 may have been a dark period for the nation's sport system, but served as an inauguration of sorts. After that fateful Halloween afternoon, Canada would become an international leader in the anti-doping movement.⁵⁰³

Given the relative lack of scholarly attention to the incident at Mirabel Airport, the aim here is to chronicle the affair and circumjacent events, and contextualize them in the 1980s, a decade of turbulence in the Canadian sports system. Indeed, the Caracas scandal set off an undulating pattern of scandal and policy reform, but it was only after the arrests of the four lifters that sport administrators pursued practical solutions to resolve the doping issue. That said, this essay also surveys Mirabel's impact on policy formation in the CWF and Sport Canada, as well as sponsorship, and the attendant public relations issues in its wake.

“THE BIGGEST SCANDAL IN AMATEUR SPORTS HISTORY”

In the summer of 1983, the Caracas affair propelled doping out of locker rooms and into the open for Canadians, a dramatic end to naiveté for mainstream sports fans.⁵⁰⁴ At a press conference held on 22 August 1983, Pan-American Sports Organization (PASO) President Mario Vasquez Rana revealed seven weightlifters, including four medallists, had failed drug screenings in Caracas. Much to the shock and dismay of fans back in Canada, Greavette and Viau were among the guilty parties.⁵⁰⁵ In a breakout performance that saw him earn two golds and a silver medal,

⁵⁰² Beamish, “Olympic Ideals Versus the Performance Imperative, 222.

⁵⁰³ Ritchie and Yiptong, “Fracas in Caracas,” 85-86.

⁵⁰⁴ Government of Australia, “Drugs in Sport,” *Interim Report of the Senate Standing Committee on the Environment, Recreation and the Arts* (Canberra, Australian Government Publishing Service, 1989), 10.

⁵⁰⁵ Robert Facht, “4 Stripped of Games Medals After Drug Tests,” *The Washington Post*, 23 August 1983; and “Canadians, Cubans Cited in Pan Am: 4 Lose Medals for Steroid Use,” *The New York Times*, 23 August 1983.

the twenty-three-year-old Greavette was expelled from the Games after failing a post-competition drug screening for an unspecified anabolic steroid.⁵⁰⁶ Likewise, Viau was found positive for steroids and was forced to return the two bronze medals he earned in the lightweight division.⁵⁰⁷ In a Canadian Broadcasting Corporation (CBC) broadcast two days later, news correspondent Ian Parker branded the incident “the biggest scandal in amateur sports history.”⁵⁰⁸

Canadian weightlifting officials were disquieted by the exit of two of the nation’s best young lifters. Greavette had thrice competed in the IWF World Junior Weightlifting Championships, from 1978 through 1980, and earned a silver medal at light heavyweight in the 1982 Commonwealth Games in Brisbane, Australia.⁵⁰⁹ At just twenty-one years of age, Viau, who was born and raised in St. Stanislas, Québec, entered Caracas a three-time Canadian champion and had twice been a teammate of Greavette’s at the World Juniors.⁵¹⁰ When the Caracas scandal hit, Greavette had been funded for two years by Sport Canada’s Athlete Assistance Program (AAP), and Viau for three.⁵¹¹ While the CWF handed both men one-year

⁵⁰⁶ Ibid.

⁵⁰⁷ Oakland Ross, “Canadian Lifters Banned for Drug Use,” *The Globe and Mail*, 23 August 1983; and Fachel, “4 Stripped,” *The Washington Post*, 23 August 1983.

⁵⁰⁸ Ian Parker, “Canadian Athletes Caught Cheating at 1983 Pan Am Games,” *The Journal*, The Canadian Broadcasting Corporation, 24 August 1983; accessed 13 December 2019, <https://www.cbc.ca/archives/entry/canadian-athletes-caught-in-caracas>

⁵⁰⁹ Chouinard, *Origins of Canadian Olympic Weightlifting*, 196.

⁵¹⁰ Ibid., 182-196.

⁵¹¹ In 1977 Sport Canada established the Athlete Assistance Program (AAP), a merit-based initiative that provided financial support to athletes identified as medal contenders for the 1980 Summer Olympics in Moscow. The AAP established a performance-based four-tiered system wherein qualified athletes received either A, B, C, and D-level funding. Also known as the National Carding System, top-ranked international athletes were granted A or B cards, and younger athletes recognized as future stars, C or D cards. Financial support was strictly performance-based, and thus, carding-level was determined strictly by competition results. It should be noted that athletes were required to finish in the top-eight and sixteen respectively at a world championships or Olympic Games in order to meet A and B-level specifications. For additional details see Lucie Thibault and Katherine Babiak, “Athlete Development and Support,” in *Sport Policy in Canada*, eds. Lucie Thibault and Jean Harvey (Ottawa: University of Ottawa Press, 2013), 155; Anthony G. Church, “Pressure Groups and Canadian Sport Policy: A Neo-Pluralist Examination of Policy Development” (Ph.D. diss., University of Western Ontario, 2008), 64; and *Dubin Inquiry*, 32.

suspensions from competition, Greavette continued to receive financial support through the 1988 season.⁵¹²

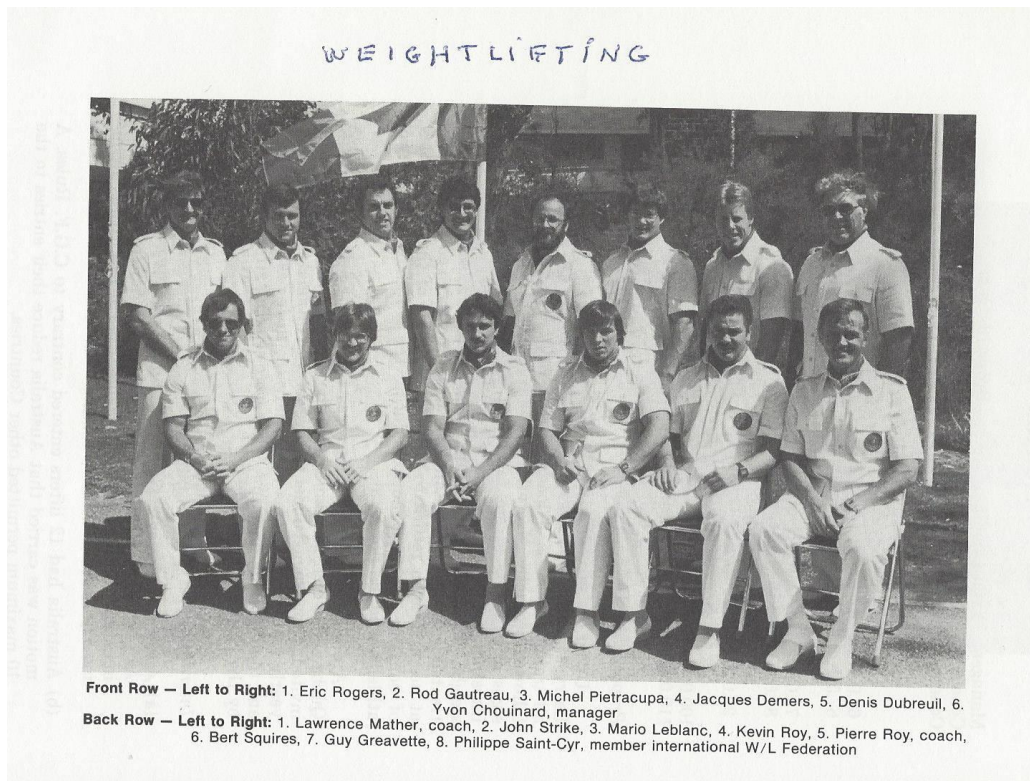


Figure 3. Guy Greavette (back row, second from right) pictured with the Canadian contingent prior to departing for the 1982 Commonwealth Games in Brisbane, Australia.

“In the Shadow of Dismal Doping Events”

The Caracas affair made headlines at home in Canada and abroad, and drew considerable focus away from the sporting events themselves. A day after the scandal went public, for instance, *ABC News* anchor Max Robinson dubbed the incident, “the biggest drug scandal in the history of international amateur sports,” and provided no details on competition results or the American medal tally.⁵¹³ Doping coverage was front and center, taking precedence over Amy White’s gold

⁵¹² *Dubin Inquiry*, 98, 158.

⁵¹³ Max Robinson, “It Became the Biggest Drug Scandal,” *ABC World News Tonight*, 23 August 1983.

medal swim in the 200-meter backstroke, and the U.S. shooting team's electrifying six-gold-medal-performance a day earlier.⁵¹⁴ For the Canadian press the competition was nothing short of an unmitigated disaster. *United Press International* columnist Fred Lief branded it "one of the most troubling... in the history of Canadian amateur sports," and part of "a string of indignities" for the Pan-American team that included injuries to two major medal contenders in fencing and swimming, and the disqualification of swimmer Anne Ottenbrite for an illegal kick in the women's 200-meter butterfly event.⁵¹⁵ Doping positives were the icing on the cake.

Three days after Rana addressed the media in Caracas, a *Globe and Mail* article described the Games as playing out "in the shadow of dismal [doping] events," and as an embodiment of the "win at all costs" attitude in elite sport.⁵¹⁶ Canadian reporter Oakland Ross seemed especially dismayed with the misdeeds of his nation's weight men. In a *Globe and Mail* editorial after the Games wrapped, Ross lamented, "the Caracas Games were less about the competition and more about the disqualification[s]," and had "overshadowed" some of the first-rate performances turned in by the Canadian squad.⁵¹⁷ In a 2018 interview, Peggy Curran, a reporter for the Montreal newspaper *The Gazette*, noted a shift in perception on doping in the wake of Caracas: "From our point-of-view, steroids were not an acceptable part of sport... maybe they had been acceptable to that point, because [the Eastern-Bloc nations] were winning... weightlifting seemed to be the worst for [anabolic] steroid use... for journalists, the [scandal] was deemed important enough to pursue all the way through."⁵¹⁸

⁵¹⁴ Fred McMane, "The United States Gold Rush in Swimming," *United Press International*, 21 August 1983; and Fachel, "4 Stripped," *The Washington Post*, 23 August 1983.

⁵¹⁵ Fred Lief, "Uh Canada, In One of the Most Troubling Incidents..." *United Press International*, 22 August 1983.

⁵¹⁶ "Nature's Little Helpers," *The Globe and Mail*, 25 August 1983.

⁵¹⁷ Oakland Ross, "Drugs, Not Records, Mark Games," *The Globe and Mail*, 29 August 1983.

⁵¹⁸ Peggy Curran in interview with author, 13 December 2018.

Journalists were indeed chomping at the bit to hear Greavette's story, and perhaps got more than they bargained for. After returning home to Canada, the British Columbia native was more than forthcoming with media outlets, sharing details of his past anabolic steroid use, and rampant doping in weightlifting's elite ranks. Just two days after the incident was reported the Canadian agreed to an interview with Mary Lou Finlay, an award-winning journalist for the CBC News program *The Journal*.⁵¹⁹ Early in the segment, in a revelation that seemed to leave Finlay dumfounded, Greavette confessed to having used anabolic steroids intermittently for years before his Caracas positive. "I started using [anabolic] steroids in 1980... I tried it once for a few weeks," he told Finlay, "and in 1981 I started taking [them] more regular[ly]. I don't take very much and take them for short periods of time."⁵²⁰ Greavette also described to Finlay what seemed to be a tacit acceptance – or at least willful blindness – of anabolic steroid use in the Canadian sports system, noting, "the coaches definitely know that [we] are on [anabolic steroids] ... they don't suggest that we go on them, they have no point of view on that."⁵²¹ He continued, "the [Canadian weightlifting officials] don't like to acknowledge it [and instead] bury their heads in the sand."⁵²² To cap off the interview the Canadian added that drug-use in weightlifting was the norm rather than the exception, and without them, "[he] would be as much of a champion as anyone else in the world if they were [to follow suit]."⁵²³ Greavette continued to share details on weightlifting's dark little secret – or so it once was – in the coming months. Quoted in *The Globe and Mail* on 25 October, he explained, "at the top events in weightlifting, more than ninety-

⁵¹⁹ Louise Duhamel, "Notwithstanding Everything and All of Us," in *Pierre: Colleagues and Friends Talk About the Trudeau They Knew*, ed. Nancy Southam (Toronto: McClelland & Stewart Ltd., 2005), 183.

⁵²⁰ Guy Greavette in interview with Mary Lou Finlay, *The Journal*, Canadian Broadcasting Corporation, 24 August 1983; accessed 5 February 2019, <https://www.cbc.ca/archives/entry/canadian-athletes-caught-in-caracas>

⁵²¹ Ibid.

⁵²² Ibid.

⁵²³ Ibid.

percent of the lifters [use] steroids... actually among the elite lifters, it's more like one-hundred-percent."⁵²⁴

As journalists back home lambasted the Canadians for their misdeeds, CWF officials took a decidedly different approach, and seemed intent on diverting blame away from the disgraced duo. In a telephone interview on 23 August, for instance, CWF technical director Richard Campion told *Globe and Mail* journalist James Christie, "officially... of course we have to discredit them and step upon them... but they'll be crucified by the public... anyway. They'll be pariahs in Canada... we send [our] athletes out to major events and the... public [misguidedly] expects them to do well against athletes who [are doping]."⁵²⁵ According to Chouinard, it was actually national team coach in Caracas Aldo Roy that took the brunt of the negative publicity. In his self-published monograph *Origins of Canadian Olympic Weightlifting*, Chouinard noted that Roy, who had in the past served as a CBC color analyst for weightlifting, took "full responsibility for the incident," and like Greavette and Viau, was "crucified" by the Canadian public.⁵²⁶ While magnanimous under the circumstances, Roy faced no sanctions for his part in the scandal. Greavette and Viau, on the other hand, were suspended by the CWF for one year, ruling them out of the 1984 Olympic Games in Los Angeles the following summer.⁵²⁷

A Heavy Burden for Weightlifting

Given the CWF's dealings with Sport Canada in years past, Campion's comments are hardly surprising. In the late 1970s, amid rumors of rampant doping in the nation's lifters, federation

⁵²⁴ James Christie, "Faster, Higher, Stronger: Banned Lifter Feels Penalty Undeserved," *The Globe and Mail*, 25 October 1983.

⁵²⁵ James Christie, "Faster, Higher, Stronger: Use of Steroids by Eastern Bloc Causes Pressure," *The Globe and Mail*, 23 August 1983.

⁵²⁶ Chouinard, *Origins of Canadian Olympic Weightlifting*, 199.

⁵²⁷ *Ibid.*, 198; and *Dubin Inquiry*, 158.

officials made several attempts to establish an anti-doping program, but were ultimately unsuccessful in petitioning Sport Canada for financial assistance. In 1978, for instance, Campion requested additional funding on behalf of the CWF to conduct drug testing at Junior and Senior National Championship events. At the time “Sport Canada was willing to permit drug testing,” according to Dubin, but tasked the understaffed and volunteer-based CWF with raising the money.⁵²⁸ In testimony before the *Dubin Inquiry*, Campion explained “the federation felt obliged to provide [funds for] training and competition in preference of testing,” and was already operating on a shoe-string budget as it was.⁵²⁹ The doping problem was escalating and the federation’s hands were tied. CWF President Rolf Kugelstadt described the predicament in a letter to Sport Canada three months after Caracas:

It was because of the fact that “drug use in weightlifting has been a known fact for some time” that the CWF, in 1978 and again in 1979, attempted to get special funding to test our athletes... The CWF... at that time felt that the problem was getting out of hand, an opinion obviously not shared by others, including Sport Canada, since we were told that no special funds were set aside for drug testing and that, if we wanted to test, the funds would have to be diverted from other programs. This proposal would have been extremely difficult to sell a federation which had trouble funding its existing programs... It was not until the Pan Am Games, and the weightlifting suspensions, that everyone suddenly jumped on the anti-doping bandwagon... I suppose that the CWF could be faulted for not recognizing that there was a “change of wind in the air” and for not getting on the bandwagon fast enough.⁵³⁰

Two months after their shameful departures from Caracas, Greavette and Viau learned they would be forced to sit out longer than expected. The IWF’s new anti-doping guidelines stipulated a minimum two-year suspension for first offenses involving anabolic steroids, which meant the men could enter meets in Canada after one year, but had to wait an additional year to compete internationally.⁵³¹ Greavette’s disavowed the IWF’s ruling, showed no remorse for his

⁵²⁸ *Dubin Inquiry*, 152.

⁵²⁹ *Ibid.*

⁵³⁰ Rolf Kugelstadt in letter to Abby Hoffman, in *Dubin Inquiry*, 159.

⁵³¹ *Dubin Inquiry*, 158; and “Drug-Linked Lifters Banned,” *The Washington Post*, 23 October 1983.

actions, and expressed bitterness toward the CWF. Quoted in a *Globe and Mail* article on 25 October, the disgraced lifter grumbled, “I don't think it was fair to give us two years. [The IWF] used to give out one-year suspensions, which was the minimum, but we made [them] look bad and they had to do something to save face.”⁵³² Greavette also alleged that – while he had been promised support behind closed doors – the CWF had since done an about face, and was more interested in bureaucratic posturing than backing him in the press. “The [CWF] can tell me privately that it supports me, but they haven’t shown any sign of it publicly,” he told Christie, “[Doping] is against Sport Canada's policy, and [the CWF] would be risking [its] funding as an association.”⁵³³ While anabolic steroids were listed as prohibited substances under Sport Canada’s anti-doping guidelines, at the time Greavette was interviewed, there was no drug-testing program in place for Canadian athletes competing in national competitions. In fact, the vast majority of drug testing was done at major championship events, the Olympics and Pan-American Games for example, where sanctions were a rare occurrence.⁵³⁴ Nevertheless, it was as if Canadian officials had been awaiting this day for some time.⁵³⁵ Four days after the scandal broke, Abby Hoffman, then Director of Sport Canada, explained in a press release, “I don’t think it’s any big surprise... no one has been under any misapprehension about the use of steroids among Canadians in certain sports.”⁵³⁶ With a rationale similar as Campion’s three days earlier,

⁵³² Christie, “Penalty Undeserved,” *The Globe and Mail*, 25 October 1983.

⁵³³ Ibid.

⁵³⁴ The IOC began testing for anabolic steroids at the 1976 Summer Olympics in Montreal. Eight athletes were found positive at the Games for unspecified anabolic steroids, all from weightlifting. Notably, no positive tests were recorded at the 1980 Summer Olympics in Moscow. See for reference International Olympic Committee, *The Official Report of the Organizing Committee for the Games of the XXIth Olympiad Montreal, 1976*, Vol. 1 (Montreal, Canada: Montreal 1976 Organizing Committee, 1976), 207; and Jennings, *The New Lord of the Rings*, 235-236.

⁵³⁵ At the time the Caracas men were banned, Sport Canada left anti-doping cases in the hands of national federations, and thus, the CWF had full jurisdictional authority over the case. For further reading, see Moriarty, Fairall, and Galasso, “Legislation and Litigation,” 11; and De Pencier, “Law and Athlete Drug Testing in Canada,” 265.

⁵³⁶ Gasher, “Test Weightlifters,” *The Province* (Vancouver), 26 August 1983.

Hoffman added, “I clearly recognize the dilemma faced by athletes who feel forced to use [anabolic] steroids to compete with other... users. It’s a Catch-22.”⁵³⁷

The “Kitchen Table” Policy

A week after the scandal broke, Sport Canada issued a declaration of war against doping, albeit in a role more akin to a proxy combatant than an active insurgent. As an initial counteroffensive the agency set out on an ad hoc public-relations campaign aimed at limiting collateral damage from Caracas, and as its primary weapon, a declaration that Canada would thenceforth play a leading role in the anti-doping movement. At press conference on 29 August, several hours after the Games’ closing ceremonies, Sport Canada official and former Olympic rower Greg Rokosh informed the media, “the primary position of Sport Canada is to [implore] the international federations to institute more stringent and frequent testing, and we call on [our domestic] federations to take an active part in that development.”⁵³⁸ He continued, “[we] are prepared to fund and see Canadians develop more of a leadership role internationally in seeing that this gets carried out.”⁵³⁹ After fielding several questions from news journalists, Rokosh read a statement prepared by Hoffman that proposed a blueprint for a more robust anti-doping program, along the lines of the generic, reform-oriented discourse expounded by politicians during election campaigns. “Now that the [drug-testing] technology is there... all we lack is the will to get it done,” said Rokosh, “in that regard, Sport Canada is prepared to fund [anti-doping] and see

⁵³⁷ Ibid.

⁵³⁸ “Canada to Lead Drug Abuse Fight,” *Nanaimo Daily News*, 30 August 1983; and “Canada Declares War on Drug Use,” *Times Colonist* (Victoria), 30 August 1983.

⁵³⁹ Ibid.

Canadians develop more of a leadership role internationally in seeing that [drug testing] gets carried out... we would see to it that Canadians... are instrumental in doping control.”⁵⁴⁰

As Rokosh stood before journalists on the eve of the 1983 Pan-American Games, Sport Canada was without an executable plan-of-action, as apparently, sporting officials were unprepared to deal with the situation confronting them. While for some the doping positives may have been foreseeable, a sentiment expressed by Hoffman four days earlier, the scope and severity of the scandal were unprecedented, leaving Canadian officials searching urgently for a remedy. Describing the disarray in Sport Canada post-Caracas, Ole Sorensen, who at the time was the agency’s chief anti-doping officer, recalled in a 2019 interview, “Caracas was like cold turkey... [we had] not a clue how to deal with it and didn’t see it coming... we were caught flat-footed down there... they brought me down [to Caracas] to figure it out, because no one had any idea what to do.”⁵⁴¹

While there may have been no remedy for the negative press brought on by the scandal, a long-term solution was soon on the *table*. “Less than a week” after arriving back in Canada, said Sorensen, he and Hoffman arranged a meeting where they laid the groundwork for Sport Canada’s inaugural anti-doping program. By Sorensen’s account, Hoffman’s lobbying for more rigorous drug testing was a key factor in bringing it to fruition. “Hoffman... was pushing harder than anybody,” he recounted, “[she was] saying, “we’ve got to get this lined up, we’ve got to get a lab going.” If she wanted to make something happen, she would get her way... then it eventually materialized.”⁵⁴² According to Sorensen, he and Hoffman wrote the policy, titled *Drug Use and Doping Control in Sport: A Sport Canada Policy*, expeditiously “at the kitchen

⁵⁴⁰ Ibid.

⁵⁴¹ Ole Sorensen in interview with author, 18 April 2019.

⁵⁴² Ibid.

table, in only two hours or so,” and “without any outside consultation from [stakeholders in] Canadian sport... or input from others in the system.”⁵⁴³ Broadly, the policy enumerated standard operating procedures for drug testing, the roles of national federations in enforcing anti-doping rules, and the consequences of a positive test.⁵⁴⁴ “The small logistics were important for sure, but you have to know the [penalties] were a big element,” said Sorensen, “this meant the government now controlled access to federal funding, [and could] shut it off if [an athlete] screw[ed] up, and the sports federations controlled [competition] eligibility... the rules and roles were well-defined. I think that was the main impetus for the policy.”⁵⁴⁵ The policy vested Sport Canada with broader disciplinary powers and proposed a streamlined system by which anti-doping matters, including the respective roles of Sport Canada, the SMCC, and national federations. While rules and responsibilities were clearly defined in this regard, in practice, the issue was less straightforward. While Caracas was assuredly a call-to-action for sport administrators, effectuating the new policy was an entirely different story. As Sorensen recalled, “everyone was a little passive on it... it probably just sat on a shelf somewhere.”⁵⁴⁶

MAYHEM AT MIRABEL

Eight weeks later, with Caracas still fresh in the minds of the Canadian public, a second scandal involving anabolic steroids broke. At 3:45pm on 31 October, the Québec Police Force detained Canadian weightlifters Jacques Demers, Terence Hadlow, Michel Pietracupa, and Mario Parente, at Montreal’s Mirabel Airport after customs officials discovered a cache of anabolic steroids and synthetic testosterone in each of the men’s luggage. The four national team lifters - accompanied

⁵⁴³ Ibid.

⁵⁴⁴ Government of Canada, *Drug Use and Doping Control in Sport*, 2-3.

⁵⁴⁵ Ibid.

⁵⁴⁶ Ibid.

by teammate Claude Dallaire and coach Andrej Kulesza - were returning home from the World Weightlifting Championships in Moscow, departing from Helsinki that morning on a FinnAir flight from Helsinki that morning, the second leg of their trip home from the IWF World Weightlifting Championships in Moscow.⁵⁴⁷ Altogether customs agents seized 22,515 pills of the potent anabolic steroid Dianabol and 414 vials of testosterone, both of which were regulated as prescription drugs under the Canadian Food and Drugs Act, and prohibited under IOC anti-doping rules.⁵⁴⁸ The search also turned up syringes, protein supplements, and assorted vitamin pills.⁵⁴⁹ The Canadian news magazine *MacLean's* branded the occasion, "the biggest drug discovery in amateur sport history."⁵⁵⁰

It was not by happenstance that authorities made the discovery. According to a *Los Angeles Times* article from 5 November 1983, the luggage search was the culmination of a three-week investigation headed by Sûreté du Québec (SQ), Québec's provincial police force.⁵⁵¹ Five days after the incident *United Press International* reported that the men were only detained and questioned, not arrested, and had been issued court summons documents by mail.⁵⁵² While details of their interrogations were never made public, at least one revealed the drugs were purchased from Soviet athletes at a rate of one dollar for 100 tablets, and that the men intended to resell them in Canada for thirty-five dollars.⁵⁵³ On 4 November, according to arresting officer Dennis Rochan, the four were formally charged with "importing illicit drugs" under the

⁵⁴⁷ "Steroids Confiscated," *The Los Angeles Times*, 5 November 1983.

⁵⁴⁸ Bill Beacon, "Four Members of Canada's National Weightlifting Team Have Been..." *United Press International*, 4 November 1983; and "Jurisprudence," *The Washington Post*, 8 December 1983.

⁵⁴⁹ "Steroid Case: 4 Charged," *The Washington Post*, 5 November 1983; and "3 Canadian Lifters Suspended for 7 Months," *The Los Angeles Times*, 8 November 1983.

⁵⁵⁰ "The Athletes and Steroids," *MacLean's*, 14 November 1983.

⁵⁵¹ "Steroids Confiscated," *The Los Angeles Times*, 5 November 1983.

⁵⁵² Beacon, "Four Members of Canada's," *United Press International*, 4 November 1983.

⁵⁵³ *Ibid.*; and "Steroids Confiscated," *The Los Angeles Times*, 5 November 1983.

Canadian Criminal Code, and faced a maximum jail term of three years and a \$500 fine.⁵⁵⁴ As for how the Mirabel men fared in Moscow, Hadlow placed eleventh in the 90-kilogram class, Demers eighth and Pietracupa twelfth in the 75-kilogram class, and Parente twelfth in the 100-kilogram class.⁵⁵⁵

The Mirabel affair brought forth a familiar face from the woodwork to darken what had already become a public-relations nightmare for the CWF. Perhaps still reeling from the two-year ban imposed by IWF, Greavette was critical of his Canadian teammates but noted their actions were far from an aberration. In an interview with *Maclean's* two weeks after the incident he mused, “they picked a bad time to do it and got caught... it’s unfortunate, but nothing new. This has been happening for years. Those drugs are so much cheaper [in the Soviet Union] and easier to get, so you just go for it.”⁵⁵⁶ Greavette claimed the felonious four were simply on a “routine drug run,” and that “a lot of [weightlifters in Canada] ask traveling athletes to bring drugs back,” but conceded that he had never heard of an attempt to import such a large volume of anabolics.⁵⁵⁷ The disgraced lifter also explained the impetus behind “routine drug runs,” noting, “[anabolic drugs] are so much cheaper [in the Soviet Union] and easier to get, so you just go for them. You know it is going to help, it’s so tempting.”⁵⁵⁸

⁵⁵⁴ “Québec Body Seeks Tests for Lifters,” *The Ottawa Citizen*, 8 November 1983; and “3 Canadian Lifters,” *The Los Angeles Times*, 8 November 1983; for more information on Canadian prescription drug regulations on prescription drugs, see The Food and Drugs Act, “Regulations Respecting Drugs Manufactured Outside Canada,” 30(2) (1985): 21.

⁵⁵⁵ “Weightmen Tell Court: Not Guilty,” *The Globe and Mail*, 8 December 1983.

⁵⁵⁶ “The Athletes and Steroids,” *Maclean's*, 14 November 1983.

⁵⁵⁷ Ibid.

⁵⁵⁸ Ibid.

DAMAGE (NOT EASILY) CONTROLLED

Meanwhile, sport administrators in Canada seemed more intent on eschewing the incident than confronting it head on. The fact that the CWF did not have a formal policy on drug smuggling may have complicated matters, as technically, the lifters' actions fell outside the organization's disciplinary purview.⁵⁵⁹ Recounting the incident and its aftermath, Chouinard explained the CWF brass was "desperate to take action" after a second major scandal in three months, but were more concerned with "damage control" than "solving the problem for good."⁵⁶⁰ However, CWF executives remained tight-lipped after the scandal broke, at least at the outset, and perhaps for good reason. On 5 November 1983, Christie reported that the Federation initially "refused to comment" because its Executive Board had yet to deliberate on the matter, a sign that they too, in Sorensen's words, were caught with their pants down.⁵⁶¹ In lieu of granting interviews to news outlets, Campion addressed reporters with a prepared press release, one that censured the Mirabel four whilst minimizing the CWF's responsibility in the matter:

The CWF has actively discouraged the use of these substances by its athletes... Monitoring is difficult, however, and [we] cannot be held responsible for the actions of individual athletes who have acted on their own... Officials, coaches, and administrators of the CWF are not empowered to violate the privacy of Canadian athletes. Consequently, they have no control over or knowledge of these athletes' private activities, whether in Canada or abroad. The CWF disassociates itself completely from anyone engaged in buying [or] selling... banned substances.⁵⁶²

According to Christie, the statement also condemned the *use* of banned substances, and assured the public that the CWF was "doing everything in its power" to remedy the situation.⁵⁶³

⁵⁵⁹ Christie, "Canadian Athletes Charged," *The Globe and Mail*, 5 November 1983; and "Lifters May Get Games Chance," *The Globe and Mail*, 10 December 1983; and *Dubin Inquiry*, 153-155.

⁵⁶⁰ Yvon Chouinard in interview with author, 12 March 2019.

⁵⁶¹ James Christie, "Faster, Higher, Stronger: Perfect 10s Draw Changes in FIG Scoring," *The Globe and Mail*, 10 November 1983.

⁵⁶² "Steroids Confiscated," *The Los Angeles Times*, 5 November 1983; and Christie, "Canadian Athletes Charged," *The Globe and Mail*, 5 November 1983.

⁵⁶³ Christie, "Canadian Athletes Charged," *The Globe and Mail*, 5 November 1983.

Evidently, leaders in the organization felt the issue was best resolved through auspicious platitudes and lip service, at least at the outset. Public-relations management rather than decisive action served as a first line of defense. For instance, nine days after the press release CWF Executive Director Keith Nesbitt circulated a memorandum to fellow Executive Committee members: “In view of the two recent incidents which have embarrassed the [CWF] I would like to suggest... we might pursue [solutions]... if for no other reason, we will at least be *appearing* to be doing something to offset future similar incidents.”⁵⁶⁴

On 8 November 1983, *The Los Angeles Times* reported that Demers, Pietracupa, and Parente were each handed seven-month suspensions from international competition; three months by the CWF, and four months by the Fédération d’Haltérophilie du Québec (FHQ) to be served back-to-back.⁵⁶⁵ While the French Canadian trio had no choice but to sit out for seven months, there was an upside: the suspensions were set to end in May of 1984, several weeks before the Canadian Olympic Weightlifting Trials in Brossard, Québec. The Summer Olympics in Los Angeles were still a distinct possibility, but there was still the matter of their court cases.⁵⁶⁶ In an interview for *The Globe and Mail*, COA Technical Director Jack Lynch reasoned that, if convicted, the men would likely be cleared to participate so long as there were no breaches in their respective conditions of release.⁵⁶⁷ A 10 December 1983 edition of *The Globe and Mail* quoted Lynch as saying, “the only thing that might come into play is if it were proven they had violated the [IOC’s] rules on anabolic steroids.”⁵⁶⁸

⁵⁶⁴ Keith Nesbitt in memorandum to CWF Executive Committee, in *Dubin Inquiry*, 150-151.

⁵⁶⁵ The Fédération d’Haltérophilie du Québec (FHQ) is the provincial governing body for weightlifting in Québec.

⁵⁶⁶ “Games Chance,” *The Globe and Mail*, 10 December 1983.

⁵⁶⁷ Ibid.

⁵⁶⁸ Ibid.

The CWF paid dearly for the sins of the Mirabel four, quite literally, and not strictly from a public relations standpoint. Just shy of three months after the smuggling incident, Shaklee Canada Inc., a supplier of free nutritional supplements to Canadian weightlifters, severed its relationship with the national team. The corporation cut ties with the CWF after news outlets printed images of customs agents discovering the seized drugs in Shaklee containers, which according to a 24 January 1984 article in *The Windsor Star*, “didn’t impress” the company’s representatives.⁵⁶⁹ As Chouinard recalls, news coverage of the incident included video of the athletes’ suitcases and the drugs’ removal from large branded containers. At the time, Shaklee was among the CWF’s most important sponsors, and for nearly five years had been covering travel costs and supplying food supplements to the nation’s top weight men. Chouinard recounted, “I was shocked... [the CWF] had worked so hard to find a good sponsor...they dropped us immediately.”⁵⁷⁰ The Federation also lost the support of Mack Canada Inc., an automobile manufacturing company and corporate sponsor for domestic weightlifting competitions, and like Shaklee, a key sponsor for national team members competing abroad.⁵⁷¹ In an interview for *The Province* three months after the incident, Champion told journalist Mike Gasher that in addition to Shaklee, the CWF had parted ways with “two sponsors [that] were going to supply furnishings for an apartment [for national team members].”⁵⁷² Champion revealed in the interview that “at least three other” benefactors were prepared to follow suit.⁵⁷³ It was indeed a turbulent period for Canadian weightlifting. With the Los Angeles Olympics less than a

⁵⁶⁹ “Technicality Lifts Charge,” *The Windsor Star*, 24 January 1984; and Chouinard, *Origins of Canadian Olympic Weightlifting*, 198.

⁵⁷⁰ Yvon Chouinard in interview with author, 29 February 2019; the author was unsuccessful in finding news coverage of the incident, although Chouinard is certain that it was covered in detail by both the CBC and Canadian Television (CTV).

⁵⁷¹ Ibid.; and “Pre-Olympic Weightlifting at Allen Tomorrow,” *The Morning Call* (Philadelphia), 12 January 1980.

⁵⁷² Mike Gasher, “Weightlifters Face a Heavy Burden,” *The Province* (Vancouver), 29 January 1984.

⁵⁷³ Ibid.

year away, corporate sponsors critical to the program's success had no interest in associating with steroid mules. "[1984] is a write-off for us," said Champion, perhaps resigned to the fact that the program would not recover in time for the Games.⁵⁷⁴ Likewise, Chouinard characterized the Federation's financial situation post-Mirabel as "grave."⁵⁷⁵

Like the CWF, representatives from the FHQ and Ontario Weightlifting Federation (OWF) downplayed the incident in the media, and expressed reservations about punish the Mirabel four.⁵⁷⁶ Addressing reporters following an emergency meeting in early November, FHQ President Claude Hebert clarified that the imposed sanctions had nothing to do with the Mirabel affair itself, and were only imposed to ensure the lifters would remain in Québec for their court cases. He also declared the men were "innocent until proven guilty," and would be acquitted in due time.⁵⁷⁷ Commenting on their Olympic eligibility, he said, would be "premature."⁵⁷⁸ Hadlow on the other hand was only required to serve the CWF's suspension, and would be eligible to compete on 1 February 1984.⁵⁷⁹ For OWF Director Gary Bratty the issue was a moot point, as technically Hadlow's actions were not in violation of the Federation's anti-doping guidelines. In an interview published in a 10 December 1983 edition of *The Globe and Mail* Bratty explained, "they weren't found to be using the drugs in competition, and that's the only thing they can be suspended for."⁵⁸⁰

⁵⁷⁴ Ibid.

⁵⁷⁵ Ibid

⁵⁷⁶ The OWF is Ontario's provincial governing body for weightlifting.

⁵⁷⁷ "3 Canadian Lifters," *The Los Angeles Times*, 8 November 1983.

⁵⁷⁸ Hebert's comments are featured in several newspapers and reflect comments he made in a press scrum three days after the Mirabel four were arraigned. To view his comments, see "Games Chance," *The Globe and Mail*, 10 December 1983; and "Olympic Status of Lifters Uncertain," *Star-Phoenix* (Saskatoon, Canada), 10 December 1983.

⁵⁷⁹ "Games Chance," *The Globe and Mail*, 10 December 1983.

⁵⁸⁰ Ibid.

DRUG USE AND DOPING CONTROL: “THE FIRST STEP” TOWARD CLEAN SPORT

Sport Canada responded to the Caracas incident by launching a media campaign rich with platitudes, and drafted a policy that had since been gathering dust. Evidently, a second high-profile drug incident in nine weeks merited a more decisive approach. At a news conference held in Ottawa on 14 December 1983, newly appointed Minister of Fitness and Amateur Sport Celine Hervieux-Payette announced the ratification of *Drug Use and Doping Control*, more than three months after Hoffman and Sorensen’s kitchen table session. Hervieux-Payette, who had been appointed to the position that summer after a “cabinet shakeup,” told journalists, “we [would] like to believe that it’s only a minority of [Canadian] athletes... using [drugs]... Sport Canada is aware that... athletes from many countries are using drugs... Nevertheless, [we] oppose improper drug use in sport.”⁵⁸¹ Sport Canada introduced the new policy in a press release the same day, and hardly by coincidence, made it known that drug criminals had no place in the Canadian sports system: “any athlete convicted of a civil or criminal offense involving a drug on the banned list shall be... suspended from... the [AAP] and other federal government support.”⁵⁸²

For Hoffman, upon whom a great deal of the negative press fell after Caracas, the change was long overdue: “There [has been] a genuine wish in the sporting community to do something [about doping] but... a reluctance to take the first step,” she told a scrum of reporters, “one thing Caracas proved is that it isn’t just... other [nations].”⁵⁸³

The policy included the following three provisions apposite to the Mirabel incident:

- Any athlete who has been proven... to have been in possession of [anabolic steroids] or related compounds or to have supplied directly or indirectly such

⁵⁸¹ Rick Mayoh, “Government Cracks Down on Athletes’ Drug Use,” *The Ottawa Citizen*, 15 December 1983.

⁵⁸² Sport Canada press release, 14 December 1983, in *Dubin Inquiry*, 537.

⁵⁸³ Ibid.

drugs to others to whom this policy applies shall be suspended forthwith from eligibility for [federal funding] through Sport Canada.

- The withdrawal of [funding] ... shall be invoked from the moment of proof of [such an] infraction by the appropriate sport governing body... for a period of 1 year or the duration of any suspension [for first time offenses] ... Second [offenses] shall be punished by means of lifetime withdrawal of eligibility for federal government sport programs or [federal assistance].
- Any athlete convicted of an offence involving a drug on the banned list of his/her respective national or international federation shall be similarly suspended... from eligibility for the Athlete Assistance Program and other federal government support.⁵⁸⁴

The possession and distribution of banned substances were now considered doping violations, and carried a minimum one-year suspension and the revocation of federal funding. The new guidelines also required all national governing bodies under the Sport Canada umbrella to “develop [and implement] plan[s] to eradicate improper drug use,” for which the federal government would provide “consultation and financial support.”⁵⁸⁵ Consequently, national federations were mandated to create individual anti-doping programs with in and out-of-competition testing and drug education programs for athletes. However, the new charter also problematized the conflict of interest inherent in sports federations enforcing the new guidelines. As a remedy, the SMCC was tasked with overseeing standard operating procedures for drug testing, including sample collection and analysis, and “the assessment of the validity and feasibility of plans developed by the [federations].”⁵⁸⁶ Since the policy was ratified six weeks after the smuggling incident, the Mirabel four were exempt from the new guidelines. Parente,

⁵⁸⁴ Government of Canada, *Drug Use and Doping Control in Sport*, 1-2.

⁵⁸⁵ Ibid.

⁵⁸⁶ Ibid., 3.

Hadlow, Demers, and Pietracupa retained their AAP funding for the 1984 season, and were only required to serve their original suspensions.⁵⁸⁷

THE WEIGHTS OF JUSTICE

Demers, Pietracupa, and Parente were arraigned on 7 December 1983 before the Québec Sessions Court in the city of St. Jerome. With Canadian news outlets on hand, Jacques Demers, clad in a blazer and tie, and Pietracupa and Parente, both sporting leather jackets, arrived together ninety minutes late due to a blizzard that was wreaking havoc in the greater Montreal area.⁵⁸⁸ According to attorney Jean-Claude Hebert, Hadlow was unable to make the two-hour drive from Ottawa due to dangerous road conditions. In line with standard procedure, presiding Judge Jacques Corderre issued a technical arrest warrant to be enforced if Hadlow failed to appear for his trial, scheduled for 23 January.⁵⁸⁹ However, on 8 December *The Star-Phoenix* reported Hadlow's name was not on the original court docket, an indication that he may not have received a summons for the proceedings.⁵⁹⁰ At Hebert's request, Corderre ruled all four men would bypass their preliminary hearings and go straight to trial, which was not uncommon in cases heard in Canadian provincial courts at the time.⁵⁹¹ After the arraignment concluded, Hebert, a Québec attorney hired by the FHQ to represent the Mirabel four, told reporters outside

⁵⁸⁷ *Dubin Inquiry*, 153; all four men retained AAP funding after the smuggling incident, and were competing in domestic competitions within eight months. As part of his final report following the *Dubin Inquiry*, Dubin appended a letter from Sport Canada to the CWF confirming AAP funding for Demers, Hadlow, Pietracupa and Parente for the 1984-85 season.

⁵⁸⁸ "Lifters Get Their Day in Court," *The Windsor Star*, 8 December 1983.

⁵⁸⁹ Ibid.; and Michael Hughes in interview with author, 10 February 2020; Hughes has been practicing labor and employment law for eleven years, and has been employed by the Government of Alberta for the last five. A technical arrest warrant, or "warrant to hold," according to Hughes, is issued when a party is unable to attend a scheduled hearing, regardless of the circumstances. Under normal circumstances, he explained, a "warrant to hold" will not result in incarceration.

⁵⁹⁰ "Weightlifters Plead Not Guilty," *The Star-Phoenix* (Saskatoon, Canada), 8 December 1983.

⁵⁹¹ Ibid.; "Jurisprudence," *The Washington Post*, 8 December 1983; and Michael Hughes in interview with author, 10 February 2020.

the courtroom, “if we have pleaded not guilty, it’s because we have a good reason to proceed with a trial. For athletes in general, I think this is a significant case.”⁵⁹² Demers, Parente, and Pietracupa, and Hebert on Hadlow’s behalf, entered pleas of not guilty, and returned home to await their respective trials. According to several news outlets covering the proceedings, Demers, Pietracupa and Parente left the courtroom in silence, refusing to comment on the case.⁵⁹³

Parente

Mario Parente was the first of the “Mirabel Men” to stand trial, appearing before Québec Sessions Court on 23 January 1984. At the tender age of twenty the native of Brossard, Québec was already a seasoned veteran in international weightlifting, having competed in the 1981 and 1983 IWF World Junior Weightlifting Championships, and the 1983 World Championships in Moscow, his senior debut on the international circuit.⁵⁹⁴ In search of a more competitive training environment, Parente left Brossard in 1982 to train with Greavette and Demers at the CWF’s National Training Center in Montreal.⁵⁹⁵ The move paid dividends. At the Pan-American Games in Caracas the following summer, Parente set a Canadian record in the snatch event en route to claiming three silver medals in the 90-kilogram class, and announced himself as a legitimate medal threat for the 1984 Los Angeles Olympic Games.⁵⁹⁶ On the heels of his breakout

⁵⁹² “Not Guilty,” *The Star-Phoenix*, 8 December 1983.

⁵⁹³ See for example “Not Guilty,” *The Star-Phoenix*, 8 December 1983; and “Weightmen Tell Court,” *The Globe and Mail*, 8 December 1983.

⁵⁹⁴ Chouinard, *Origins of Canadian Olympic Weightlifting*, 192, 199.

⁵⁹⁵ Greavette makes note of this on his gym’s website, Power Plus Weightlifting Club. It should be noted that there the author found no other evidence to support that Parente trained with Greavette and Demers. The information was accessed 6 February 2019, <https://www.facebook.com/166645253368357/posts/d41d8cd9/1046071018759105/>.

⁵⁹⁶ Peggy Curran, “Montreal Weightlifter Acquitted of Importing Steroids,” *The Gazette* (Montreal), 24 January 1984; “Weightlifter Not Guilty of Steroid Charge,” *The Calgary Herald*, 24 January 1984; and “Weightlifters Getting Hard Work, No Drugs,” *The Gazette* (Montreal), 14 July 1984.

performance in Caracas, the young French Canadian was awarded AAP funding for the 1983-84 season.⁵⁹⁷

The charges brought against Parente carried stiff and potentially career-threatening penalties. Québec Crown Prosecutor Michele Toupin alleged that the lifter imported regulated prescription drugs without proper documentation, a violation of the Canadian Food and Drugs Act.⁵⁹⁸ If convicted Parente faced a maximum penalty of three years in prison and a \$5,000 fine, however, first-time offenders typically received lighter sentences.⁵⁹⁹ In a fortuitous turn of events, Parente exited the courtroom a free man the day his trial began.⁶⁰⁰ Covering the incident for *The Gazette*, journalist Peggy Curran reported that in the lead-up to the trial Toupin had failed to provide Parente's attorney with disclosure of the laboratory analyses conducted on the drugs, an egregious oversight and grounds for a dismissal. According to Curran, presiding Judge Francois Beaudoin found that Crown prosecutor Michele Toupin had failed to give proper notice, as required under the Act, of her intention to submit a certificate of chemical analysis for the seized drugs, and accordingly, "ruled the certificate inadmissible because... she had not given [the defense] written notice of her intent to produce them."⁶⁰¹ There was no doubt Parente had imported prescription drugs into Canada, Beaudoin noted, but without the certificate, there was "no evidence to prove [the drugs] were anabolic."⁶⁰² Hebert echoed Beaudoin's ruling in a press scrum outside the courtroom: "the key point is that the Crown had to prove that the pills were prohibited under The Food and Drugs Act.... they decided to proceed with the certificate, but, before it can be admissible, they have to provide me with notice of intent. They provided no such

⁵⁹⁷ *Dubin Inquiry*, 98; Parente passed away in 2006, and could not be interviewed for this dissertation.

⁵⁹⁸ Curran, "Montreal Weightlifter," *The Gazette*, 24 January 1983.

⁵⁹⁹ The Food and Drugs Act, 21, 27-28.

⁶⁰⁰ "Lifter Snatches a Technical Acquittal," *The Edmonton Journal*, 24 January 1984.

⁶⁰¹ Curran, "Montreal Weightlifter," *The Gazette*, 24 January 1983.

⁶⁰² "Mario Parente, 20," *The Los Angeles Times*, 25 January 1984; and "Canadian National Team Weightlifter Mario Parente Has Been Acquitted," *United Press International*, 24 January 1984.

notice.”⁶⁰³ While pleased with the result, Hebert conceded that his client’s acquittal came as a result of opportune timing. Quoted in *The Windsor Star* a day after the trial, the attorney conceded, “I’m very happy that my client is free, even if it is on a technicality... as far as the Crown’s decision to prosecute [Parente], it’s just luck of the draw. I guess his dossier came up first.”⁶⁰⁴ In light of Parente’s acquittal on what Beaudoin also considered a “technicality,” the Crown was granted postponements for the trials of Hadlow, Demers, and Pietracupa, all of which had originally been scheduled for early February.⁶⁰⁵

Emotionally drained from the spectre of a criminal conviction, and potentially a stint in prison, Parente disavowed anabolic steroid use after the trial. In a media avail outside the courtroom the lifter announced his intention to give up the drugs forever, lamenting, “I never want to go through this again.”⁶⁰⁶ After the Mirabel incident, Parente told Curran, he was “even more dedicated” to weight training, and was confident that an Olympic birth that summer was well within his grasp.⁶⁰⁷ Likewise, in an interview at a pre-Olympic training camp that summer, Parente noted, “I think now that maybe you can be as good not using drugs as you can with them. But it takes more time. 10, 12 years of training... I made a mistake, and it still bothers me.”⁶⁰⁸ After his acquittal Parente set his sights on the Canadian National Weightlifting Championships in Brossard, which doubled as the Olympic trials for the Summer Games in Los Angeles. According to Chouinard, the 1984 trials were “the first time in... the history of the Canadian amateur sport system [where] all... competitors were subject to urine testing at a

⁶⁰³ “Québec Lifter Acquitted,” *The Globe and Mail*, 4 January 1984.

⁶⁰⁴ “Technicality Lifts,” *The Windsor Star*, 24 January 1984.

⁶⁰⁵ Curran, “Montreal Weightlifter,” *The Gazette* (Montreal), 24 January 1984; and “Canadian Freed of Drug Charge,” *The New York Times*, 24 January 1984.

⁶⁰⁶ Curran, “Montreal Weightlifter,” *The Gazette* (Montreal), 24 January 1984.

⁶⁰⁷ Ibid.

⁶⁰⁸ “Weightlifters Getting,” *The Gazette*, 14 July 1984.

national tournament.”⁶⁰⁹ A minimum of four lifters from each weight class were chosen for drug screening. After placing second in the 100-kilogram event the young Canadian produced a clean sample, stamping his ticket to Los Angeles.⁶¹⁰

There would be more drama to come for Parente that summer. Two weeks before the 100-kilogram class took the platform in Los Angeles, the weightlifting team’s chief medical officer Bill Stanish told the Canadian press that Parente was “unfit for competition due to high blood pressure and tachycardia,” two well-documented side-effects of steroid use.⁶¹¹ On 23 July, days after arriving in Los Angeles with his Canadian teammates, Parente had “complained of dizziness” while attempting maximum lifts, Stanish told reporters, and was “ordered strict bed rest for 48 hours” in an attempt to lower his blood pressure.⁶¹² “[It] did not go down to the satisfaction of the medical staff. He will not be competing,” said Stanish, who arranged for Parente to leave Los Angeles on 28 July to consult with a cardiologist in Montreal.⁶¹³ A pre-emptive exit from the Games clearly did not sit well with the Canadian light heavyweight. Three days later a frustrated Parente told *The Gazette*, “I didn’t want to come back at that time, and didn’t understand why I couldn’t undergo tests in Los Angeles... I wasn’t very happy.”⁶¹⁴ Only six months removed from his criminal trial, an unforeseen health issue threatened his Olympic debut. After undergoing two days of “extensive medical testing” back home in Canada, Parente

⁶⁰⁹ Chouinard, *Origins of Canadian Olympic Weightlifting*, 200.

⁶¹⁰ Ibid., 205; and “Olympic Status,” *The Star-Phoenix*, 10 December 1983.

⁶¹¹ Janet Brooks, “Montreal Weightlifter Ruled Unfit for Games,” *The Gazette* (Montreal), 30 July 1984; and “The Canadian Weightlifting Team...,” *The Age* (Melbourne), 1 August 1984; laboratory studies have found arterial hypertension to be one of a host of potential side-effects associated with anabolic steroid use. For further reading, see F. Grace, N. Sculthorpe, J. Baker, and B. Davies, “Blood pressure and Rate Pressure Product Response in Males Using High-Dose Anabolic Androgenic Steroids (AAS),” *Journal of Science and Medicine in Sport* 6, no. 3 (2003): 307-312.

⁶¹² “Lifter on Sidelines with High Pressure,” *The Province* (Vancouver), 30 July 1984; and Brooks, “Unfit for Games,” *The Gazette*, 30 July 1984.

⁶¹³ Ibid; and James Christie and Matthew Fisher, “Steroid Use in Weightlifting: Another Setback for Sport,” *The Globe and Mail*, 30 July 1984.

⁶¹⁴ “Montreal Lifter Asks to Return to Games,” *The Gazette* (Montreal), 2 August 1984.

“was looking much better,” Stanish told journalists on 30 July, and could be cleared to compete pending a consultation with the Montreal cardiologist.⁶¹⁵ Waiting in limbo but still optimistic, the lifter said in a phone interview from Canada, “I want to return to the Olympics. Even if I can’t be at my best, I at least want a chance to lift.”⁶¹⁶ While his condition had reportedly improved after departing Los Angeles, Parente did not enter the competition, his first and only opportunity to don the red and white of his home nation at an Olympic Games.⁶¹⁷

Hadlow

On 13 March 1984, two months after Parente’s acquittal, Terence Hadlow arrived in St. Jerome, Québec for the first day of his trial in Québec Sessions Court. Born and raised in Winnipeg, Manitoba, Hadlow started lifting weights at age thirteen, and quickly blossomed into an up-and-coming prospect after his family relocated to Elliot Lake, Ontario in 1971.⁶¹⁸ He broke through on the national stage four years later at the 1975 Canada Games, earning a gold medal in the 67.5-kilogram class, his first serious competition. At the tender age of seventeen, Hadlow was granted AAP funding for the upcoming 1975-76 season.⁶¹⁹ Now fully committed to a sport that had become “addictive” to him, the following year the Manitoba product relocated to Ottawa to train with national coach Aldo Roy in preparation for the 1976 Olympics in Montreal. At just eighteen years of age Hadlow came “within a few kilograms” of qualifying for the Games, and

⁶¹⁵ “Canadian Lifter May Compete,” *The Los Angeles Times*, 2 August 1984; and “Lifter May Rebound to Compete in L.A.,” *The Edmonton Journal*, 1 August 1984.

⁶¹⁶ “Return to Games,” *The Gazette* (Montreal), 2 August 1984.

⁶¹⁷ International Olympic Committee, *The Official Report of the Organizing Committee for the Games of the XXIIIth Olympiad Los Angeles, 1984*, Vol. 2 (Los Angeles, United States: Los Angeles 1984 Organizing Committee, 1984), 615.

⁶¹⁸ For Hadlow’s gold medal-winning marks at the Canada Games, see “Ottawa’s Phil Takahashi Wins Judo Gold,” *The Ottawa Citizen*, 21 February 1975; for comments on Hadlow’s early years in Elliot Lake, Ontario, see Janet Brooks, “Banned Weightlifter Found Steroids Essential,” *The Gazette* (Montreal), 15 December 1984.

⁶¹⁹ *Dubin Inquiry*, 98.

later that season was selected for his first of two consecutive World Junior Championship teams.⁶²⁰ After transitioning to the senior ranks the following year, the young Canadian won a silver medal in the 90-kilogram class at the 1978 Commonwealth Games in Edmonton and three medals at the 1979 Pan-American Games in San Juan, Puerto Rico; a gold in the snatch, a bronze in the clean-and-jerk, and a silver in the overall competition. The following spring Hadlow was named to his first Olympic Team for the Summer Games in Moscow, but like many Western athletes, was forced to watch the competition from home. Just days before the Games' opening ceremonies, Trudeau announced that Canada would boycott the Games in protest of the Soviet invasion of Afghanistan.⁶²¹ A consummate competitor best known for his grit and toughness, Hadlow was forced to undergo surgeries on both knees in 1982, and was told by doctors he had a marginal chance of making a full recovery. "Twenty-percent is better than nothing," said Hadlow in a 1984 interview, "[I thought] let's go for it. I'm pretty well an optimist in whatever I do."⁶²² A respectable eleventh-place finish at the 1983 World Championships signaled he was ready to compete against the world's best in Los Angeles.⁶²³ In a decorated career spanning seven years Hadlow medalled at every national championship he contested, winning gold in the 90-kilogram class in 1978, 1980, and 1981, a bronze in 1977, and a silver in the 100-kilogram class at the 1983 event in Edmonton, Alberta, his lone foray into the higher weight class.⁶²⁴

⁶²⁰ Chouinard, *Origins of Canadian Olympic Weightlifting*, 169, 175; and Brooks, "Steroids Essential," *The Gazette*, 15 December 1984.

⁶²¹ Canada was among sixty-five nations to boycott the 1980 Olympic Games in Moscow for political reasons, which included the United States, Japan, China, the Federal Republic of Germany (West Germany), and Argentina. For further reading, see Donald MacIntosh, Michael Hawes, Donna Ruth Greenhorn, and David Ross Black, *Sport and Canadian Diplomacy* (Montreal; Buffalo: McGill-Queens University Press, 1994), 90-105; at the 1980 Senior National Championships, Hadlow did what Chouinard described as "the impossible," winning the 90-kilogram class with an injured knee that hospitalized him less than an hour before the event. According to Chouinard, it was toughness and "mental fortitude" that carried him to victory.

⁶²² Martin Cleary, "Games Give Hadlow Chance to Rebuild Dream," *The Ottawa Citizen*, 24 July 1984.

⁶²³ Brooks, "Steroids Essential," *The Gazette*, 15 December 1984; and Chouinard, *Origins of Canadian Olympic Weightlifting*, 199.

⁶²⁴ Chouinard, *Origins of Canadian Olympic Weightlifting*, 176, 179, 186.

Given that the trial was held in Québec, where French is the official language, Hadlow was provided with an interpreter for the proceedings.⁶²⁵ Like Parente, he was charged with a criminal code violation under Canada's Food and Drugs Act, and faced up to three years imprisonment and a \$5,000 fine.⁶²⁶ With a claim of "failure to disclose" no longer a viable strategy, Hebert argued that the Act's provisions did not include anabolic steroids or testosterone, only the broad classification "sex hormones," and to determine their legal status, a lay person would have to read and understand a scientific publication.⁶²⁷ For Hebert this amounted to a violation of Article 11 in the *Canadian Charter of Rights and Freedoms*, which states, "an individual must be served with a *specific* charge if it is believed an infraction [has been] committed."⁶²⁸ In an article published in *The Ottawa Citizen* the following day, John Mackinnon of the Canadian Press reported that Hebert implored Judge Gilbert Moirier to dismiss the charges on the grounds that even the Crown's chemical analyst could not easily identify the Dianabol pills found in Hadlow's luggage, and had to consult several pharmacology texts. The defense also called into question the scientific validity of the publications themselves.⁶²⁹ After the first day of trial Hebert told reporters, "the Crown had to bring in a specialist to the court to explain that [the Dianabol is] prohibited... [for Hadlow] who is not an expert, it would be difficult to determine this even if [he] read the [Food and Drugs] Act."⁶³⁰ Crown prosecutor Toupin repudiated this claim, arguing the street drug heroin was not enumerated in the Act yet it

⁶²⁵ "Weightlifter Convicted for Illegal Importing of Anabolic Steroids," *The Ottawa Citizen*, 30 March 1984.

⁶²⁶ The Food and Drugs Act, 30(2), 21.

⁶²⁷ John Mackinnon, "Steroids Charge Vague, Hadlow's Lawyer Says," *The Ottawa Citizen*, 14 March 1984.

⁶²⁸ *The Charter of Rights and Freedoms* was drafted as part of Canada's *Constitution Act* of 1982, and as such, had only been in effect for two years prior to Hadlow's trial. Article 11 of the *Charter* enumerates individual rights pertaining to criminal and penal matters, with sub-section (a) reading, "Any person charged with a criminal offence as the right to be informed, without reasonable delay of the specific offense." For further reading, see *Canadian Charter of Rights and Freedoms*, S.8, Part 1 of the *Constitution Act*, 1982, c. 11, Article 11(a).

⁶²⁹ Mackinnon, "Steroids Charge Vague," *The Ottawa Citizen*, 14 March 1984.

⁶³⁰ "Hadlow Awaits Judgement," *The Province* (Vancouver), 14 March 1984.

was “common knowledge” it was illegal to import, and further, that Hadlow had written a signed statement acknowledging he had knowingly broken the law.⁶³¹ Moirier ultimately ruled in favor of the Crown on the matter.⁶³² Hadlow took the witness stand on the trial’s second and final day and testified to being aware of the legal implications of transporting the drugs into Canada, but argued that he had signed a confession without first being informed of his right to legal counsel.⁶³³

The trial reconvened for a verdict on 29 March. Reading from a sixteen-page judgement, Moirier ruled the Crown had demonstrated that the pills were indeed Dianabol, rejecting Hebert’s argument against the provisions of the Food and Drugs Act. According to an *Ottawa Citizen* article, the judge found that the laboratory findings “proved beyond a reasonable doubt” the Crown’s allegations.⁶³⁴ Hadlow was ultimately found guilty of illegally importing anabolic steroids, and was scheduled for a pre-sentencing hearing on 30 April 1984. After the proceedings wrapped there was an air of tension outside the courtroom. During a conversation between Hadlow and Hebert in the corridor, a journalist with a tape recorder reportedly approached the men for a comment, prompting Hadlow to growl, “get that thing out of here!”⁶³⁵ Minutes later, the lifter and two unidentified friends allegedly threatened to “rough up” a Canadian Press photographer as they left the building, and “smash his equipment” if he attempted to photograph them.⁶³⁶ The two unnamed men reportedly barricaded the building’s doors while Hadlow left through an alternate exit.⁶³⁷

⁶³¹ “Verdict Seen March 29 on Ottawa Weightlifter,” *The Windsor Star*, 15 March 1984.

⁶³² *Ibid.*

⁶³³ *Ibid.*; and “Hadlow Awaits Judgement,” *The Province*, 14 March 1984.

⁶³⁴ “Weightlifter Convicted,” *The Ottawa Citizen*, 30 March 1984.

⁶³⁵ *Ibid.*

⁶³⁶ *Ibid.*

⁶³⁷ *Ibid.*

The situation looked grim for the disgraced champion. Now a convicted drug criminal, Hadlow faced complications entering the United States, and thus, his eligibility for the Los Angeles Games that summer was in doubt.⁶³⁸ Hebert argued for leniency on these grounds at the pre-sentencing hearing on 1 May, urging Moirier to grant Hadlow an *absolute discharge*, which entailed a guilty plea but no criminal record.⁶³⁹ Moirier took heed of Hebert's request at the sentencing hearing on 16 May. In his final judgement he noted Hadlow was "presumed never to have been convicted of anything [in the past]," and that the drugs were not necessarily intended for the purpose of trafficking.⁶⁴⁰ On this occasion there would be no post-hearing contretemps. Addressing journalists outside the courthouse, a beleaguered Hadlow declared, "I'm elated... now I can start eating again."⁶⁴¹ Similar to his compatriot Parente four months earlier, he told reporters, "believe me, this is never going to happen again," a declaration that would later come back to haunt him.⁶⁴² The resolution of the case seemed to part the clouds of controversy surrounding Hadlow. In a phone interview with *The Gazette's* Peggy Curran the same day, Campion said of Hadlow, "he remains a member in good standing [with the CWF] and definitely a candidate for the Olympic [team]."⁶⁴³ Good standing indeed, as he was named to the Canadian contingent despite missing the national championships four days after his pre-trial hearing.⁶⁴⁴ In

⁶³⁸ "Lawyer Seeks Discharge for Hadlow," *The Ottawa Citizen*, 1 May 1984; at the time, Canadians convicted of "crimes of moral turpitude," a distinction that includes drug-related offenses, had difficulty entering into the United States. See for example United States Immigration and Naturalization Service, *Immigration and Naturalization Service Reporter* (Washington D.C.: United States Department of Justice, 1981), 33-34; and Yvette Brend, "Don't Count on Pot Pardons to Wipe Your Record Clean, Legal Experts Warn," CBC News, accessed 22 October 2019, www.cbc.ca/news/canada/british-columbia/pardons-pot-convictions-us-border-inadmissible-canadians-1.4868873.

⁶³⁹ Curran, "Weightlifter Guilty," *The Gazette*, 17 May 1984; for further details on the legal principles applied to absolute discharges in Canada, see Martin Wasik, "The Grant of an Absolute Discharge," *Oxford Journal of Legal Studies* 5, no. 2 (1985): 212-215.

⁶⁴⁰ Curran, "Weightlifter Guilty," *The Gazette*, 17 May 1984.

⁶⁴¹ "Hadlow Cleared," *The Ottawa Citizen*, 16 May 1984.

⁶⁴² Ibid.

⁶⁴³ Curran, "Discharged," *The Gazette*, 17 May 1984.

⁶⁴⁴ Aldo Roy, "Canadian Weightlifting Results, 1960-2002: Canadian Weightlifting Information From a Fan of the Sport," accessed 10 January 2020, <http://slcweightlifting.blogspot.com/2008/05/1984-canadian-senior-championships.html>; Roy served as a Canadian national team coach for eleven years and worked as a color

an interview with *Ottawa Citizen* columnist Martin Cleary five days before the Games opened in Los Angeles, Hadlow professed, “I’m now more conservative in my approach... [anabolic] steroids are now a thing of the past for [weightlifters]. If a scandal occurs again for any one of us, we can kiss our [funding] goodbye.”⁶⁴⁵



Équipe 1979 PanAméricains
 Avant: Raymond Derouin, Eric Rodgers, Michel Pietracupa, Gary Bratty, ...
 Debout: Philippe Hedrich, Terry Hadlow, Wayne Smith, Marc Cardinal,
 Burt Squires, Larry Burke, Aldo Roy

Figure 4. Hadlow (pictured back row, second from left) and Pietracupa (front row, middle) with the Canadian Weightlifting contingent at the 1979 Pan-American Games.

Demers

Jacques Demers was originally set to stand trial on 31 May 1984 in St. Jerome, Québec. Moirier, who once again served as the presiding judge, ruled the trial would be moved forward to January

commentator for the Canadian Broadcasting Corporation (CBC) for six consecutive Summer Olympic Games. For further reading, see Chouinard, *Origins of Canadian Olympic Weightlifting*, 172, 189, 229.

⁶⁴⁵ Cleary, “Games Give Hadlow Chance,” *The Ottawa Citizen*, 24 July 1984.

of 1985, six months clear of the Olympic Games that summer.⁶⁴⁶ Born on 27 July 1960 in Montreal, Québec, Demers had been an avid weightlifter since he was “nine or 10 years old,” according to Chouinard, “and was always competing in youth [competitions] in his hometown.”⁶⁴⁷ After cutting his teeth in local and national meets for nearly a decade the talented Canadian broke through at the 1979 Canada Winter Games in Brandon, Manitoba, earning a silver medal behind fellow Québécois Claude Dallaire in the 67-kilogram class.⁶⁴⁸ Demers made his international debut at the 1980 World Junior Weightlifting Championships in Montreal, moving up a weight class to place a respectable sixth in the 75-kilogram competition, the best finish among Canadians at the event.⁶⁴⁹ Standing at only five-feet-six-inches tall, Demers was well-suited for the higher weight class. Lifters of shorter stature typically have greater power-to-weight ratios than their taller competition, coupled with the fact that shorter limbs afford a biomechanical advantage.⁶⁵⁰ After adding sixteen pounds to his compact frame, Demers made a successful transition to the senior ranks in 1981, earning a victory at the Commonwealth Games “preview” event that September, and a bronze medal at the Games themselves in Brisbane the following year.⁶⁵¹ In only his third season competing against the world’s best, Demers took home a complete set of medals at the Pan-American Games in Caracas the following year, striking gold in the clean-and-jerk, bronze in the snatch, and silver in the overall competition.⁶⁵² Prior to the

⁶⁴⁶ Curran, “Discharged,” *The Gazette*, 17 May 1984; and “The Pride of Canada,” *The Globe and Mail*, 18 July 1984.

⁶⁴⁷ Yvon Chouinard in interview with author, 15 February 2019.

⁶⁴⁸ “Wrestling Settles Weightlifting,” *The Ottawa Citizen*, 23 February 1979.

⁶⁴⁹ “Canada Sixth in Lifting Meet,” *The Vancouver Sun*, 29 May 1980.

⁶⁵⁰ See for reference Jerry L. Harbour, *Lean Human Performance Improvement* (Boca Raton, FL: CRC Press, 2015), 9; and Thomas T. Samaras, “Advantages of Taller Human Height,” in *Human Body Size and the Laws of Scaling: Physiological Performance, Growth, Longevity and Ecological Ramifications* (New York: Nova Science Publishers, 2007), 34-35.

⁶⁵¹ “Jones Konihowski Sets National Record,” *The Times Colonist* (Victoria), 4 October 1981; and Chouinard, *Origins of Canadian Olympic Weightlifting*, 196.

⁶⁵² “Canada Wins Gold in Pan-Am Weightlifting Event,” *The Edmonton Journal*, 18 August 1983; and “Guy Greavette Garners Gold,” *The Vancouver Sun*, 18 August 1983.

affair at Mirabel, the twenty-three-year old had twice been crowned national champion and was touted as a medal hopeful in the lead up to the 1984 Games in Los Angeles.⁶⁵³ After a successful 1982 campaign the CWF awarded Demers AAP funding, the first of seven seasons he would benefit from government subsidies.⁶⁵⁴

The French Canadian's star was on the rise in the early 1980s, and not just on the weightlifting platform. On the recommendation of coach Aldo Roy, in 1980 Demers and "more than a dozen" training mates were invited to audition for roles in the film *Quest for Fire*, a Canadian film for which producers were recruiting "young men with large muscles" to play cavemen in the Paleolithic Period.⁶⁵⁵ The film was shot in Kenya and Scotland in the fall of 1980, not long after Demers' international debut. Evidently, he stood out from the other lifters. In an article in *The Province* published shortly after the film's release, friend and fellow auditionee John Strike quipped, "[Demers] was the only one of us who got the part... because the rest of [us] were not ugly enough."⁶⁵⁶ Interviewed alongside Strike, Demers professed that, while he had a small role in the movie, the experience was an enjoyable one despite the extreme fall temperatures in Kenya, and the "icy waters... in the Scottish Highlands."⁶⁵⁷ *Quest for Fire* opened in cinemas across North America on 10 February 1982 and went on to win the Academy Award for Best Makeup in 1983, in addition to ten other major awards worldwide.⁶⁵⁸ According to a 4 October 1982 article in *The Sydney Morning Herald*, after appearing in the film Demers was commonly referred to as "The Cave Man" by teammates and friends.⁶⁵⁹

⁶⁵³ See for example Mike Beamish, "Canadian Lifters Flunk Drug Tests," *The Vancouver Sun*, 30 July 1984.

⁶⁵⁴ *Dubin Inquiry*, 98.

⁶⁵⁵ "Quest for Gold," *The Province* (Vancouver), 1 October 1982.

⁶⁵⁶ *Ibid.*

⁶⁵⁷ *Ibid.*

⁶⁵⁸ International Movie Database, "Quest for Fire," accessed 9 September 2019, https://www.imdb.com/title/tt0082484/awards?ref=tt_awd

⁶⁵⁹ Paul Molloy, "Pignone Lift Has Silver Lining," *The Sydney Morning Herald*, 4 October 1982.

Demers continued to turn in stellar performances in the lead up to the Los Angeles Olympics, burdened all the while by the spectre of a criminal conviction. In a fortuitous turn of events, Moirier adjourned his trial at a hearing in early May, which meant he would have no trouble crossing into the United States.⁶⁶⁰ The Montreal native responded with a breakout season, emerging as a serious medal contender for the Games. At May's national championships in Brossard he set a new national record total of 332.5-kilograms on the way to a commanding 25-kilogram victory over fellow Mirabel offender Michel Pietracupa.⁶⁶¹ Incidentally, Demers became the first Canadian to record a snatch that doubled a lifter's bodyweight, earning him "lifter of the meet" honors.⁶⁶² He improved upon the record in Austria on 9 June by hoisting a combined 340-kilograms, setting Commonwealth and Pan-American records with a 195-kilogram clean and jerk. Two weeks after the national championships, Demers was selected to his first Olympic team.⁶⁶³ Brimming with confidence after a season filled with personal best lifts, Demers shocked the world by claiming an Olympic silver medal in the 75-kilogram class. His performance gave the weightlifting team its only podium finish in the competition, which incidentally, was only the second medal won by a Canadian lifter in Olympic history.⁶⁶⁴ "I only knew [that fact] because I read it in the paper," he told reporters in a post-competition interview.⁶⁶⁵ While Canadian fans to the north celebrated the historic performance, reporters vied for a juicy sound bite, as apparently the Mirabel incident was still considered newsworthy after nine months had passed. "What I did a year ago does not matter," Demers noted in a press

⁶⁶⁰ Curran, "Discharged," *The Gazette*, 17 May 1984; and "The Pride of Canada," *The Globe and Mail*, 18 July 1984.

⁶⁶¹ Roy, "Canadian Weightlifting Results."

⁶⁶² Ibid.

⁶⁶³ "Canadian Lift Record Smashed," *The Times Colonist* (Victoria), 10 June 1984; and "Demers Sets Mark," *The Province* (Vancouver), 10 June 1984.

⁶⁶⁴ Barry A. Sanders, *The Los Angeles 1984 Olympic Games: Images in Sports* (Charleston, SC: Arcadia Publishing, 2013), 76; and "Canadian Lifter Captures Medal," *The Globe and Mail*, 3 August 1984.

⁶⁶⁵ "Drug Problems Aside, Demers Grabs Silver," *The Windsor Star*, 3 August 1984.

conference the following day, “I don’t take problems with me into competitions, and when I lift, I lift.”⁶⁶⁶

As far as Demers’ trial is concerned, it appears as though there was little or no media coverage, which was unexpected considering his silver-medal performance in Los Angeles. A short article in a 1 May 1984 edition of *The Gazette* noted the case had been rescheduled for 5 June, approximately a month after his victory at the Olympic trials. However, later news articles indicate that at an indeterminate point, between 1 May and 17 May, it was postponed to the following September.⁶⁶⁷ Nevertheless, there were further delays. In a 19 January 1985 edition of *The Gazette*, columnist Janet Brooks reported that Demers had “not [been] tried yet” for the Mirabel incident.⁶⁶⁸ It remains unclear exactly when he stood trial, however, in 1988 he told David Shoalts of *The Globe and Mail* that he was convicted in Québec courts, and like Hadlow, was granted an *absolute discharge*.⁶⁶⁹ However, later articles in *The Baltimore Sun* and *The Gazette* noted Demers was “acquitted,” and not convicted of the charges.⁶⁷⁰ The most substantive evidence pointing to how the case was resolved appears in the *Dubin Inquiry* proceedings. In a sub-section titled “Smuggling Incident, October 1983,” Dubin noted, “the four [men] were charged, and all but [Mario] Parente were found guilty,” a statement of fact that Demers was indeed convicted in Québec courts.⁶⁷¹ Nevertheless, the court case did not seem to disrupt his weightlifting career. Chouinard recalled in a 2019 interview, “Jacques had no criminal record,

⁶⁶⁶ Terry Bell, “Silver Medallist Plays It Safe,” *The Province* (Vancouver), 3 August 1984.

⁶⁶⁷ “Miscellany,” *The Gazette* (Montreal), 1 May 1984; the article “Canadians Sent Home for Drug Use,” *The Windsor Star*, 30 July 1984 mentions that the trials of Demers and Pietracupa had been postponed to September. The author was unable to locate any further information on the outcomes of their respective cases.

⁶⁶⁸ Janet Brooks, “Ottawa Warns Lifters on Drug Plan,” *The Gazette*, 19 January 1985.

⁶⁶⁹ Shoalts, “Demers Puts Scandal,” *The Globe and Mail*, 18 February 1989; Shoalts uses the interchangeable term “unconditional discharge” in the article.

⁶⁷⁰ “Canada Supported Weightlifters Charged with Smuggling,” *The Baltimore Sun*, 23 February 1989; and “Weightlifters to Miss Olympics After Tests Show Steroid Use,” *The Gazette* (Montreal), 9 September 1988.

⁶⁷¹ *Ibid.*, 149.

that's for sure... Within a year of the [Los Angeles Olympics] he had his day in court, and like [the others] pretty much got off scot-free.”⁶⁷² Demers competed regularly in international meets in later years, including several in the United States, and could not have done so with a drug-conviction on record.⁶⁷³



Jacques Demers (pictured middle, second from left) and fellow Canadian teammates in Brisbane, Australia for the 1982 Commonwealth Games.

⁶⁷² Ibid; Chouinard noted that both Demers and Pietracupa were found innocent in the courts “a few months” after the 1984 Olympics. With a scheduled hearing date in September, the author’s claim is founded in news reports and Mr. Chouinard’s recollections; see also Al Sokol, “Steroids Soil Weightlifting’s Reputation: 3 Dropped from Olympic Team After Failing Tests,” *The Toronto Star*, 9 September 1988; and Canadian Broadcasting Corporation, “Canada Starts Getting Tough on Drugs,” *CBC Digital Archive*, accessed 12 March 2019, <http://www.cbc.ca/archives/entry/canada-starts-getting-tough-on-drugs>.

⁶⁷³ See for example United States INS, *Immigration and Naturalization*, 33-34; and Brend, “Pot Pardons.”

Pietracupa

Michel Pietracupa was originally set to stand trial on 5 June 1984 in St. Jerome, Québec, but like Demers' case, the proceedings were adjourned until after the Olympics.⁶⁷⁴ Like the other Mirabel men, the native of St. Hyacinthe, Québec was already a seasoned veteran in international weightlifting prior to the smuggling incident.⁶⁷⁵ The French Canadian emerged on the national scene at the 1977 Canadian National Weightlifting Championships in Edmonton, Alberta, earning a silver medal in the 60-kilogram class at only seventeen years of age, and a spot on Team Canada for the World Junior Championships in Sofia, Bulgaria that summer.⁶⁷⁶ Pietracupa was selected for the next two World Junior events in Athens, Greece and Debrecen, Hungary respectively, adding some muscle bulk for his ascension to the 67.5-kilogram class in Debrecen.⁶⁷⁷ Identified as a medal hopeful for the 1980 Summer Olympics in Moscow, the young lifter was granted AAP funding in the summer of 1979, the first of seven seasons for which Sport Canada awarded him financial support.⁶⁷⁸ In 1980, his first year competing in the senior ranks, Pietracupa was selected for Canada's Olympic weightlifting team despite failing to register a total at that year's National Championships in Regina, Saskatchewan.⁶⁷⁹ While the Canadian boycott in 1980 thwarted the young lifter's Olympic debut, according to Chouinard, Pietracupa was sent to Auckland for the New Zealand Summer Games in January of 1981 where he failed to register a total in the competition.⁶⁸⁰ A victory at the Canadian Championships that spring, his first national title, further cemented his status as a future star; a title he defended in

⁶⁷⁴ Curran, "Weightlifter Guilty," *The Gazette*, 17 May 1984.

⁶⁷⁵ Paul DeLean, "Suspend 2 Québec Weightlifters for Life, Jelinek Says," *The Gazette* (Montreal), 23 August 1985.

⁶⁷⁶ Roy, "Canadian Weightlifting Results."

⁶⁷⁷ Chouinard, *Origins of Canadian Olympic Weightlifting*, 182, 184-185.

⁶⁷⁸ *Dubin Inquiry*, 98.

⁶⁷⁹ *Ibid.*, 188-189; and Government of Canada, "Canadian Olympians: Michel Pietracupa," *The Library Archives of Canada*, accessed 4 February 2019, http://www.lac-bac.gc.ca/databases/olympians/001064-119.01e.php?&photo_id_nbr=4592&brws_s=1&&PHPSESSID=nlampkqo4oto111cfohibt3342.

⁶⁸⁰ Chouinard, *Origins of Canadian Olympic Weightlifting*, 188.

emphatic fashion the following year in Peterborough, Ontario, setting Canadian records in the clean-and-jerk (178 kilograms), snatch (138 kilograms), and combined total (315 kilograms).⁶⁸¹ Pietracupa continued to progress as a lifter during the 1983 season, recording a new personal best of 140 kilograms in the snatch at the Québec Provincial Championships in February of 1984.⁶⁸² At the drug-tainted Pan-American Games in Caracas that August, Pietracupa placed a respectable fourth-overall and missed out on a bronze medal by a paltry 2.5 kilograms.⁶⁸³ The talented Québécois appeared poised to perform well at the 1984 Olympics in Los Angeles. At the Canadian Trials that May, Pietracupa stamped his ticket to the Games with a second-place finish to Demers in a closely contested middleweight competition. He went on to finish a respectable ninth-place overall in Los Angeles, his first and only Olympic appearance.⁶⁸⁴

Like Demers, Pietracupa's trial drew little in the way of media attention, amounting to several cursory references in news articles. A short article in a 1 May 1984 issue of the *Gazette* noted that Pietracupa was initially scheduled to appear before Québec Sessions Court on 5 June 1984, two weeks after the Canadian Weightlifting Championships.⁶⁸⁵ More than a year passed before the St. Hyacinthe native had his day in court. In an article covering Hadlow's trial, Curran reported that Pietracupa's had been postponed for the second time, and was rescheduled for sometime "after the September Assizes," a busy period in Québec courts wherein judges and special prosecutors from outside jurisdictions are brought in to handle serious criminal offenses.⁶⁸⁶ If news reports from this period were accurate, there was no September trial. Articles

⁶⁸¹ Roy, "Canadian Weightlifting Results;" and Chouinard, *Origins of Canadian Weightlifting*, 189, 194.

⁶⁸² Janet Brooks, "Parente Sets Six Lift Marks," *The Gazette* (Montreal), 14 February 1983.

⁶⁸³ "Weightlifting," *The Vancouver Sun*, 18 August 1983.

⁶⁸⁴ Chouinard, *Origins of Canadian Olympic Weightlifting*, 205; and "Olympic Scoreboard," *The Atlanta Constitution*, 3 August 1984.

⁶⁸⁵ "Miscellany," *The Gazette*, 1 May 1984.

⁶⁸⁶ Curran, "Discharged," *The Gazette*, 17 May 1984; a Canadian lawyer informed the author that presiding Judge Moirier had a full docket of cases in the lead up to the September assizes, and likely postponed the proceedings as a result. In the Province of Québec, assizes are held thrice yearly to adjudicate severe criminal cases, or special cases

in *The Calgary Herald* and *Billings Gazette* published in late August, and a *Globe and Mail* piece on 6 September of 1985 noted that Pietracupa had still yet to be tried on charges stemming from Mirabel.⁶⁸⁷

Notwithstanding a few token references in news articles in the lead-up to Pietracupa's trial, the proceedings played out anonymously and away from the public eye. In August of 1986, nearly two years after Mirabel, Neil MacDonald of *The Ottawa Citizen* reported that Pietracupa had been convicted and received a "discharge."⁶⁸⁸ Dubin's submission that "all but Parente were found guilty" lends support to this claim.⁶⁸⁹ Like Demers, whose trial garnered almost no news coverage, the lack of media attention to can be explained by the case being adjourned until after the Los Angeles Olympics.

POSITIVELY A PROBLEM

Less than two months after his discharge in Québec courts, Hadlow became the first of the Mirabel four to face a second drug scandal. On 29 July 1984 *The Los Angeles Times* reported that Hadlow and teammate Luc Chagnon were found positive for methyltestosterone, a powerful

that necessitate judges are brought in from other jurisdictions. The proceedings are generally decided by a jury. For further reading, see "Criminal Assizes," Work of the Québec Superior Court, Criminal and Penal Practice Division, accessed 14 May 2019, http://www.tribunaux.qc.ca/mjq_en/c-superieure-m/fonctionnement-mtl/beauharnois/prat_crim_penale.html.

⁶⁸⁷ "Tough Action Urged Against Weightlifters," *The Calgary Herald*, 23 August 1984; "Ban Sought," *The Billings Gazette*, 24 August 1984; and "Drug Screening Will Increase, Jelinek Says," *The Globe and Mail*, 6 September 1985.

⁶⁸⁸ Neil MacDonald, "Hunger for Victory Gobbles up Victims," *The Ottawa Citizen*, 9 August 1986; an acquittal amounts to a finding of "not guilty," and a "bar from subsequent indictment for any offense of which the accused could have been lawfully convicted on the first indictment. In criminal proceedings, this is determined by a judge or jury by applying of the *reasonable doubt* standard. The cited news article used the term "acquittal," which connotes the presiding judge rendered a decision of "not guilty" after weighing the evidence presented in Pietracupa's trial. For further reading, see according to Government of Canada, "Civil and Criminal Cases: Decisions in Criminal Cases," Government of Canada, Department of Justice, accessed 10 February 2020, <https://www.justice.gc.ca/eng/csj-sjc/just/08.html>.

⁶⁸⁹ The document was released in June of 1990, eight months after the courtroom proceedings ended. For Dubin's commentary on the Mirabel incident, see *Dubin Inquiry*, 149-152, 155.

anabolic agent known to induce intensity and aggression in users.⁶⁹⁰ In a public statement released that day, John Lecky, Canada's Chief de Mission for the Games, said the adverse finding came at Team Canada's pre-Olympic training camp in Lac St. Denis, Québec on 16 July. According to Lecky, Hadlow and Chagnon were unaware of the impending sanctions before arriving in Los Angeles on 25 July, and may have been in transit when the results reached team officials. In fact, the lifters attempted to gain access to the Olympic village the same day, but were turned away by COA administrators and ordered to return home to Canada pending confirmatory analyses.⁶⁹¹ Ten days later the IOC's analytical laboratory in Montreal certified the samples as positive, "under the supervision of Sport Canada and [the SMCC]."⁶⁹²

With the support of the CWF, Hadlow submitted an appeal for reinstatement to the SMCC a day before the scandal went public. In a 30 July *Globe and Mail* article covering the incident, columnists James Christie and Matthew Fisher reported that Hadlow had been removed from the Canadian Olympic Team, and would have the opportunity to appeal the drug sanction sometime after the Los Angeles Games.⁶⁹³ "It will be too late for [Hadlow] to compete in Los Angeles," said Nesbitt in a 30 July press conference, "I think the details of our appeal will have to wait."⁶⁹⁴ The case was heard on 20 September 1984, six weeks after Hadlow's rivals took the Olympic stage to contest the 90-kilogram competition. Employing what would become a hackneyed argument in later years, his attorney disputed the positive finding, citing

⁶⁹⁰ "Two Canadian Lifters Sent Home – Steroids," *The Los Angeles Times*, 29 July 1984; for the aggression-inducing properties of methyltestosterone see for example Bettina Von Der Pahlen, "The Role of Alcohol and Steroid Hormones in Human Aggression," in *Vitamins and Hormones*, ed. Gerald Litwack (San Diego, CA: Elsevier Academic Press, 2005), 421; and Ann S. Clark and Alison S. Fast, "Comparison of the Effects of 17 α -Methyltestosterone, Methandrostenolone, and Nandrolone Decanoate on the Sexual Behavior of Castrated Male Rats," *Behavioral Neuroscience* 100, no. 6 (1996): 1478-1486.

⁶⁹¹ Cleary, "Canadian Lifters Sent Home," *The Ottawa Citizen*, 30 July 1984; and Mike Gasher, "Two Lifters to Get Their Say," *The Province* (Vancouver), 16 September 1984.

⁶⁹² "Two Canadians Fail Test," *The Province*, 29 July 1984.

⁶⁹³ Christie and Fisher, "Another Setback," *The Globe and Mail*, 30 July 1984.

⁶⁹⁴ *Ibid.*

“irregularities” in the sample collection process in Lac St. Denis.⁶⁹⁵ In a later interview with *Gazette* reporter Janet Brooks, Nesbitt noted that Hadlow was compelled to produce a urine sample under less than ideal conditions; in a dark, windowless room during a “90-minute power failure.”⁶⁹⁶ Evidently, the Mirabel incident was still fresh in the minds of sporting officials. Two weeks before the SMCC rendered a decision on the matter, the CWF suspended Hadlow for five years and barred him for life from receiving AAP funding.⁶⁹⁷ Quoted in the same *Gazette* article, Nesbitt reasoned that the relatively stiff penalties were imposed pre-emptively because Hadlow had “indicated to members of the [CWF] that he had taken [anabolic] steroids... not because he was proven to have taken [them] through the drug-testing process.”⁶⁹⁸ For CWF President Ralph Kugelstadt, Hadlow’s past indiscretions factored in to the lengthy suspension. “[Hadlow] had trouble before at Mirabel,” he explained, “he’s a senior athlete and should have shown more sense.”⁶⁹⁹ Perhaps a formality at that point, on 21 November the seven-member SMCC committee ruled against the twice-disgraced lifter, and not surprisingly, dismissed his claims of procedural errors in the sample-collection process.⁷⁰⁰ The heavy sanctions signaled the end of Hadlow’s decorated and ignominious career. After a brief stint as a department store clerk in Ottawa, he returned home to Winnipeg to coach youth weightlifting.⁷⁰¹

⁶⁹⁵ Martin Cleary, “Weightlifters Face Suspension After Losing Appeal on Dope Tests,” *The Ottawa Citizen*, 23 November 1984; and Janet Brooks, “Canadian Lifters Lose Appeal After Failing Olympic Drug Tests,” *The Gazette* (Montreal), 25 November 1984; several high-profile athletes made this argument in later years, most notably American track and field athletes Butch Reynolds and Mary Decker. For Reynolds’ case see Hilary Joy Hatch, “On Your Mark, Get Set, Stop! Drug-Testing Appeals in the International Amateur Athletic Federation,” *Loyola of Los Angeles International and Comparative Law Review* 16, no. 2 (1994): 541-542; for Decker’s case see Michael S. Straubel, “Doping Due Process: A Critique of the Doping Control Process in International Sport,” *Dickinson Law Review* 106 (2002): 526-528.

⁶⁹⁶ Brooks, “Canadian Lifters Lose,” *The Gazette*, 25 November 1984; and Cleary, “Weightlifters Face Suspension,” *The Ottawa Citizen*, 23 November 1984.

⁶⁹⁷ Ibid.

⁶⁹⁸ Ibid.

⁶⁹⁹ Cleary, “Weightlifters Face Suspension,” *The Ottawa Citizen*, 23 November 1984.

⁷⁰⁰ Ibid., and Brooks, “Canadian Lifters Lose,” *The Gazette*, 25 November 1984.

⁷⁰¹ Neil MacDonald, “Steroids: Win, Lose or Draw,” *The Windsor Star*, 30 August 1986.

“Badly Done”

With his criminal case still pending, Michel Pietracupa was the second Mirabel offender to face a drug sanction. On 22 August 1985, *The Associated Press* reported the Québec lifter had been flagged for suspicious testosterone levels three months earlier at the Canadian Weightlifting Championships in Kirkland, Ontario.⁷⁰² It was perhaps no coincidence that the announcement came a day before he was scheduled to depart for the World Weightlifting Championships in Sodertalje, Sweden.⁷⁰³ Less than a month after celebrating his twenty-sixth birthday, Pietracupa was handed a provisional suspension by the CWF pending a hearing in early September. Addressing the positive test in a media avail the following day, Federal Minister of Sport Otto Jelinek urged the CWF to permanently revoke the lifter’s AAP funding. “There is absolutely no point in providing public [funds] unless we can ensure the integrity of sport is maintained,” Jelinek argued, “[and] we have good reason to believe not all offenders are being caught.”⁷⁰⁴ Less than two weeks later, it appeared Jelinek had made up his mind on the matter. In a 3 September news conference he announced that any athlete caught using banned substances would be barred for life from the AAP, a directive later adopted by Sport Canada as a revision to *Drug Use and Doping Control*.⁷⁰⁵ Like Hadlow, Pietracupa repudiated the test results on the grounds that the sample collection was “badly done,” and denied ever using performance-enhancing drugs. Also similar to Hadlow, Canadian sporting officials were not buying it. “We have no cause to doubt the results,” Hoffman declared in a 6 September press conference, “people doing the analysis are among the leading experts in the world.”⁷⁰⁶ Evidently the CWF

⁷⁰² “Québecers Shine at Weightlifting Championships,” *The Gazette* (Montreal), 21 May 1984.

⁷⁰³ “The Canadian Weightlifting Association Suspended...,” *The Associated Press*, 22 August 1985.

⁷⁰⁴ Delean, “Suspend 2 Québec Weightlifters,” *The Gazette*, 23 August 1985.

⁷⁰⁵ “Athletes Caught Using Steroids Will Lose Federal Aid: Jelinek,” *The Star-Phoenix* (Saskatoon), 6 September 1985; and “Six Athletes Dumped After Using Steroids,” *The Vancouver Sun*, 16 July 1986.

⁷⁰⁶ Ibid.

agreed with Hoffman. The Québécois was banned from competition for two years, and disqualified for life from federal funding programs.⁷⁰⁷ On 3 September 1987, four months after his suspension ended, Pietracupa and his wife welcomed their first son Samuel, who went on follow in his father's footsteps as one of Canada's premier lifters. After a three-year hiatus, Pietracupa made an emphatic return to form at the 1988 Canadian Weightlifting Championships in St. Hyacinthe, Québec, earning a silver medal in the clean and jerk, and a bronze in total weight.⁷⁰⁸ While the prime of his career had long since passed, Pietracupa remained active in the sport. After retiring for several years, he found success on the master's weightlifting circuit, and to this day, continues to don the Canadian red and white in international meets.⁷⁰⁹

“No Pussy-Footing Around”

Less a year after Pietracupa's testosterone positive, Mario Parente became the third of the Mirabel four to face a drug ban. Five days before the Canadian Weightlifting Championships opened in Vancouver, the reigning national champion at 110-kilograms tested positive for anabolic steroids in an out-of-competition test.⁷¹⁰ First reported in a 14 June 1986 edition of *The Calgary Herald*, Parente's was the lone adverse finding of the thirty-three samples collected in the preceding three months, but the first of four that spring.⁷¹¹ However, the test result was only reported *after* the competition. Unaware that adversity loomed close, the Montreal native

⁷⁰⁷ *Dubin Inquiry*, 98.

⁷⁰⁸ Roy, “Canadian Weightlifting Results.”

⁷⁰⁹ As of 2019, Pietracupa was still representing Canada in international competition. See for reference Canadian Masters Weightlifting Federation, “2019 Masters World Cup,” accessed 2 February 2020, <https://cdnmastersweightlifting.org/wp-content/uploads/2019/10/2019-Masters-World-Cup-Results-Men.pdf>; and IWF-Masters Weightlifting, “2019 Masters World Championships,” accessed 2 February 2020, <https://www.iwfmasters.net/main.php?sec=res&sbres=co&presyr=2019&pressc=IWF>.

⁷¹⁰ Chouinard, *Origins of Canadian Olympic Weightlifting*, 211; and “Federation Reinstates Weightlifters,” *The Leader-Post* (Regina), 9 July 1987.

⁷¹¹ “In Weightlifting,” *The Calgary Herald*, 14 June 1986.

defended his national titles from the previous season, sweeping the medal podium with victories in the clean and jerk, snatch, and total weight.⁷¹² Less than a month later, Parente was stripped of his national titles, banned from competition for two years, and removed from Canada's contingent for the Commonwealth Games in Edinburgh, Scotland that summer. In line with Jelinek's dictum a year earlier, the French Canadian was also barred for life from receiving AAP funding.⁷¹³ Three more anti-doping violations were reported a month later at Canadian Track and Field Championships, where throwers Rob Gray, Peter Dajia and Mike Spiritoso failed drug screenings for anabolic agents.⁷¹⁴ His frustration palpable, Jelinek addressed the media at news conference in Ottawa nine days before the Commonwealth Games opened, and in what had apparently become an annual tradition, reaffirmed Sport Canada's zero-tolerance policy with regard to doping and AAP eligibility. "I regret having to take this very strong position but I have no alternative... either we're going to wipe out the use of drugs in sports or not," he declared, "there is no pussy-footing around... I guess [the athletes] didn't think I was serious when I warned that any... athlete who tests [positive] would be banned for life from federal... assistance."⁷¹⁵ The CWF, on the other hand, once again prioritized public relations over transparency. In a *Toronto Star* article published the following day, staff writer Al Sokol revealed that Federation officials had been cagey about Parente's drug positive, and "hinted at injuries" as the reason for his exclusion from the squad traveling to Scotland.⁷¹⁶

⁷¹² Roy, "Canadian Weightlifting Results."

⁷¹³ "Federation Reinstates," *The Leader-Post*, 9 July 1987.

⁷¹⁴ "Shotputter Says That He Was Reinstated After Expose Threats," *The Los Angeles Times*, 27 April 1989; and Laurie Watson, "The Canadian Sports Minister Said Thursday He Would Not...", *United Press International*, 17 July 1986.

⁷¹⁵ Al Sokol, "Life Bans Sought for Drug Abuse: Jelinek Ends Financial Support for Athletes Utilizing Steroids", *The Toronto Star*, 16 July 1986.

⁷¹⁶ *Ibid.*

Rather than sit out for two years and return an unfunded athlete, Parente elected to retire. While the incident in 1986 signaled the end of his illustrious career, like Pietracupa, he remained active in the weightlifting community in later years. Parente transitioned to the coaching ranks in the early 1990s – first as a volunteer for local clubs in Montreal – and quickly gained high repute for his ability to produce world-class lifters. At a summer multi-sport camp in 2000, for instance, Parente discovered the talents of Francis Luna-Grenier, a stocky thirteen-year old with almost no weightlifting experience. After only two years under Parente’s tutelage, the teenager was crowned the youngest national champion in history, winning gold in the 69-kilogram weight class at the 2002 event. Luca-Grenier went on finish fourth overall at the 2007 Pan-American Games in Peru, and was named to the Canadian contingent for the 2008 Summer Olympics in Beijing.⁷¹⁷

Testing Rooms and Technicalities

Not to be outdone by his Mirabel compatriots, Jacques Demers tested positive in an out-of-competition screening on 16 July 1986. During an eighteen-day training camp staged by the CWF in preparation for the Commonwealth Games that summer, the decorated lifter produced a sample with an impermissible testosterone profile, a sign he had been administering the hormone exogenously.⁷¹⁸ Considered a gold-medal favorite in Edinburgh, Demers was promptly expelled from the team and issued a two-year ban by the CWF.⁷¹⁹ In line with Jelinek’s new directive, he was also barred for life from the AAP, but stood to lose a lot more than the three other Mirabel offenders. The silver medal in Los Angeles had netted Demers a monthly stipend of \$650, the

⁷¹⁷ “Francis Luna-Grenier, 21,” *The Gazette* (Montreal), 3 August 2008; and “Canada’s Luna-Grenier Wins Weightlifting Bronze,” *Brampton Guardian*, 12 July 2015.

⁷¹⁸ “Drug Use Ends Careers of Six Amateurs,” *The Calgary Herald*, 17 July 1986.

⁷¹⁹ Ian Grant, “Local Lifter Garon Out to Snatch Gold,” *The Gazette* (Montreal), 9 July 1986.

maximum for Canadian athletes and \$200 more than Hadlow, Parente, and Pietracupa.⁷²⁰ Demers appealed the suspension, perhaps unsurprisingly, arguing that the room used to store his sample had not been properly secured. Quoted in *The Toronto Star*, his attorney Paul Trenker explained, “another athlete was in the room with the samples, and the security of the athletes’ specimens was not guaranteed, and the [testing] room had been left unlocked.”⁷²¹ After sitting on the sidelines for more than eight months, it appeared Demers had all-but accepted his fate. “Maybe I’ll end up working [a nine to five job] and save to buy a house and try to live like normal people,” he told Ian Grant of *The Gazette*, “you can’t [have a regular job] when you train every day and travel to competitions five to six months of the year.”⁷²² While the St. Hubert product disavowed the doping sanction, his denial of ever using banned drugs was tenuous at best. In the same interview he told Grant, “I [have] never tested positive for [anabolic] steroids... I was only found to have higher than normal levels of testosterone in my system.”⁷²³ Demers waited in limbo for close to a year while Sport Canada reviewed his case, which was brought to arbitration in the spring of 1987. On 8 July 1987 the CWF and Sport Canada jointly announced all sanctions against Demers had been dropped following arbitrator R.J. Deslisle’s finding that the SMCC had indeed failed to properly monitor testing procedures in Winnipeg.⁷²⁴ Both Demers’ competition eligibility and AAP funding were restored, for which he would be recompensed in a lump sum retroactive to 16 July 1986.⁷²⁵ Addressing this point in an interview for *The Ottawa Citizen*,

⁷²⁰ Ian Grant, “Bitter Demers Finds New Role Tougher than Competing,” *The Gazette* (Montreal), 23 March 1987; an ‘A’ Card was (and remains) Sport Canada’s highest funding distinction, following by B and C cards for athletes outside the world’s top-twelve, and D cards for developmental athletes. For further reading, see *Dubin Inquiry*, 153.

⁷²¹ “Two Suspended Weightlifters are Reinstated: Sport Canada Drops All Sanctions Indicating any Steroid Use,” *The Toronto Star*, 9 July 1987.

⁷²² Grant, “Bitter Demers,” *The Gazette* (Montreal), 23 March 1987.

⁷²³ Ibid.

⁷²⁴ *Dubin Inquiry*, 98, 162; and Wayne Scanlon, “Two Lifters Reinstated After Steroid Tests Found to be Lax,” *The Ottawa Citizen*, 9 July 1987.

⁷²⁵ Ibid.

Hoffman noted, “As far as [Sport Canada] is concerned, [Demers] has a clean slate with us... there are channels that athletes can pursue, such as an appeal... and [he] won.”⁷²⁶

Now competition eligible, Demers returned to training with his sights set on the 1988 Summer Olympics in Seoul. While the sharpness that earned him a silver medal in Los Angeles still eluded him, auspicious results throughout 1988 brought a second Olympic birth well-within reach. The Canadian Weightlifting Championships in St. Hyacinthe that May marked a return to form for the Québécois. After a convincing victory in the clean-and-jerk, Demers earned a place on the team with a dramatic final attempt in the snatch after failing on two previous efforts.⁷²⁷

Conspiracy, Catheters, and Counterfeit Urine

The strange events that played out in the lead-up to the 1988 Summer Olympics suggest Demers was heedless of his past indiscretions. Nine days before the Games opened, CWF President Claude Ranger announced that the French Canadian and three teammates had been removed from Canada’s Olympic roster and banned for two years after failing out-of-competition drug screenings. Demers reportedly declined all interview requests in the six days that followed, electing instead to read a public statement alongside disgraced teammate David Bolduc at a 13 September press conference in Montreal. If Ben Johnson’s positive at the Seoul Games was the main course for journalists, the lifters’ revelations were a mouth-watering appetizer that tingled the taste buds. Demers not only admitted to using anabolic steroids, but implicated national team head coach Andrzej Kulesza as part of a conspiracy to evade anti-doping checks. “I participated

⁷²⁶ Ibid.

⁷²⁷ Demers had several near misses while attempting to qualify for the Seoul Olympics that summer, including a disappointing performance at the Montreal Cup in March where he came within five-kilograms of the Olympic standard. See for reference Ian Grant, “Garon, Bolduc Set Weightlifting Marks,” *The Gazette* (Montreal), 27 March 1988.

in a training camp [in Czechoslovakia] last July and August [where] some people offered me anabolic steroids,” he told reporters, “Kulesza was aware of the situation... and everything was planned to make sure I could pass the anti-doping test [when I returned home] to Canada.”⁷²⁸

Recounting the incident in 2019 interview, anti-doping crusader and first President of WADA Dick Pound was convinced that CWF personnel were well-aware of these practices, and turned a blind eye as the nation’s lifters further damaged the Federation’s reputation: “In the case of weightlifting, it’s a beggar’s belief that coaches and officials were not aware of the nature and extent of what was being done... and you had officials who could actually say with a straight face that lifters [caught doping] were lonely outliers. At the time, the sport was under a serious, potential threat.”⁷²⁹

Sporting officials were none too pleased to deal with yet another drug scandal involving Canadian weightlifters, the fifth in a four-year span. At a news conference in Seoul on 16 September COA President Roger Jackson told reporters, “if this situation doesn’t improve... maybe [Canadian weightlifters] should not be part of [the Olympics]... unless we can be absolutely assured that individuals are not using [banned] substances.”⁷³⁰ At the same media gathering Canadian Minister of Sport Jean Charest announced he was personally “not happy [with the weightlifters],” adding that the Canadian government was organizing a formal inquiry into anabolic steroid use in weightlifting after the Games wrapped, a wide-reaching investigation targeting CWF athletes, coaches, and administration.⁷³¹ Chouinard’s public remarks made clear that he too was none too was dismayed by lifters’ actions, and the damage left in their wake.

⁷²⁸ Fitterman, “Coach Aware,” *The Gazette* (Montreal), 14 September 1988; also see *Dubin Inquiry*, 165-173.

⁷²⁹ Dick Pound in interview with author, 11 September 2019.

⁷³⁰ “Weightlifting Will be Under Close Scrutiny,” *The Calgary Herald*, 17 September 1988.

⁷³¹ “Ottawa to Probe Drug Use by ‘Lifters,” *The Gazette* (Montreal), 17 September 1988; it should be noted that Charest’s commented on the matter well before the Dubin Inquiry was organized by the Canadian Government.

“The morale is very low. I would say I’ve never seen it lower than what it is now. [Canadian weightlifting] has been demolished by what took place,” he told Larry Wood of *The Calgary Herald*, “our athletes made career-ending decisions in order to qualify for the Olympics.”⁷³²

While Demers’ provided few details to reporters that day, as more revelations surfaced the affair played out much like that of Mirabel; a salacious public soap opera that further blackened the reputation of Canadian weightlifting. Three days later, Martin Cleary of *The Ottawa Citizen* reported that Demers and teammates Parjit Gill, David Bolduc, and the notorious Guy Greavette had been using anabolic steroids while training in Czechoslovakia, and after learning Sport Canada planned to test them upon their arrival Montreal, administered diuretics to dilute their urine.⁷³³ Evidently, the strategy worked. Laboratory technicians had difficulty analyzing their samples, and at least for the time being, the lifters had outfoxed anti-doping officials.⁷³⁴ This was confirmed by SMCC delegate Marilyn Booth in the *Dubin Inquiry* the following year. Booth testified that the samples were indeed “unsatisfactory because the urine was too diluted,” prompting her to advise the CWF’s Ranger to re-test Demers and his three teammates.⁷³⁵

The *Dubin Inquiry* unearthed the full gamut of details of the incident, a bizarre and disquieting tale of athletes and coaches conspiring to elude doping controls. On 1 February 1989, Demers, the first athlete called as a witness, told the inquiry he had resumed taking anabolic steroids shortly after the Montreal test and was “panic-stricken” after learning “one day in

⁷³² Larry Wood, “Trying to Pin Blame on COA Standards,” *The Calgary Herald*, 13 September 1988.

⁷³³ For further reading on the use of diuretics to mask anabolic steroids and other prohibited substances, see World Anti-Doping Agency, “Diuretics and Masking Agents,” accessed 13 November 2019, <https://www.wada-ama.org/en/content/what-is-prohibited/prohibited-at-all-times/diuretics-and-masking-agents>; and Peter A. Pasek, “Diuretics and Masking Agents (Sport),” in *The SAGE Encyclopedia of Pharmacology and Society*, ed. S. Boslaugh (Thousand Oaks, CA: SAGE Publications, 2016), 495-497.

⁷³⁴ Chouinard, *Origins of Canadian Olympic Weightlifting*, 218-219; and Martin Cleary, “Government to Look at Steroid Use,” *The Ottawa Citizen*, 17 September 1988.

⁷³⁵ *Dubin Inquiry*, 141.

advance” that he would be tested again in Vancouver, before the national team departed for Seoul.⁷³⁶ According to a 2 February article in *The Ottawa Citizen*, Demers attended a meeting with “[Bolduc, Gill, Greavette] and coaches Andrzej Kulesza and Raphael Zuffellato” hours before the Vancouver test, where it was decided that the four lifters would catheterize clean urine into their bladders to fool drug testers.⁷³⁷ Perhaps most shocking, Demers named Kulesza and Zuffellato as the sources for the counterfeit urine, a claim corroborated by Bolduc a day later in *Dubin Inquiry* testimony.⁷³⁸ While the urine transplants reportedly went as planned, Demers, Bolduc, and Gill were nevertheless all found positive for anabolic steroids. Only Greavette avoided what would have been a second drug sanction, and ultimately a lifetime ban.⁷³⁹ Demers’ second day of testimony revealed he had learned little from the Mirabel affair, and may have triggered a sense of déjà vu in well-informed audience members. In a detailed account of the events surrounding the Czechoslovakia training camp, Demers admitted to purchasing anabolic steroids from an unidentified weightlifter, and to smuggling “about 80” containers through customs at Mirabel Airport, a practice he acknowledged was still common among Canadian lifters.⁷⁴⁰ Two weeks after appearing before the Inquiry, which by then was making headlines around the world, it seemed Demers had moved on with his life. “I was going to quit [after the Seoul Games] anyway,” he told David Shoalts of *The Globe and Mail*, “it wasn’t as bad [as I thought it would be]. I went back home and was working a week later.”⁷⁴¹

⁷³⁶ “Coaches Gave Clean Urine to Weightlifters, Inquiry Told,” *The Edmonton Journal*, 2 February 1989; and “Athletes Injected Urine, Lifter Says,” *The Ottawa Citizen*, 2 February 1989.

⁷³⁷ “Athletes Injected Urine,” *The Ottawa Citizen*, 2 February 1989.

⁷³⁸ “A Second Weightlifter Has Testified...,” *The National Post* (Toronto), 6 February 1989.

⁷³⁹ Ibid.; and *Dubin Inquiry*, 144.

⁷⁴⁰ “A Second Weightlifter,” *The National Post*, 6 February 1989; for further details, see *Dubin Inquiry*, 140.

⁷⁴¹ Shoalts, “Weightlifting Aside,” *The Globe and Mail*, 18 February 1989.



Figure 5. Kulesza (pictured second from left) and Greavette (right) several days before the weightlifting competition opened in Seoul.

CONCLUSION

The events that unfolded from August to December of 1983 ushered in a new era in Canadian sport. Perhaps sporting administrators and stakeholders *were* “caught flat-footed” by Caracas, as Sorensen noted, and given the scandal’s unprecedented size and scale, were ill-equipped to take decisive action.⁷⁴² While the widely-publicized affair propelled doping from obscurity to the public consciousness, it may have been the incident at Mirabel Airport that brought the issue to critical mass, and ultimately the policy agenda. Notwithstanding the ad hoc kitchen-table policy drafted by Hoffman and Sorensen, and the ameliorative public declarations of sporting officials, nothing substantive changed until early December. For national sports federations, according to Dubin, it was not for lack of trying:

After the Pan American Games in [Caracas] and... revelations about the use of steroids, Sport Canada invited [NSOs] to make a submission[s] outlining... funding requirements for the remainder of the 1983-84 fiscal year in order to enforce... anti-drug use rules...

⁷⁴² Ole Sorensen in interview with author, 18 April 2019.

Sport Canada, although approving most of the proposed requests for funding, failed to provide moneys specifically requested for out-of-competition testing.⁷⁴³

Doping remained a low-priority issue despite the chaos in Caracas, with sporting officials proceeding as if it were an aberrant event best handled through public-relations, and lacked the experience, or perhaps foresight, to understand that the problem would continue to rear its ugly head. Sport Canada vowed to take a hard-line stance against doping after Caracas, but did not formalize *Drug Use and Doping Control* until six weeks after Mirabel.

Caracas was assuredly a scandal for the ages, but it was the Mirabel affair that brought policy-makers to the table. Dubin noted that the positive tests of Greavette and Viau were a “catalyst for the CWF and the SMCC to *develop* doping control procedures... [but] it was not until December 1983, after the [Mirabel] smuggling incident that Sport Canada *instituted* its first anti-doping policy.”⁷⁴⁴ Likewise, in a comprehensive review of the proceedings and later policy formation, Canadian historian Dick Moriarty submits, “Sport Canada was oblivious to the growing problem of performance-enhancing drugs... and it was not until [Mirabel] that [the agency] spoke out strongly against drugs.”⁷⁴⁵ For Chouinard, who claimed to have vivid memories of this period, Caracas may have started the proverbial anti-doping engine, but Mirabel set the wheels in motion:

[Caracas] left Sport Canada scrambling to fix the problem... but after the initial shock went away, it went back to business as usual... the mountain of negative publicity from Mirabel... kept getting the attention of Sport Canada... and since [its] funding comes from the government, something [had] to be done... this time the stakes were higher... the CWF was in dire straights... and now our guys could potentially go to jail? That was the worst case scenario... something had to change... the [CWF] was close to losing [government] funding.⁷⁴⁶

⁷⁴³ Dubin *Inquiry*, 152, 217.

⁷⁴⁴ Ibid., 152.

⁷⁴⁵ Moriarty, Fairall, and Galasso, “Legislation and Litigation,” 11.

⁷⁴⁶ Yvon Chouinard in interview with author, 19 February 2019.

While doping may have been weightlifting's dirty little secret before Caracas, Canadian officials had known about it for years, and only began to discuss countermeasures *after* the scandal broke. Ironically, Sport Canada refused on at least three occasions to fund the CWF's drug-testing initiatives, and less than five years later, threatened to penalize the federation for non-compliance. Resigned to the fact it was a fool's errand, Nesbitt stated in a 1984 interview, "[the CWF] never tried again."⁷⁴⁷ For Canadian weightlifting, the doping issue was akin to a ticking time bomb that could not be defused. "The problem was getting out of hand," said Kugelstadt, "and [Sport Canada] only jumped on the anti-doping bandwagon" after Greavette and Viau tested positive.⁷⁴⁸ In this context, "the bandwagon" *must* have been a reference to Sport Canada's pandering in the media, or shelved anti-doping policy. A second steroid-related incident at Mirabel Airport nine weeks later demanded a more decisive response, and evidently, a broader definition for doping violations. "I don't think... trafficking... or smuggling even occurred to [Hoffman and I] at the time," Sorensen explained, "after [Mirabel], Sport Canada had to do something... we couldn't really punish those guys, but... could try to prevent it from happening again."⁷⁴⁹ All subsequent revisions to *Drug Use and Doping Control*, and later policies issued by the COA, have proscribed the possession and distribution of banned substances.⁷⁵⁰

⁷⁴⁷ Christie and Fisher, "Another Setback," *The Globe and Mail*, 30 July 1984.

⁷⁴⁸ Rolf Kugelstadt in letter to Abby Hoffman, in *Dubin Inquiry*, 159.

⁷⁴⁹ Ole Sorensen in interview with author, 18 April 2019.

⁷⁵⁰ See for reference Government of Canada, *Drug Use and Doping Control in Sport: A Sport Canada Policy Update* (Ottawa, Canada: Minister of State, Fitness and Amateur Sport, 1985); Canadian Olympic Association, "Policy on the Use of Banned Substances and Procedures in Sport," *Olympinfo* 35, 1–2; and Sport Canada, "The Canadian Policy Against Doping in Sport – 2004," accessed 3 January 2020, http://www.waterpolo.ca/admin/docs/clientuploads/About_Us/DopingControlJune04_ENG.pdf; Sport Canada, "The Canadian Policy Against Doping in Sport - 2008," accessed 3 January 2020, <http://www.pch.gc.ca/pgm/sc/pol/dop/index-eng.cfm>; and Sport Canada, "Canadian Policy Against Doping in Sport – 2011," accessed 3 January 2020, <https://www.canada.ca/en/canadian-heritage/services/sport-policies-acts-regulations/policy-against-doping-sport.html>.

Drug Use and Doping Control has a lasting legacy as one of the first domestic drug-testing programs in the Olympic Movement, and signaled Canada's emergence as a leading nation in the war against doping.⁷⁵¹ Sport sociologists Ian Ritchie and Sophie Yiptong find that the policy was not only "the foundation upon which Sport Canada built further [anti-doping] policies and programs," but was formative in influencing "subsequent [international] policies that affect anti-doping... to this day."⁷⁵² Likewise, Dubin described it as the incipient action that positioned Canada as "a leader in the fight against doping in sport," which he noted was a "matter of record, not merely national pride."⁷⁵³ However, in constructing a system of enforcement from scratch, metaphorically speaking, sporting administrators made their own bed, and were forced to lie in it. While standing at the vanguard of the anti-doping movement, ironically, Canada appeared to be the worst offender of all, at least for mainstream fans unaware that the nation's athletes were being tested at an unprecedented rate, in international *and* national competitions. From January of 1984 through the Summer Games in Seoul, for instance, Canadians accounted for a staggering forty percent of drug sanctions in weightlifting, totaling twelve positives compared to a combined eighteen between all other nations.⁷⁵⁴ With the exclusion of Greavette and Viau, the positives were all recorded at national championships or pre-competition training camps, and came as a direct result of the national testing program. If not

⁷⁵¹ *Dubin Inquiry*, 152; the Norwegian Confederation of Sports (NCS) implemented out-of-competition doping controls in 1977, however, the program was nowhere near as robust as Canada's. For instance, in its inaugural year the NCS's initial budget was only \$22,000 in Canadian dollars, spread across all sports federations. See for reference Barland, *Compliance With Commitments Project*; and *Dubin Inquiry*, 423-424.

⁷⁵² Ritchie and Yiptong, "Fracas in Caracas," 85-86.

⁷⁵³ *Dubin Inquiry*, 535.

⁷⁵⁴ To view the list of Canadians in its entirety, see *Dubin Inquiry*, 98; for weightlifting positives at the 1984 and 1988 Summer Olympics, see Bill Mallon and Ian Buchanan, *Historical Dictionary of the Olympic Movement* (Lanham, Maryland: Scarecrow Press, 2006), 369-370; for all positives at the IWF World Championships during this period, see Chris Thau, "Weight Men Banned: Fight Against Drugs in Sport," *The Times* (London), 7 September 1987; "French Weightlifters Banned for Drug Test Refusal," *Xinhua General News Service*, 5 March 1987; and "Lifters Face Tests Soon," *The Herald* (Melbourne), 1 December 1987.

for the Mirabel affair, *Drug Use and Doping Control* might never have seen the light of day, erasing from history this dark period in Canadian sport, and keeping intact the career's and legacies of Parente, Hadlow, Demers, Pietracupa, all of whom fell victim to drug sanctions in later years. Canada was the world's dirtiest, clean sporting nation in the 1980s, and paid a hefty price.

Suffice it to say, the scandals at Caracas and Mirabel gave rise to a decidedly different approach to the doping issue. While impassioned public addresses were still very much in favor, it was clear the pendulum had swung from tacit acceptance to zero tolerance. In response to the positive tests of Hadlow, Pietracupa and four others, Jelinek tasked Sport Canada with drafting a more robust policy. Titled *Drug Use and Doping Control in Sport: A Sport Canada Policy Update*, the document enumerated new provisions for "ad-hoc, random doping control test procedures," and "a lifetime withdrawal of eligibility from all federal government... benefits," to punish drug offenders.⁷⁵⁵ According to sport sociologist Rob Beamish, Hadlow's drug positive in 1984 "embarrassed Sport Canada and the COA" to such an extent that a more comprehensive policy was deemed necessary.⁷⁵⁶ Nevertheless, Jelinek began lobbying for increased regulations only after Pietracupa and three other Canadians tested positive in the spring of 1985. In the document's preamble, Jelinek reaffirmed Canada's continuing commitment to drug-free sport:

Canada [has been] regarded as a nation... endeavouring to provide significant international leadership in [anti-doping]. My purpose in revising and strengthening the federal government's policy is to underscore... the opposition to the use and/or administration of banned drugs by athletes or others who associate with athletes... It is my intention... to come to undertake some important initiatives in the international domain so as to ensure... that there is world-wide compliance with the rules of the international sporting bodies.⁷⁵⁷

⁷⁵⁵ Government of Canada, *A Sport Canada Policy Update*, 5.

⁷⁵⁶ Beamish, "Olympic Ideals Versus the Performance Imperative," 222-223.

⁷⁵⁷ Government of Canada, *A Sport Canada Policy Update*, 1.

Canada continued to play a leading role in the war against doping over the next six years. During the 1988 Winter Olympics in Calgary, Jelinek convened sporting delegates from around the world to chart a course for future directions in the anti-doping movement. At a later meeting in Calgary, Canada was chosen to host and co-chair the First Permanent World Conference on Anti-Doping in Sport, a historic gathering where government officials, stakeholders, and physicians from twenty-seven nations met in Ottawa from 26 to 29 June to discuss future directions in the anti-doping movement. The four-day conference yielded a harmonized international anti-doping charter; a twenty-page document promulgating a blueprint for the modern anti-doping movement, and a strategy for effectuating the new policy.⁷⁵⁸ Five months later the IOC endorsed the charter, rebranding it the Olympic Anti-Doping Charter, which according to Sorensen, became “the framework for the World Anti-Doping Code (WADC)... more than a decade later.”⁷⁵⁹

The aftermath of Ben Johnson’s positive test was a legacy-defining period in Canada’s commitment to the anti-doping movement. In response to rumors of endemic drug use in high-performance sport, the Canadian government organized the *Dubin Inquiry* to investigate a “clear public concern,” in Dubin’s words, that doping had become a serious problem, and to ascertain the “facts and circumstances surrounding athletes’ use of [performance-enhancing drugs].”⁷⁶⁰ The nine-month proceedings further underscored Canada’s commitment to clean sport, and signaled a new paradigm in the anti-doping movement. Pursuant to Dubin’s recommendations, in 1991 the Ministry of Sport established the Canadian Anti-Doping Organization (CADO), a disinterested third-party organization charged with “implementing rules and procedures

⁷⁵⁸ Julie Cart, “World Anti-Doping Conference Was a Challenge Itself,” *The Los Angeles Times*, 18 July 1988; “Doping is on Agenda,” *The Province* (Vancouver); and *Dubin Inquiry*, 413-414.

⁷⁵⁹ Ibid.; and Ole Sorensen in interview with author, 18 April 2019.

⁷⁶⁰ *Dubin Inquiry*, xviii.

regarding the use and detection of banned substances... and providing leadership to the international campaign against drugs in sport.”⁷⁶¹ Like the 1983 policy, CADO represented an unprecedented step in the anti-doping movement: a government-funded yet autonomous agency disconnected from Sport Canada and national sports federations. The inherent conflict of interest in the CWF testing its own athletes, for example, was no longer an issue. Importantly, CADO served as a blueprint organization for other nations, and represented a critical step toward policy harmonization in international sport. In 2003 the World Anti-Doping Agency (WADA) set out to develop domestic agencies worldwide to adopt and enforce its maiden anti-doping code, and has since penalized several offender nations for non-compliance.⁷⁶² CADO had been re-branded twice, as the Canadian Center for Drug-Free Sport (CCDS) in 1992, and the Canadian Center for Ethics in Sport in 1995, years before sporting superpowers like Britain, France, and Russia established parallel agencies.⁷⁶³ However, nations were obliged to do so by WADC guidelines. According to sport sociologist Rob Beamish, Canada would “remain committed to [its] leadership role against steroids and other performance-enhancing substances” in the modern era of anti-doping.⁷⁶⁴

⁷⁶¹ *Dubin Inquiry*, 429, 455, 538, 554; CADO was established by Minister of Sport Pierre Cadieux, and has since been renamed the Canadian Center for Ethics in Sport (CCES). At the outset, CADO operated on a yearly budget of \$1.3 million, and was staffed with thirteen employees. For additional details see Beamish, “Olympic Ideals Versus the Performance Imperative,” 230; and De Pencier, “Law and Athlete Drug Testing in Canada,” 269-270.

⁷⁶² World Anti-Doping Agency, *World Anti-Doping Code*, 43, 57-59; Russia, Kenya, Jamaica, and the Ukraine have all been sanctioned for non-compliance in the past ten years. The most recent example was WADA’s (and the IOC’s) banishment of the Russian Federation prior to the 2016 Summer Olympics in Rio de Janeiro. See for reference Barrie Houlihan, Dag Vidar Hanstad, Sigmund Loland, and Ivan Waddington, “The World Anti-Doping Agency at 20: Progress and Challenges,” *International Journal of Sport Policy and Politics* 11, no. 2 (2019): 194.

⁷⁶³ For scholarly commentary see Matthias Kamber, “Development of the Role of National Anti-Doping Organisations in the Fight Against Doping: From Past to Future,” *Forensic Science International* 213 (2011): 5; and Houlihan, Hanstad, Loland, and Waddington, “Progress and Challenges,” 194; it should be noted that the United States (2000) and Germany (2002) had already established national anti-doping organizations in the years between the creation of WADA and the WADC’s publication. France (2006), Russia (2008), and Great Britain (2009) followed suit years later. See for reference L’Agence Française de Lutte Contre le Dopage, “An Independent Public Authority,” accessed 5 June 2019, <https://en.afld.fr/>; Russian Anti-Doping Agency, “History,” accessed from <http://rusada.ru/en/about/history/>; and United Kingdom Anti-Doping Agency, “What We Do,” accessed 24 July 2019, <https://www.ukad.org.uk/what-we-do>.

⁷⁶⁴ Beamish, *Steroids: A New Look*, 82.

Chapter 5: The ‘Roid Runners: Prohibition, Drug Smuggling, and History’s Largest Anabolic Steroid Distribution Ring

As a procession of fourteen inmates filed into the courtroom, Assistant United States Attorney Philip Halpern could not help but fix his gaze on a burly redhead midway down the line, a well-built gentleman who hardly looked like a common drug criminal. As the men assembled in the jury box to await their arraignment hearings before the Federal District Court of San Diego, Halpern deduced the heavily-muscled man must be Tony Fitton, a thirty-three-year-old former British powerlifting champion who had been arrested two days earlier at the California-Mexico border.⁷⁶⁵ While still on probation stemming from a similar offense three years earlier, on 12 November 1984 Fitton and his girlfriend, powerlifter Vicky Steenrod, were detained at the Tecate border crossing en route to San Diego after United States Customs officials discovered 2,090 boxes of the anabolic steroid Dianabol, and 200 vials of synthetic testosterone hidden carelessly in the trunk of their rental vehicle.⁷⁶⁶ While neither substance was codified under American drug legislation, the illicit transport of prescription drugs – in this case Dianabol and testosterone – was nevertheless in violation of federal food and drug statutes enacted nearly fifty years earlier.⁷⁶⁷

The following day a U.S. Customs inspector named Brian Simon placed a call to Halpern, which unbeknownst to the young attorney, was the first of what he estimated to be

⁷⁶⁵ Cerisse Anderson, “Powerlifter Sought for Steroid Sales,” *United Press International*, 11 May 1985; and John Goodbody, “A Sport Facing New Threat of Banishment,” *The Times* (London), 31 January 1990.

⁷⁶⁶ Ibid; and “A British Weightlifter Who Disappeared,” *United Press International*, 26 August 1985; two years earlier Fitton was arrested at the Atlanta Airport with 22,000 doses of anabolic steroids and human growth hormone (HGH). The following year he was convicted and received a two-year suspended sentence and five years probation for the unlawful possession of a pharmaceutical product. For further reading, see Granger, “A Steroid Story,” *The Alabama Journal*, 1 August 1985.

⁷⁶⁷ Federal Food, Drug and Cosmetic Act, 49, 396.

“literally thousands” of conversations about anabolic steroids over the proceeding eight years.⁷⁶⁸ The gritty thirty-one-year-old lawyer from East Williston, New York had recently accepted a position in the Border Complaints division at the U.S. Attorney’s Office in San Diego, and to that point had only overseen “a few minor narcotics cases,” and several involving the illicit transport of wild game, but nothing involving anabolic steroids.⁷⁶⁹ Suffice to say the Customs inspector was unfamiliar with the drugs seized from the vehicle, given his inability to properly identify them, and willingness to allow Fitton and Steenrod safe passage through the checkpoint. “[Simon] called me up and... said, ‘I’ve got a whole bunch of pharmaceutical drugs... that aren’t controlled. I want to let [Fitton] go,’” Halpern recalled in a 2019 interview, I said “okay... what kind of drugs are they?” He told me he had testeroni... and another one... Dianaboli. I said “alright, he must mean testosterone and Dianabol.”⁷⁷⁰ While the United States Food and Drug Administration (FDA) had been probing the illicit anabolic steroid trade for more than a year, it seems the drugs had yet to pique the interest for the U.S. Customs Service, perhaps because they had yet to be listed as controlled substances.⁷⁷¹ Nevertheless, at the behest of Halpern, Fitton and Steenrod were arrested and remanded in a nearby county jail to await their arraignments.⁷⁷²

On 14 November 1984, two days after the border incident, Fitton and Steenrod were released from jail after posting \$7,500 bonds. Considered a flight risk by both Halpern and the

⁷⁶⁸ Philip Halpern in interview with author, 24 August 2019. Halpern agreed to several recorded phone interviews with the author, and claimed to have clear memories of his early years at the U.S. Attorney’s Office. Halpern was employed as an Assistant U.S. Attorney in San Diego for more than thirty-five years, and for the first five, primarily dealt with steroid-related offenses.

⁷⁶⁹ Ibid.

⁷⁷⁰ Ibid.

⁷⁷¹ For several years the FDA had been tightening regulations on anabolic steroids, imploring pharmaceutical companies to substantiate claims of their legitimate medical uses. See for reference *The Anabolic Steroid Control Act of 1990*, “Prepared Statement of Ronald G. Chesemore,” 32-33; while anabolic steroids were regulated by the FDA the Federal Food Drug and Cosmetic Act of 1938, at the time the drugs were not scheduled. See for reference the Comprehensive Drug Abuse Prevention and Control Act, article 812, A-C.

⁷⁷² Philip Halpern in interview with author, 24 August 2019.

presiding judge, Fitton was ordered to surrender his British passport while he awaited trial, which was set for 14 February 1985. After what Halpern characterized as series of “brief and cordial” discussions with the Englishman, Fitton agreed to plead guilty to the unlawful importation of anabolic steroids, conspiracy to import anabolic steroids, and making false statements to a federal officer, which altogether called for a maximum sentence of five years in prison and five years probation.⁷⁷³ Steenrod, who won her second of five International Powerlifting Federation (IPF) world titles the following year, pled guilty to “lesser charges,” according to Halpern, and “was given probation... a slap on the wrist.”⁷⁷⁴ For Fitton, the spectre of a lengthy prison stay was too much to bear. The Brit was conspicuously absent from his 10 April sentencing hearing in San Diego, triggering a nationwide manhunt by federal and state authorities.⁷⁷⁵ With U.S. Marshals in hot pursuit, he was able to evade capture from April through August of 1985, crossing through Alabama, New Jersey and Illinois before making his way to the American Southwest.⁷⁷⁶ On 24 August, Fitton was apprehended by federal agents at a motel in Albuquerque, New Mexico and taken into custody to begin serving a four-and-a-half-year prison term at San Diego’s Metropolitan Correctional Center.⁷⁷⁷ Authorities had pinpointed his location by monitoring the phone calls of his known associates, which according to Halpern, revealed “a nationwide network” of steroid trafficking.⁷⁷⁸ In the article “Anabolic Steroids: The

⁷⁷³ Granger, “A Steroid Story,” *The Alabama Journal*, 1 August 1985; and Anderson, “Powerlifter Sought,” *United Press International*, 11 May 1985.

⁷⁷⁴ International Powerlifting Federation, “World Women’s Powerlifting Championships,” accessed 16 September 2019, https://www.powerlifting.sport/fileadmin/ipf/data/results/worlds/worldpowerlifting.info/worldpowerlifting.info/IPF_Powerlifting_Senior_Women_1980-2006.htm; and Philip Halpern in interview with author, 24 August 2019.

⁷⁷⁵ Philip Halpern in interview with author, 24 August 2019; and Granger and Schmodtke, “Steroid Dealer Linked,” *The Alabama Journal*, 30 July 1985.

⁷⁷⁶ Assael, *Steroid Nation*, 13.

⁷⁷⁷ “The Strength Coach at the University of California,” *The Associated Press*, 18 December 1985.

⁷⁷⁸ Philip Halpern in interview with author, 24 August 2019.

Gremlins of Sport,” sport historian Terry Todd notes that Fitton was released after just nine months, a mere one-sixth of his sentence.⁷⁷⁹

Despite the fact Fitton had finally been captured after seven months on the lam, Halpern’s frustration was palpable. “I am going to recommend an additional five years for [his] bail [violation],” he told *United Press International* in an interview two days later, “then he will belong to the Immigration and Naturalization Service (INS).”⁷⁸⁰ Ironically, according to Halpern, had the former powerlifter adhered to his bail conditions and appeared for sentencing, “he most likely would have been given probation and nothing more.”⁷⁸¹ Fitton’s was the first of 151 trafficking cases the young attorney prosecuted in the forthcoming three years, and importantly, the first on American soil.⁷⁸²

The Fitton case itself received little attention from television and print media, despite the fact that shortly after his arrest a *Sports Illustrated* article anointed him the “the largest single steroid dealer in the world.”⁷⁸³ While at the time federal law enforcement agencies “could have cared less” about the drugs, according to Halpern, the FDA’s interest in the case sparked an investigation that capsized the largest anabolic steroid trafficking network in history.⁷⁸⁴ In the spring of 1987, the concerted efforts of the FDA, the Federal Bureau of Investigation (FBI), and the U.S. Customs Service (USCS) culminated in the filing of 110 criminal indictments and the arrests of thirty-three conspirators, including renowned steroid authority Dan Duchaine, his partner William Dillon, and the operation’s “mastermind” David Jenkins, a three-time Olympian

⁷⁷⁹ Todd, “Gremlins of Sport,” 104; the author cites an interview with Georgia District Attorney Clifford A. Sticher as his source on Fitton’s jail stint.

⁷⁸⁰ “A British Weightlifter Who Disappeared,” *United Press International*, 26 August 1985

⁷⁸¹ Philip Halpern in interview with author, 24 August 2019.

⁷⁸² Ibid.; and Alfano and Janofsky, “Weight on Black Market,” *The New York Times*, 18 November 1988.

⁷⁸³ William Oscar Johnson, “Steroids: A Problem of Huge Dimensions,” *Sports Illustrated*, 13 May 1985.

⁷⁸⁴ Davis, “Operation Overlord,” *The Times* (London), 11 February 1988; and John Eisendrath, “Confessions of a Steroid Smuggler: When the Quest for Big Muscles Turns Into a Passion for Big Money,” *The Los Angeles Times Magazine*, 24 April 1988.

and Scottish record-holder in the 400 meters.⁷⁸⁵ Federal authorities estimated the illegal business accounted for seventy percent of the nation's black market, spanning all forty-eight states in the continental U.S.⁷⁸⁶ These revelations, and the attendant media firestorm left in their wake, alerted legislators to a problem that could no longer be ignored.⁷⁸⁷ Less than a year after the federal indictment was filed President Ronald Reagan signed into law America's first anabolic steroid legislation, The Anti-Drug Abuse Act, which enumerated criminal penalties and minimum prison sentences for the unlawful distribution and "possession with the intent to distribute any anabolic steroid."⁷⁸⁸ Two years later Congress passed The Anabolic Steroids Control Act, legislation that amended The Controlled Substances Act of 1970 by codifying anabolic steroids as Schedule III drugs.⁷⁸⁹ In short order, criminal penalties for trafficking increased from "not clearly defined [and] relatively minor," to clear-cut and considerable.⁷⁹⁰

In reference to the distribution network, Italian anti-doping expert Alessandro Donati writes, "This story, like many others, should have been thought provoking, especially in sporting circles, but nobody took any notice."⁷⁹¹ From an academic standpoint this certainly holds merit. While the affair garnered extensive media coverage, scholars have only cited it in passing,

⁷⁸⁵ United States of America v. David Jenkins et. al.; and Philip Halpern in interview with author, 24 August 2019; the author was able to obtain the federal indictment from Halpern, who served as lead prosecutor for the case. Regarding David Jenkins and Dan Duchaine, see Alfano and Janofsky, "Weight on Black Market," *The New York Times*, 18 November 1988; Richard Moore, "From Gold to Silver to Drugs to Jail David Jenkins Never Ran From Fate," *The Scotsman*, 9 July 2012; and Donati, "World Traffic in Doping Substances," 30-31.

⁷⁸⁶ Ibid; and Kaufman, "Hurricanes' Strength Coach," *The Tampa Bay Times*, 22 May 1987; and Davis, "Operation Overlord," *The Times*, 11 February 1988.

⁷⁸⁷ Congressional hearings discussing proposed regulations on anabolic steroids make specific mention of the smuggling ring led by Jenkins. See for reference *The Anabolic Steroid Restriction Act of 1989: Hearings Before the House Committee on the Judiciary*, 101st Cong. (1989), 8; and The Anabolic Steroid Control Act of 1990, 40-43.

⁷⁸⁸ The Anti-Drug Abuse Act of 1988, sec. 2402, 4230.

⁷⁸⁹ The Anabolic Steroids Control Act of 1990, sec. 2(A-C), 3(B); and The Controlled Substance Act of 1970, article 812 (B-2), 523. Drugs listed under Schedule III of the Act must have a moderate potential for abuse, have a currently accepted medical application, and have addictive properties, both physical and psychological. For further reading see Richard Abood, *Pharmacy Practice and the Law, Fourth Edition* (Sudbury, MN: Jones and Bartlett Publishers, 2005), 147-154.

⁷⁹⁰ Alfano and Janofsky, "Weight on Black Market," *The New York Times*, 18 November 1988; and Philip Halpern in interview with author, 24 August 2019.

⁷⁹¹ Donati, "World Trafficking on Doping Substances," 30.

typically as part of a broad analysis of performance-enhancing drug-use in sport, or the illicit drug trade.⁷⁹² This is curious considering both David Jenkins and Dan Duchaine were public figures at the time; Jenkins an Olympic silver-medallist, and Duchaine a “steroid guru” and successful author.⁷⁹³ The fact that, in large part, details germane to the investigation, arrests, and indictments were never made public might explain why scholars have paid little attention. The following chapter will draw from news reports, interviews, archival materials, FBI and FDA case files, and court documents to detail the smuggling operation; both the investigation and criminal enterprise as they unfolded. Given the complexity of this story and the number of individuals involved, the focus will on Duchaine, Jenkins, and Dillon, the trafficking ring’s three founders. This chapter also surveys its impact on the American political apparatus, and the movement toward anabolic steroid prohibition that gained a foothold in the late 1980s.

CONTEXTUAL CONSIDERATIONS

Laws against the trafficking and smuggling of anabolic steroids in America predate the existence of the drugs themselves. In 1938 President Franklin Roosevelt signed into law *The Food, Drug and Cosmetic Act* (FDCA), which placed the regulation of all prescription drugs and nutritional supplements under the purview of the FDA, broadening the agency’s scope of regulatory powers. Under the new legislation, the sale, distribution and importation of pharmaceutical drugs without a medical or pharmaceutical license constituted a misdemeanor offense, and carried criminal penalties of up to one year in jail and a \$1,000 fine.⁷⁹⁴ The Act also specified additional penalties

⁷⁹² A search of the Lexis Nexis database and other news archives found hundreds of articles covering the case. Most were written between the conspirators’ indictments and sentencing, and can be found throughout this chapter. For further reading see Llewellyn with Tober, *Underground Anabolics*, 14-15; Beamish, *Steroids: A New Look*, 136; and Newton, *Steroids and Doping in Sports*, 92.

⁷⁹³ Newton, *Steroids and Doping in Sports*, 92; and Holt, Erotokritou-Mulligan, and Sönksen, “The History of Doping and Growth Hormone,” 322.

⁷⁹⁴ Federal Food, Drug and Cosmetic Act, 49, 396.

if any of the aforementioned offenses involved interstate commerce, defined in the legislative language as “commerce between any state or territory and any place outside thereof.”⁷⁹⁵ More than twenty years passed before Dianabol, the first anabolic steroid approved for human use, was introduced to the American pharmaceutical market.⁷⁹⁶

Over the next twenty-five years the FDA’s discretionary powers over prescription drugs steadily increased by way of the agency’s own agenda, and Congressional amendments to the FDCA. Soon after the passage of the 1938 Act the FDA embarked on a campaign to divide the United States pharmacopeia into two broad categories: “prescription-only” drugs safe for use only under medical supervision, and over-the-counter (OTC) medications purchased at the discretion of the consumer. In 1944 the agency formalized the policy revisions, and in what could be construed as a pre-emptive and unilateral move, revised its charter by defining a prescription-only drug as one that, “is generally not recognized by experts... as safe and efficacious for use except... under the supervision of a physician.”⁷⁹⁷ Seven years later, the Durham-Humphrey Amendments formalized these categories in federal drug laws, and further, gave the FDA the authority to catalog all future pharmaceuticals introduced to the American market. In addition, the amendment authorized the FDA to carry out post-marketing recalls of

⁷⁹⁵ Ibid., 42-43, 46, 49.

⁷⁹⁶ Todd, “Gremlins of Sport,” 94; in John Fair, “Isometrics or Steroids: Exploring New Frontiers of Strength in the Early 1960s,” *Journal of Sport History* 20 (1993): 1-24, the author notes Ciba Pharmaceuticals patented the anabolic steroid methandrostenolone in around 1955, and in 1958 released it under the trade name Dianabol. In fact, while it is generally accepted among scholars that Dianabol was the first anabolic steroid marketed it was not the first anabolic steroid synthesized from testosterone. In William Llewellyn, *Anabolics* (Jupiter, FL: Molecular Nutrition, 2011), 14, the author correctly notes that Boldenone Undecylenate was the first anabolic steroid, first patented by Ciba pharmaceuticals in 1949. Incidentally, Norethandrolone was the first anabolic steroid approved for medical use, in 1956, under the brand name Nilevar. For further reading see Francois Chast, “A History of Drug Discovery: From First Steps of Chemistry to Achievements in Molecular Pharmacology,” in *The Practice of Medicinal Chemistry, Third Edition*, ed. Patricia Wermuth (London: Academic Press, 2008), 34.

⁷⁹⁷ Edward B. Williams, “Exemption from the Requirement of Adequate Directions for Use in the Labeling of Drugs,” *Food, Drug, and Cosmetic Law Quarterly* 2 (1947): 155; and The United States Department of Health, Education, and Welfare, *Public Health Reports Vol. 71, No. 11* (Washington, D.C.: 1956), 1155.

ineffective drugs, and those that had no demonstrable medical applications.⁷⁹⁸ It is worthy to note that prior to its introduction to the market in 1958, Dianabol was listed by the FDA as a prescription-only drug in accordance with the 1951 legislation.⁷⁹⁹ “Dbol,” as it is known in barbell culture, quickly gained acclaim among strength and power athletes, and soon steroid abuse was widespread in Olympic and many professional sports. By the early 1960s pharmaceutical companies were marketing an assortment of new anabolic steroids for the treatment of medical conditions like anemia, breast cancer, pituitary dwarfism, gastrointestinal disorders, and tissue depletion after surgery.⁸⁰⁰

Leading into the 1960s, the FDA’s regulatory powers continued to increase by way of further amendments to the FDCA. Most germane to this discussion, the Kefauver-Harris Amendments of 1962 compelled pharmaceutical companies to not only demonstrate the safety of a prospective new drug, but “submit substantial evidence of effectiveness for the cited indications of its use.”⁸⁰¹ The amendments also called for a retroactive review of all drugs introduced in the United States since 1938, totalling nearly 4,000, including all commercially available anabolic steroids.⁸⁰² To carry out this directive FDA President James L. Goddard enlisted the help of the National Academy of Sciences Research Council (NASRC), which was tasked with organizing and administering the research itself. Titled the Drug Efficacy Study

⁷⁹⁸ Durham-Humphrey Amendments of 1951, Pub. L. No. 82-215, §1, 65 Stat. 648, 648 (1951); and United States Food and Drug Administration, “FDA’s Evolving Regulatory Powers Part III: Drugs and Foods Under the 1938 Act and its Amendments,” accessed 10 October 2019, <https://www.fda.gov/about-fda/fdas-evolving-regulatory-powers/part-iii-drugs-and-foods-under-1938-act-and-its-amendments>.

⁷⁹⁹ See for reference United States Food and Drug Administration, *Approved Prescription Drug Products with Therapeutic Equivalent Evaluations 3rd Edition* (Washington, D.C.: The United States Department of Health and Human Services, 1982), A-5.

⁸⁰⁰ U.S. General Services Administration, “Drugs for Human Use,” 10328; and Forcroy, “Designer Steroids,” 307.

⁸⁰¹ Peter N. Horvath, “The DESI Hit List: The Story and Reflections,” *Journal of the American Academy of Dermatology* 5, no.3 (1981): 363; and The U.S. Food and Drug Administration, “FDA’s Evolving Regulatory Powers.”

⁸⁰² Leslie Pray and Sally Robinson, *Challenges for the FDA: The Future of Drug Safety, Workshop Summary* (Washington, D.C.: The National Academies Press, 2007), 14.

(DES), the three-year project commenced in the spring of 1966, and based findings on the recommendations of 180 “physicians with academic backgrounds” across thirty specialty review panels, most of whom were tasked with rating drugs as “effective,” “probably effective,” “possibly effective,” or “ineffective” according to pharmacology research.⁸⁰³ In harmony with the 1962 legislation, a drug designated as “ineffective” would be removed from the market unless the manufacturer was able to produce “substantial” scientific evidence of its specified medical application(s).⁸⁰⁴ In effect, this meant producers of “grey-area” drugs classified as either “probably effective” or “possibly effective” would be given additional time to submit data supporting their clinical utility.⁸⁰⁵ According to results published in a 24 June 1970 issue of the *Federal Register*, the study found Dianabol and nine other anabolic steroids to be “probably effective” as an “adjunctive therapy in the treatment(s) of... osteoporosis and pituitary dwarfism,” and ineffectual as indicated for “[post-surgical] tissue depletion... gastrointestinal disorders... [and] debility in elderly patients,” among other conditions.⁸⁰⁶ When all was said and done, ten anabolic steroids were granted provisional approval, placing the burden on pharmaceutical companies to submit evidence of their clinical applications. Notably, the DES classified anabolic steroids as “ineffective” for the purpose of increasing athletic performance.⁸⁰⁷ In line with FDA guidelines at the time, manufacturers were required to package the drugs with an insert that read “Anabolic Steroids Do Not Improve Athletic Performance.”⁸⁰⁸

⁸⁰³ Horvath, 363-364; and National Academy of Sciences, “The Drug Efficacy Study of the National Research Council’s Division of Medical Sciences, 1966-1969,” accessed 4 August 2019, http://www.nasonline.org/about-nas/history/archives/collections/des-1966-1969-1.html#series_3.

⁸⁰⁴ Ibid.

⁸⁰⁵ United States General Services Administration, “Certain Anabolic Steroids,” 10328.

⁸⁰⁶ Ibid.

⁸⁰⁷ Ibid.

⁸⁰⁸ Nicholas Wade, “Anabolic Steroids: Doctor’s Denounce Them, but Athletes Aren’t Listening,” *Science, New Series* 176, no. 4042 (1977): 1402.

Public Enemy Number One

Contemporaneous to the final stages of the FDA's efficacy study, the United States went to war. The battle was not an overseas insurgence or a Cold War proxy campaign, but rather, a national war against drugs. The first shot was fired by President Richard Nixon in special message to Congress delivered by Vice President Hubert Humphrey on 14 July 1969. "The abuse of drugs... has grown into a serious national threat," Nixon wrote, "a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States."⁸⁰⁹ At the Pennsylvania Crime Mobilization Conference on 3 December 1969, U.S. Attorney General John N. Mitchell declared "the abuse of narcotics and dangerous drugs" constituted a "national emergency" that should be a "top priority" for legislators.⁸¹⁰ Just four months after the DES recommendations were published in the *Federal Register*, there was a seismic shift in the prescription drug landscape in the United States. On 27 October 1970 the Controlled Substances Act was ratified by Congress, placing all drugs with abuse-potential, a pre-established medical use, and dependence-forming properties under five regulatory "schedules" according to the threat each posed to society at large.⁸¹¹ A closed system for manufacturing, distribution, and dispensation was instituted, meaning only licensed physicians, pharmacists, and other entities registered with the DEA were authorized to do so.⁸¹²

⁸⁰⁹ United States Congress, "The Drug Problem: Message from the President," 91st Cong., 1st sess., *Congressional Record* 115, pt. 14 (14 July 1969): 19353-19354.

⁸¹⁰ Pennsylvania Crime Mobilization Conference, "Address by the Honorable John N. Mitchell, Attorney General of the United States," Camp Hill, Pennsylvania, 3 December 1969.

⁸¹¹ The Controlled Substances Act of 1970, Pub. L. No. 91-513, 84 Stat. (1970), article 812 (A-C); the Controlled Substances Act was passed as Title II of the Comprehensive Drug Abuse and Prevention Control Act of 1970. Viewed as the incipient action in Nixon's War on Drugs, the Act created a taxonomical system for drugs listed in the United States Pharmacopeia based on dependence-forming properties, potential for abuse, and medical applications. Drugs were evaluated, then classified in one of five schedules, with Schedule I comprising substances with high abuse-potential and little or no medical use. Correspondingly, drugs under Schedule V were deemed to have legitimate medical use and little or no potential for abuse or dependency. For a more comprehensive summary of this legislation, see Robert C. Bonner, and Gene R. Haislip, *A Security Outline of the Controlled Substances Act of 1970* (Drug Enforcement Administration, 1991).

⁸¹² Aboud, *Pharmacy Practice and the Law*, 184.

The regulation of anabolic steroids remained under the FDA's jurisdiction, by virtue of the fact they were not codified as controlled substances under the Act.⁸¹³

If drug users were "public enemy number one" under the Nixon administration, anabolic steroid users were akin to parking-ticket scofflaws.⁸¹⁴ It was only after revelations of steroids' popularity among American Olympians that legislators took an interest. In a three-part *Sports Illustrated* expose published in the summer of 1969, journalist Bil Gilbert brought them from the obscure to the mainstream, edifying millions of readers on their widespread use in elite sport. After interviewing dozens of athletes and sporting officials Gilbert concluded, "anabolic steroids... are used and/or gossiped about in virtually every sport."⁸¹⁵ Among the interviewees was sports physician H. Kay Dooley, a member of the USOC's medical staff at a pre-Olympic training camp in Lake Tahoe, California. "All the [weightlifters] on the [1968] Olympic team took steroids," he opined, "otherwise they would not have been [competitive]."⁸¹⁶

The reach of Gilbert's pioneering trilogy extended beyond that of *Sports Illustrated* subscribers and water-cooler quidnuncs, and evidently, alerted government officials to an incipient problem in American sport. On 20 October 1970 Dooley was called to testify before an Internal Subcommittee hearing titled "Drug Abuse in Athletics," a topic that had expeditiously made its way onto the agendas of several politicians. In fact, this was the first of at least four government hearings staged over the proceeding three years. Sitting before a six-member panel at the California Museum of Science and Industry, Dooley described his personal experiences

⁸¹³ In the original legislation and subsequent amendments over the following two decades, anabolic steroids were not listed under any of the five schedules. It was not until 1990 that the drugs were codified as Schedule III substances. See for reference The Anabolic Steroid Control Act of 1990, H.R. 4658, 101 Cong. (1990), sec. 2(A-C), 3(B).

⁸¹⁴ Nixon used this phrasing in a presidential address in January of 1972. See for reference Thomas J. Johnson, Wayne Wanta, Timothy Boudreau, Janet Blank-Libra, Killian Schaffer, and Sally Turner, "Influence Dealers: A Path Analysis Model of Agenda Building during Richard Nixon's War on Drugs," *Journalism & Mass Communication Quarterly* 73, no. 1 (1996): 184.

⁸¹⁵ Bil Gilbert, "Drug Use and Abuse: The Nature and Extent of the Problem," *Sports Illustrated*, 23 June 1969.

⁸¹⁶ Ibid.

with anabolic steroids, their widespread use, and athletes' procurement of the drugs on the black market.⁸¹⁷ The latter came in response to a smuggling-related comment from Vermont Assemblyman Larry Townsend. "World-class athletes travel all over the world... and [to] different parts of the United States [for competitions] and have the opportunity to obtain [anabolic steroids] legally in the countries they visit," Dooley explained, "it is also very easy to get [them] in Tijuana, or whatever else they might want."⁸¹⁸ Townsend's response was prophetic: "Maybe we ought to notify the border patrol from now on... it amazes me that men of this caliber will smuggle [anabolic steroids] across the border in [large] quantities."⁸¹⁹ Nearly thirteen years passed before Fitton's Mexican border arrest.

Legislators continued to probe the abuse and illicit distribution of anabolic steroids after the 1970 hearings. In the summer of 1973, the U.S. Senate convened to discuss the "traffic[king] and abuse" of drugs in the world of sport, and ascertain the extent to which doping had become a problem in American sport.⁸²⁰ Gilbert's landmark articles took center stage – despite being four years old – with twelve separate references in the official record, and were attached in full in the hearings' appendices.⁸²¹ Over the course of three sessions in June and July, the Senate Committees on the Judiciary and Juvenile Delinquency heard testimony from twenty-one witnesses, a well-versed assemblage of athletes, sporting officials, physicians, journalists, and academics. With Nixon's War on Drugs reaching a crescendo, the smuggling and trafficking of anabolic steroids were salient issues at the hearings, perhaps more so than three years earlier. For instance, Juvenile Delinquency Committee Chairman Birch Bayh noted in his opening statement,

⁸¹⁷ Ibid.

⁸¹⁸ *Drug Abuse in Athletics*, "Testimony of H. Kay Dooley," 20 October 1970, 9.

⁸¹⁹ Ibid., 10

⁸²⁰ *Proper and Improper Use of Drugs*, 2.

⁸²¹ Ibid., 163, 351, 353, 394, 395, 436, 461, 666, 798, 816.

“reports implicating athletes in the traffic[king] and abuse of [anabolic steroids] are increasing... it proves that... they are not immune [to] the drug epidemic confronting our nation.”⁸²² Bayh’s remarks are noteworthy, given his intimation that anabolic steroids had corrupted athletes in similar fashion to drugs of abuse corrupting Americans.

The testimony of track and field coach and former Olympian Eddie Hart lent support to Bayh’s observations. Several months prior to his scheduled appearance on 13 July, Hart interviewed three athletes whom he knew to be steroid-users, aiming to supplement his testimony with first-hand information. According to the American coach, who earned a gold medal in the 4 x 100 meter relay at the Munich Olympics the previous summer, one of his principal objectives was to determine “how the drugs were obtained [by the athletes] and at what costs.”⁸²³ Hart’s findings were in consonance with Dooley’s testimony three years earlier. “[Athletes] are able to buy large quantities of... steroids for very small amounts of money in South America and Mexico,” he explained, “from what I understand, many of [the athletes] from the 1971 Pan American team brought back large quantities of steroids from [Colombia].”⁸²⁴ While neither Hart nor Dooley described first-hand experiences in their testimony, both indicated that athletes had been smuggling and trafficking steroids for years. Lending support to their claims, in an interview with Ann Japenga of *The Los Angeles Times*, FDA spokesman Edward Nida estimated that by 1984, “there [had] been a black market steroid trade” operating in the United States for decades.⁸²⁵ Likewise, in an interview with Randy Harvey of *The Los Angeles Times*, sports

⁸²² *Proper and Improper Use of Drugs*, 2.

⁸²³ *Ibid.*, 290

⁸²⁴ *Ibid.*, 293.

⁸²⁵ Japenga, “Guidebook to Steroid Use,” *The Los Angeles Times*, 31 January 1984.

physician Robert Kerr claimed to have started prescribing anabolic steroids in 1966 after witnessing local barbell men “peddling God knows what” to fellow gym members.⁸²⁶

The Dealers Take Over

The first criminal conviction for anabolic steroid smuggling in the United States stemmed from a 1981 incident at Atlanta’s Hartsfield-Jackson International Airport. It was none other than Tony Fitton. En route to his native England, the man known in sporting circles as “Dr. Hormone” was detained by Customs agents after 22,000 anabolic steroid capsules were found in his luggage.⁸²⁷

The Englishman confessed his intent to sell the drugs to athletes and fellow traffickers in England, and in 1982, received a one-year suspended sentence and two years probation in Georgia courts. While free on bond he was arrested in Georgia for a second time in less than a year, this time for the unlawful possession of anabolic steroids, a minor offense for which he was not prosecuted.⁸²⁸ According to Halpern, the “FDA started [investigating] steroid trafficking after [Fitton’s] second arrest,” and discovered that his dealings “were probably just the tip of the iceberg.”⁸²⁹

Suffice to say, by early 1983 anabolic steroids had the FDA’s undivided attention. In the nascent stages of its investigation the agency brought its first regulatory actions against the drugs in more than a decade, citing DES guidelines as the basis for re-evaluating their clinical applications. Within two months of Fitton’s second smuggling arrest the FDA announced that all previously approved New Drug Applications (NDAs) for anabolic steroids entering the market were revoked. The official notice was published in a 18 January 1983 issue of the *Federal*

⁸²⁶ Harvey, “Bizarre Medical Practices,” *The Los Angeles Times*, 20 June 1989.

⁸²⁷ “The Godfather,” *Sports Illustrated*, 11 March 2008.

⁸²⁸ Todd, “Gremlins of Sport,” 104.

⁸²⁹ Philip Halpern in interview with author, 24 August 2019.

Register, and resulted in the withdrawal of Organon's Stenediol and G.D. Searle's Nilevar from pharmacists' shelves.⁸³⁰ Six months later Ciba voluntarily removed Dianabol from the market amid FDA pressures to substantiate its clinical applications.⁸³¹ By December of 1985 the FDA had jettisoned from the market all generic forms of the popular drug, which according to author William Llewellyn, "marked a turning point in the illicit steroid trade."⁸³² Within a year, the widely-used steroids Equipoise, Stanozolol, and Oxandrolone were also taken out of production. Similar to bootlegging in the Prohibition-Era six decades earlier, a decreased supply and limited variety of anabolic steroids incentivized black marketeers to "fill the vacuum" left in the market to profit from consumer demand.⁸³³ Case in point, in his second edition of the tremendously popular *Underground Steroid Handbook*, Dan Duchaine makes the following oblique reference to his exploiting of the proverbial void left by the FDA's actions: "Now that there were no real American pharmaceutical labs making [Dianabol], the black marketers took over."⁸³⁴

THE DYNAMIC DUO VS. THE THREE MARKETEERS

"All I can say is after [the 1984] Fitton [case] I started paying attention," Halpern recalled in a 2019 interview. "At the time I [had] only [been] with the U.S. Attorney's Office for six months

⁸³⁰ United States General Services Administration, "Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing," *Federal Register* 48, no. 12 (18 January 1983): 2208.

⁸³¹ United States General Services Administration, "Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing," *Federal Register* 48, no. 94 (13 May 1983): 21658.

⁸³² Llewellyn with Tober, *Underground Anabolics*, 14; others made similar contentions about this being a turning point of sorts. See for reference Eisendrath, "Confessions of a Steroid Smuggler," 11; for the FDA's official ruling on the matter see United States General Services Administration, "Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing," *Federal Register* 50, no. 240 (13 December 1985): 50964; and Daniel Duchaine, *Underground Steroid Handbook II: Incorporating Material from the Original Underground Steroid Handbook, Ultimate Muscle Mass, and the USH Updates #1-10* (Venice, CA: HLR Technical Books, 1989), 32.

⁸³³ Alfano and Janofsky, "Weight on Black Market," *The New York Times*, 18 November 1988.

⁸³⁴ Duchaine, *Underground Steroid Handbook II*, 36.

or so... I started to learn things through [that] investigation [and] grew more and more interested in [anabolic] steroids.”⁸³⁵ The young lawyer’s penchant for trafficking cases and voracious appetite for justice proved instrumental, as prior to 1985 the FDA had lacked the necessary resources to delve deeper into what appeared to be a nationwide syndicate of black market dealers.⁸³⁶ After several months of work on the Fitton case, Halpern found it was indeed “just the tip of the iceberg.”⁸³⁷ Not only was he convinced there was “a network of traffickers in the United States,” but had reason to believe that an “[international] smuggling network” had been “importing millions of dollars worth of anabolic steroids into the country each year.”⁸³⁸ In search of more information, Halpern contacted Dennis Degan, an FDA agent who had launched an investigation into Fitton’s illegal activities in late 1982. As part of an interview for Shaun Assael’s popular book *Steroid Nation*, Degan recalled flying to San Diego to share case files with Halpern on 18 December 1984, and that “together they were able to [convict] Fitton [of] illegally importing steroids” the following February.⁸³⁹ Degan had amassed a considerable breadth of evidence on the anabolic steroid black market, “an impressive feat” by Halpern’s judgement, considering the limited resources at his disposal.⁸⁴⁰ For example, earlier that year Degan took it upon himself to investigate a Detroit-based company that had allegedly been selling anabolic steroids over-the-counter. After making several undercover purchases he learned the company was being supplied by Larry Pacifico, a nine-time world champion in powerlifting and a legend in the sport.⁸⁴¹ After looking into the matter further – which included a raid of

⁸³⁵ Philip Halpern in interview with author, 24 August 2019.

⁸³⁶ *The Anabolic Steroids Control Act of 1990*, 29; and *Drug Misuse: Anabolic Steroids and Human Growth Hormone*, 30.

⁸³⁷ *Ibid.*

⁸³⁸ Philip Halpern in interview with author, 24 August 2019.

⁸³⁹ Assael, *Steroid Nation*, 13.

⁸⁴⁰ Philip Halpern in interview with author, 24 August 2019.

⁸⁴¹ Assael, *Steroid Nation*, 12.

Pacifico's offices and residence – Degan determined the operation was one of several distribution points in a larger underground network.⁸⁴²

According to Halpern, Degan had been a “lone ranger” in his crusade against anabolic steroids for years, and at their meeting made it clear to him that the FDA was ill-equipped to “handle the trafficking issue [singlehandedly].”⁸⁴³ At the attorney's behest, in January of 1985 Degan contacted DOJ Headquarters in Washington to recruit and coordinate an inter-agency investigation into the underground steroid marketplace. Several weeks later the DOJ granted Degan's request, and gave him a flashy new title: National Steroid Investigation Coordinator.⁸⁴⁴ The federal task force officially began with a morning meeting of FDA, FBI, and DOJ officials ten months later, on 10 October 1985 at FBI Headquarters in Washington, D.C.⁸⁴⁵ In the meantime Halpern and Degan teamed up in an effort to build a stronger foundation for the case, and to gather intel on Fitton, who became a federal fugitive that April. The fellow steroid crusaders took a liking to one another in the process. “Nobody in the country... knew more about steroids than [Degan] did... he was a marvelous agent,” said Halpern, “we became quite the dynamic duo... people think there are good cases and bad cases [but] there are only good agents and bad agents. If you have a good agent, you're going to enjoy the case [and] make it [successful]. We became very good friends [and] worked together for about a decade.”⁸⁴⁶ As the new partners combed through police reports, witness statements, and affidavits in the

⁸⁴² Doug Fisher, “Former World Weight Lifting Champion Larry Pacifico...,” *The Associated Press*, 18 June 1987.

⁸⁴³ *Ibid.*

⁸⁴⁴ “The History of the U.S. Food and Drug Administration,” 21 April 1999.

<https://www.fda.gov/downloads/AboutFDA/History/ResearchTeaching/OralHistories/UCM264722.pdf>; *Dubin Inquiry*, 366; and Assael, *Steroid Nation*, 13.

⁸⁴⁵ Federal Bureau of Investigation, “Daniel Richard Duchaine,” in memorandum to Food and Drug Administration and United States Department of Justice, 10 October 1985.

⁸⁴⁶ Philip Halpern in interview with author, 24 August 2019.

investigation's early stages, one thing grew increasingly clear. A man by the name of Dan Duchaine merited a closer look.

The Guru of Venice

Halpern and Degan were certainly on the right track. Duchaine was indeed a major player in the black-market steroid trade and had been peddling an assortment of drugs by way of a mail-order sales business since at least October of 1984. Born and raised in Westbrook, Maine, Daniel Richard Duchaine had been an avid bodybuilder for more than a decade and was introduced to the sport during his undergraduate years at Boston University, where he majored in theater arts. Competing in a sport where anabolic steroids were a veritable pre-requisite to entering the elite ranks, Duchaine persuaded a family physician to prescribe Dianabol for him as he prepared for a contest sometime in the mid-1970s. In an 18 November 1988 interview for *The New York Times*, Duchaine noted that he had been “using and studying the drugs ever since” that doctor’s visit, honing his knowledge through medical texts and casual conversations with steroid users.⁸⁴⁷ In 1978, with aspirations of a professional bodybuilding career, Duchaine migrated west to Venice Beach, California, home to the original Gold’s Gym, and “Golden Age” bodybuilding icons like Arnold Schwarzenegger and Franco Columbu.⁸⁴⁸

While Duchaine’s bodybuilding dreams quickly fell by the wayside – which he attributed to “weak genes” – the twenty-eight-year-old soon began to conceive a different career path, one that could be forged by his penchant for research and inexorable curiosity.⁸⁴⁹ For Duchaine

⁸⁴⁷ Peter Alfano and Michael Janofsky, “A Guru Who Spread the Gospel of Steroids,” *The New York Times*, 18 November 1988.

⁸⁴⁸ Ibid., and Assael, *Steroid Nation*, 2.

⁸⁴⁹ Japenga, “Guidebook to Steroid Use,” *The Los Angeles Times*, 31 January 1984; and Bruce Kneller in interview with author, 3 August 2019; Kneller served as Duchaine’s research assistant for four years from the late-1980s to the early-1990s. By his account they developed a close friendship over the years and collaborated on several projects for Duchaine’s supplement company.

anabolic steroids were undeniably effective but carried a negative stigma; nescience bred from whisper campaigns and specious logic. In an interview for *Steroid Nation*, friend and training partner Michael Zumpano described Duchaine as a man convinced that “steroids needed a champion” to educate people and set the record straight.⁸⁵⁰ According to Zumpano, sometime in 1981 Duchaine pitched him the idea for a steroid “manifesto,” a “how-to” guide designed to dispel the myths surrounding the drugs, and help readers to use them safely and effectively.⁸⁵¹ Zumpano agreed to serve as co-author, and over what he calls “ten feverish days” of writing in the fall of 1981, the two completed *Underground Steroid Handbook* (USH).⁸⁵² The one-of-a-kind eighteen-page manual combined scientific data and anecdotal accounts of steroid use with easily understood phrasing and light-hearted, pro-steroid messages. To say USH was a success would be an understatement. By Zumpano’s estimate, 80,000 copies were shipped within five months of the book’s release in January of 1982, netting the pair nearly a half-million dollars.⁸⁵³ With more wholesome subject matter and perhaps an actual publisher, the first-time authors could have easily cracked *The New York Times* best-seller list. The manual’s sweeping popularity made Duchaine a subculture sensation in the bodybuilding community, earning him the nickname “the steroid guru.”⁸⁵⁴ True to form, Duchaine embraced his role as the underground champion of steroids. Within months of releasing USH, according to Japenga, he was already planning a second edition, and had been “writing a newsletter to update the handbook every two months,” at

⁸⁵⁰ Assael, *Steroid Nation*, 5; Duchaine also makes similar comments in later interviews. For instance, in Alfano and Janofsky, “Gospel of Steroids,” *The New York Times*, 18 November 1988, he asserts anabolic steroids can be safe if used in moderation and adds that the USHB was his attempt to dispel popular myths about the drugs, most of which originated in the medical community.

⁸⁵¹ *Ibid.*, 5-7.

⁸⁵² *Ibid.*, 5; incidentally, Duchaine and Zumpano released a longer, edited version of USH sometime in 1983.

⁸⁵³ *Ibid.*, 7.

⁸⁵⁴ Alfano and Janofsky, “Gospel of Steroids,” *The New York Times*, 18 November 1988; Japenga, “Guidebook to Steroid Use,” *The Los Angeles Times*, 31 January 1984; and Assael, *Steroid Nation*, 12.

a cost of twelve dollars to subscribers.⁸⁵⁵ Duchaine was moving up in the world. The original USH was priced at just five dollars.⁸⁵⁶

Before long Duchaine was using his steroid treatise as the sales vehicle for a new business venture. Sometime before October of 1984 he began enclosing anabolic steroid price lists in mail-order shipments of USH. The insert instructed customers to send “cash or blank postal money orders” to the John Ziegler Fan Club (JZFC), an homage to the physician credited as “the father of Dianabol.”⁸⁵⁷ For customers, this made for a veritable one stop shop. The wealth of information contained in the manual edified readers on the unique properties of different anabolic steroids, and even promoted the drugs by way of phrases like “very popular with athletes,” or as he gushed about Human Growth Hormone (HGH), “we LOVE the stuff.”⁸⁵⁸ After a review of the price list an informed choice could be made based on the benefits and drawbacks of each drug, and their costs. Perhaps more brazen, Duchaine also took to promoting his new enterprise in Joe Weider’s *Muscle & Fitness*, and regularly took out ads for the JZFC in the magazine’s classifieds section.⁸⁵⁹

Whether by bad fortune, or perhaps poor judgement on Duchaine’s part, Degan first learned of the JZFC sometime in early 1985. By that time “the guru” had been in the mail-order steroid business for at least three months and was receiving daily steroid shipments in at least

⁸⁵⁵ Japenga, “Guidebook to Steroid Use,” *The Los Angeles Times*, 31 January 1984.

⁸⁵⁶ Ibid; and Newton, *Steroids and Doping in Sports*, 96.

⁸⁵⁷ Todd, “Gremlins of Sport,” 104; for Ziegler as the “father of Dianabol,” see for example John D. Fair, *Mr. America: The Tragic History of a Bodybuilding Icon* (Austin: The University of Texas Press, 2015), 152; and Robert Dvorchak, “Never Enough/Steroids in Sports: Experiment Turns Epidemic,” *Post-Gazette* (Pittsburgh), 1 October 2005.

⁸⁵⁸ Duchaine, *Underground Steroid Handbook*, 6-7; the phrase “very popular with athletes,” appears in a passage describing the Anavar, an anabolic steroid reputed for mild side-effects and lean muscle gains.

⁸⁵⁹ Todd, “Gremlins of Sport,” 104; and Affidavit of Special Agent John Doe of the Federal Bureau of Investigation, United States District Court, Central District of California, case no. 86-1114m, August 1986, 4; the name of the FBI agent who provided the affidavit referenced here was redacted from the documents and is cited as “John Doe” in this chapter.

four post office boxes at Wilson Postal Service in Marina Del Ray, California. That January, Duchaine signed up for a business account with the United Postal Service (UPS), listing his business as a “wholesale-retail distributor of vitamins” on the company’s forms.⁸⁶⁰ As part of evidence pursuant to a search warrant for the mailboxes, an FBI agent working the case testified that a short time after Duchaine signed up, one or more UPS employees “became suspicious when it was noticed that the return address on [his outgoing] packages... did not match the address of the pick up point.”⁸⁶¹ According to the agent, on 18 February 1985 UPS opened several packages Duchaine was attempting to ship and found a cache of assorted anabolic steroids, with order sheets and price lists enclosed. A manager for UPS then called local authorities, who relayed the information to Degan via the FDA’s main offices in Washington, D.C.⁸⁶²

At last, Degan and Halpern had a principal target. Several weeks later Degan placed an undercover order for anabolic steroids using the price list and shipping information for the JZFC. The ruse proved successful. According to the affidavit, a parcel sent care of “The John Ziegler Fan Club” arrived several weeks later, once again packaged with a full price list and ordering details. The following August, Degan received yet another price list in the mail, along with a signed letter from Duchaine notifying customers that a second business he had founded, CKR, was “accepting new drug customers.”⁸⁶³ Having done his due diligence in researching Duchaine, Degan ordered a copy of USH the following October, and this time received three price lists, and a copy of *The Ultimate Diet Handbook*, a dieting guide recently authored by the guru.⁸⁶⁴ Armed

⁸⁶⁰ Ibid.

⁸⁶¹ Ibid.

⁸⁶² Ibid.

⁸⁶³ Ibid.; the author was unable to discern or find evidence of what the acronym CKR stood for.

⁸⁶⁴ Ibid.

with a wealth of evidence, the newly formed task force contacted FBI Headquarters requesting mail surveillance for post office boxes associated with the JZFC, CKR, and OEM Publishing, a third company from which Duchaine typically mailed copies of USH. Within a month of the investigation's official start date a federal grand jury was convened to review the evidence against him and determine whether criminal charges should be filed.⁸⁶⁵ By December of 1985, Duchaine had gone from a person of interest to a principal target.

The Three Marketeers

Three months into the federal investigation, the seeds of a very different sort of working relationship were being sown. In early January of 1986 a casual discussion between three men in an Italian restaurant set the stage for the most elaborate anabolic steroid trafficking ring in history. At a quaint local eatery in Carlsbad, California – an affluent community and tourist hotspot – Duchaine, David Jenkins, and William Dillon met for dinner under the pretense of discussing a partnership in the sports nutrition business, at least as far as Dillon knew.⁸⁶⁶ Known by the monikers The Flying Scotsman and The Golden Boy – perhaps a double entendre by virtue of his athletic achievements and flowing blonde hair – Jenkins had built a reasonably successful business selling protein tablets after migrating to the United States in the early

⁸⁶⁵ It is not clear exactly when the grand jury was assembled, but the preceding correspondence indicates it was no later than 12 November 1985. Presumably this took place sometime between 10 October and the first two weeks of November. In Richard Bretzing, airtel correspondence to FBI Director William H. Webster, 12 November 1985, 3, Bretzing notes the FBI's Los Angeles Division was awaiting grand jury subpoenas for mail surveillance on Duchaine and six other anabolic steroid dealers on 12 November, indicating that the grand jury had already been investigating for an indeterminate timeframe. At the time the grand jury had already been given several bottles of the anabolic steroids Degan through the JZFC. Further evidence of this appears in Richard T. Bretzing in letter to United States Attorney Robert C. Bonner, 28 January 1986.

⁸⁶⁶ In Eisendrath, "Confessions of a Steroid Smuggler," 16, the author finds that Dillon, who is the principal source of information in the piece, was under the impression he was meeting with Duchaine and Jenkins to discuss a legitimate supplement business. Further, according to several sources, Jenkins and Duchaine had discussed anabolic steroids several weeks before the lunch meeting in January of 1986. For further reading see Richard Moore, "From Gold and Silver to Drugs and Jail David Jenkins Never Ran from Fate," *The Scotsman*, 9 July 2012.

1980s.⁸⁶⁷ A native of Edinburgh, Scotland, Jenkins was a track and field sprinter by trade, and at one time had been among the nation's most recognizable athletes. At only nineteen years of age the talented Scot won a gold medal in the 400 meters at the 1971 European Championships in Helsinki, and the following year, anchored his nation's 4 x 400 meter relay team to a silver medal and Scottish record at the 1972 Munich Olympic Games. Competing in an era renowned for rampant anabolic steroid use among strength and power athletes, Jenkins maintains his early performances were "clean," and that he only turned to anabolic steroids in 1976 after learning his rivals were using them.⁸⁶⁸ "Guys were reasonably open to it," he explained in a 2012 interview for *The Scotsman*, "[and] you could buy steroids in every European country we [raced] in. The guys would stock up."⁸⁶⁹

By his own account the decision marked the beginning of the end for his career. In an interview for Richard Moore's popular book *The Dirtiest Race in History* Jenkins laments, "[after taking Dianabol] I ran faster in... training, but never in a race... [I suffered] a biomechanical reaction, a psychological reaction, and an emotional reaction... it was just a mess."⁸⁷⁰ He went on to place seventh in the 400 meters at the 1976 Olympic Games in Montreal, and replicated that performance at the 1980 Games in Moscow, to his great disappointment. After another lackluster season in 1982, Jenkins and his wife Carole set off for Southern California to seek their fortune in the supplement business.⁸⁷¹

⁸⁶⁷ Moore, "From Gold and Silver," *The Scotsman*, 9 July 2012; for Jenkins' nicknames, see Assael, *Steroid Nation*, 14.

⁸⁶⁸ European Athletics, "European Athletics Championships, Helsinki 1971," accessed 8 June 2019, <https://www.european-athletics.org/competitions/european-athletics-championships/history/year=1971/results/index.html>, and Davis, "Operation Overlord," *The Times*, 11 February 1988.

⁸⁶⁹ Moore, "From Gold to Silver," *The Scotsman*, 9 July 2012.

⁸⁷⁰ Richard Moore, *The Dirtiest Race in History: Ben Johnson, Carl Lewis, and the 1988 Olympic 100m Final* (London: Bloomsbury Publishing, 2012), 73.

⁸⁷¹ World Athletics, "Athlete Profiles - David Jenkins," accessed 4 August 2019, <https://www.iaaf.org/athletes/great-britain-ni/david-jenkins-9770>; the author contacted David Jenkins for the purpose of an interview for this chapter.

In his interview with *The Scotsman*, Jenkins describes his first meeting with Dan Duchaine, whose guru-status was indisputable at the time the two were first acquainted. Since publishing the USH, Duchaine had written dozens of articles for *Flex* magazine, where he continuously pushed the envelope with controversial and cutting-edge ideas.⁸⁷² “I’d been working on a book about performance-enhancement in sport and [in December of 1985] wrote to [Duchaine],” Jenkins recalled, “he called me and... I went to meet him... in Venice for lunch. Lovely restaurant.”⁸⁷³ Apparently a discussion about book research was not the only thing on the menu that afternoon. According to the retired sprinter, “soon after” that first meeting he received a panicked phone call from Duchaine, whose anabolic steroid supplier in San Francisco had just been raided by law enforcement.⁸⁷⁴ The situation quickly turned from manageable to grim for Duchaine, as he was already experiencing problems with safely importing steroids from a second source in Stuttgart, Germany.⁸⁷⁵ Without a major supplier his customers would have no choice but to take their business elsewhere, which could conceivably spell the end of his successful, albeit illegal enterprise. Jenkins reveals in the interview that he and Duchaine discussed potential alternatives during their call, most notably manufacturing anabolic steroids in Mexico and

Initially Jenkins seemed eager to take part, but several days later denied the request. At minimum this would have provided accurate details on the date Jenkins moved to California. Altogether, sources gathered for this chapter indicate that after retiring from track and field in the summer of 1982 he and his wife moved to Southern California. Given that Jenkins was already operating a “successful” supplement business by mid-to-late 1985, it stands to reason that he emigrated soon after retiring. For comments on Jenkins’ supplement business see Ivor Davis, “Athletics: Jenkins on Drug Charges,” *The Times* (London), 22 May 1987.

⁸⁷² See for example Daniel Duchaine, “Newest Developments in Precontest Carbing Up,” *Flex* (December 1984): 46; and Daniel Duchaine, “Free-Form Amino Acids: The Protein Source of the 1980s,” *Flex* (January 1984): 49; the author accessed past issues of *Flex* magazine in the H.J. Lutzer Stark Center Sport History Archive at the University of Texas at Austin.

⁸⁷³ Moore, “From Gold to Silver,” *The Scotsman*, 9 July 2012.

⁸⁷⁴ Ibid.; in support of Jenkins’ claim, on 2 February 1986 Duchaine distributed a letter to John Ziegler Fan Club customers warning them that the FBI had raided “major suppliers on the east and west coast.” While he is not necessarily referring to the San Francisco source referenced by Jenkins, the timelines match. By Jenkins’ account, the supplier was shut down in mid-to-late 1985, about a month before Duchaine issued this warning. The letter is quoted in Todd, “Gremlins of Sport,” 104.

⁸⁷⁵ At this point in time Duchaine had at least three different sources for anabolic steroids; in Philadelphia, San Francisco, and Stuttgart. The author pieced together this information through FBI correspondence, Jenkins’ interview, and Eisendrath, “Confessions of a Steroid Smuggler,” 12, 15-16.

smuggling them across the border.⁸⁷⁶ If the Fitton affair told a cautionary tale, it seemed neither man had heard it.

Dillon too was already a seasoned veteran in the anabolic steroid trade. A former collegiate bodybuilding champion in his native Illinois, Dillon began selling them three months after making his pilgrimage to the west coast in October of 1984.⁸⁷⁷ The burly Midwesterner was a mechanical engineer by trade and had relocated to the Los Angeles suburb El Segundo after accepting a position at the aerospace company Hughes Aircraft. Within a year of dealing steroids part time the twenty-six-year-old was servicing more than twenty clients, earning as much as \$20,000 on single orders. As the business expanded and increased in complexity, according to Dillon, he partnered with Duchaine, whose European connection could supply the ever-popular steroids Dianabol, Stanozolol, Deca Durabolin, and Oxandrolone, among others.⁸⁷⁸ Dianabol had been out of production for nearly a month when the trio met for dinner the following January, limiting its domestic supply strictly to black-market sources.⁸⁷⁹ Before they parted ways, as Dillon noted in several interviews, Jenkins said something akin to, “I think I have someone in Mexico who can make Dianabol. If my guy can make it, can you guys sell it?”⁸⁸⁰ Whether Dillon was privy to the meeting’s actual purpose is perhaps of little consequence. The answer was an emphatic “yes.”⁸⁸¹

⁸⁷⁶ Moore, “From Gold to Silver,” *The Scotsman*, 9 July 2012.

⁸⁷⁷ The author was unable to verify this with official competition results; however, this is mentioned in several sources. See for example Newton, *Steroids and Doping in Sports*, 92; and Eisendrath, “Confessions of a Steroid Smuggler,” 12.

⁸⁷⁸ *United States of America v. David Jenkins et. al.*, 38; and Alfano and Janofsky, “Weight on Black Market,” *The New York Times*, 18 November 1988.

⁸⁷⁹ United States General Services Administration, “Certain Anabolic Steroids,” 50964; and Eisendrath, “Confessions of a Steroid Smuggler,” 12.

⁸⁸⁰ In Eisendrath, “Confessions of a Steroid Smuggler, 12; and Assael, *Steroid Nation*, 15, Dillon gives similar accounts of the trio’s dinner that evening, noting that Jenkins was the one to propose trafficking Dianabol.

⁸⁸¹ *Ibid.*

Within two weeks Jenkins found a facility with the necessary equipment to manufacture Dianabol, as well as thirteen other anabolic steroids. After meeting with Duchaine and Dillon he paid a visit to Juan Javier Macklis, an old contact from the supplement industry who also happened to be the owner of Laboratorios Milanos, a pharmaceutical manufacturing company in Tijuana, Mexico. Sometime in early February of 1986 the two met at the company's headquarters in the Fiesta Americana Hotel to negotiate the particulars of their business arrangement.⁸⁸² While Macklis had a fully-stocked, full-service laboratory at his disposal, he was not in the business of manufacturing anabolic steroids, and had no means to procure the necessary raw materials. Jenkins, who was later described by Halpern as "highly-intelligent and resourceful," already had a trustworthy source standing by.⁸⁸³ To cover initial expenses, and for his troubles, Macklis requested \$28,000, which "the Flying Scot" collected from his two partners upon returning to California. Eager to kickstart the operation, Duchaine greeted Jenkins with a facsimile Ciba label he had designed for the counterfeit Dianabol.⁸⁸⁴

In short order the operation was up and running. By late February, Macklis' laboratory had churned out 2,500 bottles of Dianabol, 4,000 vials of Deca Durabolin, and 500 bottles of Oxandrolone and Testosterone, altogether worth \$81,000 on the black market. While the drugs were being manufactured Macklis hand picked a team of reliable smugglers to ensure the border crossings went according to plan. Unlike Fitton's less-than-stealthy system, the inventory was not hidden hastily in the trunk. According to a U.S. government document, and Halpern in a 2019 interview, the steroids were typically concealed in "hidden compartments" inside vehicles,

⁸⁸² Ibid., 16.

⁸⁸³ Philip Halpern in interview with author, 24 August 2019; for details on Jenkins locating a source for raw materials, see *United States of America v. David Jenkins et. al.*, 8.

⁸⁸⁴ *United States of America v. David Jenkins et. al.*, 11.

“hollowed-out gas tanks,” and sewn into suits and dresses.⁸⁸⁵ The first shipment went off without a hitch. Perhaps an upshot to the FDA’s new regulations and an increased demand for the drugs, both Duchaine and Dillon were sold out within weeks. In early March the men remitted two separate orders to Macklis: a \$25,000 payment to re-stock their inventory; and a second \$30,000 payment for the steroid Anadrol-50, a new addition to Laboratorios Milanos.⁸⁸⁶ By late summer the clandestine enterprise had sold close to \$190,000 worth of Mexican steroids, netting them substantial sums of money. As sales increased the men’s lives changed dramatically. In a 24 April 1988 interview for *Los Angeles Times Magazine*, Dillon claimed to have “quit his job [at Hughes Aircraft]” that spring, purchased a new Jeep Cherokee, and made sizeable investments in a Ribs to Go restaurant and a Gold’s Gym near San Diego’s Pacific Beach.⁸⁸⁷ Duchaine had a penchant for fast cars, expensive wine, and excursions on luxury yachts.⁸⁸⁸ For Assael, the enterprise “had not so much replaced [Tony] Fitton in the steroid underground as turned him into an afterthought.”⁸⁸⁹

MARKED MEN

Considering neither Jenkins nor Dillon seemed to have any reservations about partnering with Duchaine, it stands to reason that they were unaware he was a prime target for federal authorities. Nevertheless, by the time Jenkins traveled to Tijuana to see Macklis in early February, it seems the guru was already wary of the FBI’s involvement in steroid investigations. An updated JZFC order form dated 2 February 1986 warned customers, “you may or may not

⁸⁸⁵ Ibid.; and Davis, “Operation Overlord,” *The Times* (London), 11 February 1988.

⁸⁸⁶ Ibid., 14; and William Polk, “British Track Star Pleads Guilty to Steroid Charges,” *The San Diego Tribune*, 7 November 1987.

⁸⁸⁷ Eisendrath, “Confessions of a Steroid Smuggler,” 16

⁸⁸⁸ Ibid.; and Assael, *Steroid Nation*, 17.

⁸⁸⁹ Assael, *Steroid Nation*, 17.

know that the federal government, particularly the FBI, has instigated a serious effort to wipe out the black-market steroid business,” he wrote, “in the last month, major suppliers on the east and west coasts have been put out of business... the [FBI] can legally open mail... [and] tap a phone for forty-eight hours. We want to stay in business.”⁸⁹⁰ In the letter, Duchaine also urged his clientele to avoid using “the full name[s]” of drugs over the phone, and requested that only “cash or blank postal orders” be sent as payment.⁸⁹¹ Incidentally, the San Francisco source referenced by Jenkins had been raided a month earlier, meaning Duchaine may have had first-hand information on the FBI ransacking. Whether or not this was true may be of little consequence, considering Duchaine seemed oblivious to the fact that the FDA had infiltrated the JZFC. By February of 1986 Degan had managed to make at least four anabolic steroid purchases from the mail-order scheme, which remained open for business through at least August of 1986.⁸⁹² This gave the task force further opportunities to compile evidence through postal seizures, mail tracking, and later, search warrants. Unbeknownst to his co-conspirators, and perhaps himself, Duchaine’s past business dealings had made him a marked man.

As the trio’s new enterprise expanded in the first half of 1986, so too did the volume of evidence amassed by the task force. With respect to the latter, it seems Duchaine’s carelessness played a considerable part. Sometime in late January the Loss Prevention Department at UPS contacted Degan concerning one of Duchaine’s shipments that had gone undelivered in Sun Prairie, Wisconsin. According to an FBI memorandum dated 5 February 1986, the package was rerouted to UPS headquarters in Los Angeles after couriers determined the delivery address on the package did not exist. Upon its return, as noted in the document, a UPS supervisor “acting on

⁸⁹⁰ The disclaimer can be found in Todd, “Gremlins of Sport,” 104.

⁸⁹¹ Ibid.

⁸⁹² United States Central District Court of California, “Search Warrant on Written Affidavit,” case no. 86-114M, 28 August 1986.

[his] own behalf” proceeded to open the brown cardboard box and found “eight plastic containers labeled [Dianabol] 5mg, 100 tablets, [and] one plastic container labeled methyltestosterone 25mg, 100 tablets” wrapped in two bubble cellophane shipping bags.⁸⁹³ The agents also noted that there was no way to tell how the package arrived at UPS in the first place, as there was “no record of it” in the system, and “no postage or shipping reference [number].”⁸⁹⁴ Having been briefed on the situation, Degan directed UPS to follow the usual protocols of locating the shipper and returning the package as undeliverable, but to contact him before doing so. On 31 January, Degan and an unnamed FBI Special Agent attempted to locate the return address listed on the packing label; 60B Ozone Court, in Venice, California. When the two arrived on Ozone Avenue they observed “the last and highest [street] numbers only reached 59,” and that “Ozone Court had an empty lot where number 60 should have appeared.”⁸⁹⁵ In a wonderful yet tragic irony, Duchaine had generated evidence for the task force by mislabeling a shipment of his mislabeled counterfeit steroids.

The affair signaled a turning point in the investigation, and at last gave the task force probable cause to probe further into Duchaine’s misdeeds. On 5 February the SA forwarded a briefing on the present status of the investigation to Richard T. Bretzing, the FBI’s Special Agent in Charge (SAC). After reviewing the new evidence Bretzing penned a letter to the Chief Postal Inspector in San Bruno, requesting “an initial thirty-day mail surveillance” on Duchaine for the purpose of identifying “customers and suppliers doing business with [him].”⁸⁹⁶ The “mail cover” was officially approved in a return letter dated 3 March, authorizing federal agents to track and intercept all items mailed to any of the six post office boxes to which his mail-order “firms” had

⁸⁹³ FBI Memorandum in reference to case no. 46A-12320, 31 January 1986.

⁸⁹⁴ Ibid.

⁸⁹⁵ Ibid.

⁸⁹⁶ Richard T. Bretzing in letter to Regional Chief Postal Inspector, 20 February 1986.

been linked.⁸⁹⁷ Curiously, Bretzing's note mentions nothing about gathering further evidence against Duchaine, which might suggest investigators had all-but sealed the case and were using him to gather intel on other distributors. Bretzing writes, "[Duchaine] has been identified as a... black market distributor... at present the investigation is attempting to identify [individuals] doing business with [him]."⁸⁹⁸ Nevertheless, the mail surveillance breathed new life into the investigation. In the five months that followed, the task force expropriated thousands of dollars worth of checks, money orders, and order forms from all over the United States.⁸⁹⁹ Seizing these items proved crucial, as each envelope contained evidence that could be linked directly to Duchaine.

If the guru had yet to ascertain he was the focus of a criminal investigation, it became crystal clear in the coming months. By the early spring his partnership with Jenkins was proving to be a proverbial double-edged sword, one that brought both high reward and serious risk. With his mail now subject to search and seizure, and a rapidly expanding customer base thanks to the Tijuana source, Duchaine was more exposed than ever. The second supply line produced higher profits by way of a larger customer base, but created a heightened risk through more frequent use of the mail. Indeed, Duchaine and Dillon had retained their European source, and maintained the side business through at least August of 1986. It was business as usual, or so they thought.⁹⁰⁰ While the men reaped the spoils of their success in the spring and summer months, the task force gathered more intel on Duchaine, and set out to investigate new leads. Neither he nor Dillon had anticipated the increase in business had left a trail of breadcrumbs for hungry investigators already in hot pursuit.

⁸⁹⁷ Ibid.; in the letter Bretzing refers to Duchaine's businesses in this way.

⁸⁹⁸ Ibid.

⁸⁹⁹ Federal Bureau of Investigation, "Search Inventory," file no. LA-46A-12320, 9 September 1986.

⁹⁰⁰ Eisendrath, "Confessions of a Steroid Smuggler," 16.

Within two weeks of obtaining the mail cover for Duchaine, federal investigators began tracking his movements. In *Steroid Nation*, Zumpano provides a brief anecdote of a car trip he and “the guru” took together that March, during which he noticed his old friend was looking suspiciously in the rear-view mirror at what he suspected was police surveillance.⁹⁰¹ Later that day Duchaine drove to a store in Venice to access one of his mailboxes, and upon his arrival, was greeted with a “grim look” from the owner.⁹⁰² Without speaking a word, the man directed Duchaine’s attention to his knuckles, which bore the letters “F-B-I,” a warning that authorities were watching.⁹⁰³ Earlier that day, task force agents burst into the store wielding search warrants, and had been laying in wait for Duchaine’s arrival. Also interviewed in *Steroid Nation*, Dillon recalled his partner urged him to “move whatever steroids he had on hand” out of his house in a telephone conversation that evening.⁹⁰⁴

Notwithstanding the wealth of evidence documenting Duchaine’s misdeeds, federal agents had been unable to recover any significant quantities of anabolic steroids in his possession. The first nine months of the investigation had largely been devoted to small sting operations, following paper trails, and general information gathering, and could not progress further without additional field surveillance. Indeed, in a memo dated 24 July 1986 an FBI task force agent informed Bretzing it was “essential to the case [that investigators locate] warehouses, lockers, residences... where the steroids are... stored, and distributed from,” and that “complete surveillance [was] necessary” to obtain sufficient probable cause to execute search warrants.⁹⁰⁵ Incidentally, just seventeen days earlier Duchaine had mailed a sizeable shipment of anabolic

⁹⁰¹ Michael Zumpano interview in Assael, *Steroid Nation*, 18.

⁹⁰² Ibid.

⁹⁰³ Ibid.

⁹⁰⁴ William Dillon interview in Assael, *Steroid Nation*, 18.

⁹⁰⁵ FBI Special Agent in letter to Richard T. Bretzing, “Daniel R. Duchaine,” 24 July 1986.

steroids, and a supply of the thyroid hormone Cytomel, to Indianapolis.⁹⁰⁶ To remedy the situation Bretzing invited the U.S. Customs Service to join the task force, a maneuver that increased the number of agents on the ground and supported existing field operations.⁹⁰⁷

Within a week the FBI had several undercover teams tracking Duchaine. In the late afternoon on 1 August agents witnessed him retrieving “several small packages” from Wilson Postal in Marina Del Ray, CA., then placing them in the rear compartment of his Honda motor scooter. An FBI briefing submitted two weeks later notes Duchaine appeared to be “surveillance conscious,” was “driving very slowly,” and at one point “made an erratic U-turn and proceeded to follow one of the surveillance vehicles.”⁹⁰⁸ A week later investigators tracked him to a postal outlet the FDA was using for yet another sting operation, and noted he “picked up the [FDA’s] order” enclosed in an Express Mail envelope, and sped away from the scene.⁹⁰⁹ The following week Duchaine was spotted in a maroon Chevrolet on Arizona Avenue in Santa Monica, directly adjacent to a private postal facility where he was known to keep a mailbox.⁹¹⁰ While the additional surveillance proved useful in discerning his everyday routine, and added to the body of evidence in the case, agents had yet to pinpoint the location of his anabolic steroid repository. In view of Zumpano’s anecdote, and the countermeasures Duchaine took to avoid being followed, it may have been hypervigilance that kept investigators at bay. Nevertheless, on 21 August task force agents obtained a search warrant for sixteen pieces of mail seized and found more than \$3,000 worth of money orders, all itemizing the names and prices of anabolic steroids, that ostensibly, were in the guru’s possession.⁹¹¹

⁹⁰⁶ United States of America v. David Jenkins et. al., 38.

⁹⁰⁷ Richard T. Bretzing in letter to the United States Customs Service, 8 July 1986.

⁹⁰⁸ FBI briefing transcription, 15 August 1986.

⁹⁰⁹ Affidavit of Special Agent John Doe, 5.

⁹¹⁰ FBI briefing transcription, 14 August 1986.

⁹¹¹ FBI briefing transcription for mail search, 18 September 1986; and “Search Warrant on Written Affidavit,” 28 August 1986.

“It’s Gotten Too Hot Here. I’m Getting Out.”

Meanwhile, Dillon was encountering problems of his own. In early August, U.S. Customs agents performed a routine check on a package from Duchaine’s European source and discovered a cache of anabolic steroids. According to Halpern, on 10 August “[federal agents] began monitoring the post office box” listed on the packing label, and observed Dillon making regular pickups over a nine-day period.⁹¹² After trafficking steroids in anonymity for ten months, the young bodybuilder was now a person of interest for federal authorities. Around this time, as Dillon later recalled, a beige sedan began tailing him through the streets of Venice, a not-so furtive attempt to track his daily activities. Indeed, after a regular visit to the mail facility on 19 August the vehicle once again loomed behind his white scooter. By Dillon’s account, he escaped through a partially-blocked alleyway then proceeded to circle the block and pull up behind the sedan. Without uttering a word, he “gave a slight wave” to the two suited agents seated in front.⁹¹³

Like Duchaine, the Illinois native was now a marked man. According to Halpern, federal agents were able to link Dillon’s license plate number to an address near Culver City, and the next day, confronted him with a search warrant at his home on National Boulevard. Months earlier, after Duchaine’s distressed phone call, he had arranged to store the bulk of his inventory in several off-site locations, and thus, the search turned up nothing. However, investigators had obtained a second warrant for the home of Vito Elefante, a neighborhood friend hired by Dillon to store and ship anabolic steroids.⁹¹⁴ As the two men watched from lawn chairs not far away, agents from both the task force and the Los Angeles Police Department (LAPD) unearthed a

⁹¹² Philip Halpern in interview with author, 24 August 2019.

⁹¹³ Assael, *Steroid Nation*, 18.

⁹¹⁴ United States of America v. David Jenkins et. al., 15; and Assael, *Steroid Nation*, 18-19.

stockpile of black market drugs, counterfeit pharmaceutical labels, and customer records hidden in Elefante's garage. Perhaps the most vital piece of evidence found on the scene, for the first time, pointed to a connection between Dillon and Duchaine. As part of affidavit testimony several weeks later, an FBI agent on the scene noted, "while conducting the search... in [this] investigation [that was] believed to be unrelated to [Duchaine] I found a handwritten note with [the] letterhead OEM Publishing," a name under which Duchaine was still selling anabolic steroids.⁹¹⁵

With poise worthy of a seasoned criminal, Dillon stayed level-headed and tight-lipped. When agents proceeded to ask questions about the items recovered, according to Dillon, he feigned indifference and acted as though he was only a small-time operator.⁹¹⁶ The ruse appeared to work, or at least it seemed so. The drugs and phony labels were confiscated, but neither he nor Elefante were arrested. Halpern was hatching a scheme of his own, however, and had made certain that Dillon remain a free man. "I was [only] trying to get his attention by [ordering a search] of his place. I thought maybe he'd panic," explained the attorney, "we knew there were big distributors out there, and we figured maybe [he] could lead us to them."⁹¹⁷ Shortly after the incident, according to Dillon, he placed a call to Duchaine announcing his retirement from the trafficking game. "It's gotten too hot here," he said, "I'm getting out."⁹¹⁸ Duchaine's response was insightful if not prescient. "Just as well," he advised, "if it gets nasty, you wouldn't be good at it."⁹¹⁹

⁹¹⁵ Affidavit of Special Agent John Doe, 5-6.

⁹¹⁶ Assael, *Steroid Nation*, 19.

⁹¹⁷ Philip Halpern in interview with author, 24 August 2019.

⁹¹⁸ Assael, *Steroid Nation*, 19.

⁹¹⁹ Ibid.

THE STRONGMAN'S BODYGUARD

The events that unfolded in the summer of 1986 signaled the beginning of the end for the trafficking ring. Degan, Halpern, and their FBI counterparts were now convinced Duchaine and Dillon were major players in the black-market steroid trade, and kept them under heavy surveillance as the investigation wore on. Nevertheless, Duchaine's movements in late 1986 are not well-documented, perhaps an indication he was maintaining a low profile. Dillon, on the contrary, seemed to proceed as though the ransacking of his home was merely a bad dream. While in later interviews he maintained the incident in August prompted him to move to San Diego and quit the business altogether, if he did so, it was for no more than a few weeks.⁹²⁰ Fearful that federal agents would spot him handling steroids or money, the twenty-six-year-old took on the role of telephone sales-broker, no longer serving as Jenkins' foot soldier. According to a document from the U.S. Attorney's Office, Dillon was involved in at least fifteen lucrative anabolic steroid transactions in October and November that year, and pocketed a tidy \$4,000 in commissions. Further, he and Jenkins traveled to Mexico several times from September to December, and on at least one occasion, met with Macklis to discuss the prospect of Dillon becoming the American liaison for Laboratorios Milanos.⁹²¹ As he and Jenkins increased their customer base and profits in the early fall, Halpern bided his time. In late October the attorney obtained a "special court order" that allowed federal agents to "listen-in [on] and track all incoming and outgoing calls" from Dillon's phone.⁹²²

Duchaine also opted to leave the trafficking ring that fall. The timing could not have been worse for Jenkins, whose operation was beginning to crumble underneath him. Customs agents

⁹²⁰ See for reference Assael, *Steroid Nation*, 19; and Eisendrath, "Confessions of a Steroid Smuggler," 16.

⁹²¹ United States of America v. David Jenkins et. al., 15-19.

⁹²² Philip Halpern in interview with author, 24 August 2019.

were intercepting steroid shipments in increasing numbers, and inventory was running thin.⁹²³ To keep the business afloat, and most importantly minimize risk, he and Dillon recruited five major U.S. distributors; existing customers with a history of ordering in bulk.⁹²⁴ As for Duchaine, it is unclear if he carried on in the mail-order drug business. A recorded telephone conversation with Dillon, on one hand, suggests he had retired for good. With task force agents listening attentively, Dillon called Duchaine in late October to entice him into rejoining the business. It was to no avail. Quoted in a *Los Angeles Times Magazine* article titled, “Confessions of a Steroid Smuggler,” Duchaine told his old friend, “I feel... like someone who’s... 50 years old... 15 years early.”⁹²⁵ An FBI surveillance log, however, cites a dubious incident that might indicate he was still active. On 30 December 1986 agents observed Duchaine driving away from a mailing facility in “a maroon Chevrolet at 9:25am,” and noted, “the trunk of the vehicle was open, and boxes could be seen inside.”⁹²⁶ They proceeded to follow him for ten minutes to Marina Redwood Self Storage, where Duchaine “unloaded the boxes... and entered the storage facility.”⁹²⁷ Five weeks later, he moved to the San Francisco Bay Area to work as a nutritional consultant for Champion Nutrition, a vitamin business Zumpano founded three years earlier.⁹²⁸ While it remains in doubt exactly what “the guru” was doing after extricating himself from the

⁹²³ United States of America v. David Jenkins et. al., 18; the “Overacts” section of the federal indictment cites the high frequency of packages that were going missing compelled Jenkins, Dillon, and Macklis to meet at the Hotel Embarcadero in San Diego sometime in mid-November.

⁹²⁴ Ibid., 20.

⁹²⁵ Eisendrath, “Confessions of a Steroid Smuggler,” 16.

⁹²⁶ Federal Bureau of Investigation briefing transcription, 8 January 1987.

⁹²⁷ Ibid.

⁹²⁸ Federal Bureau of Investigation memorandum, 9 March 1987; and Assael, *Steroid Nation*, 22; for comments on Zumpano and the origins of Champion Nutrition, see “RGXLife.com and Champion Nutrition Form Strategic Content Partnership,” *Business Wire*, accessed 3 March 2020, www.businesswire.com/news/home/20070426005631/en/RGXLife.com-Champion-Nutrition-Form-Strategic-Content-Partnership.

trafficking ring, one thing is for certain: Halpern's case was already signed and sealed, and ready for delivery.

As it happened, Halpern's ploy to gain access to major distributors through Dillon proved more complicated than expected, but ultimately produced a promising lead. "I never once heard him [say] anything incriminating over the phone," Halpern recalled, "we had to go through... his phone records and [obtain] surveillance for his contacts... and hope they [would be] less discrete."⁹²⁹ At some point in early-to-mid-December of 1986 federal agents monitored a phone call from Toivol Mansen, a Florida bodybuilder to whom Dillon and Jenkins had sold more than \$50,000 worth of anabolic steroids in the preceding two months. Detailed in a federal indictment filed six months later, Mansen phoned Dillon to broker a deal for "\$55,000 [worth] of counterfeit steroids," and on 18 December the men flew to San Diego to rendezvous with Jenkins, whose identity had yet to be ascertained by law enforcement.⁹³⁰ Mansen was assuredly just a middleman, but his connection to Dillon presented an opportunity by way of friend and former boss Larry Pacifico. The forty-one-year-old powerlifter had been arrested for steroid trafficking in July of 1986, and as part of his plea agreement, agreed to assist Degan with the investigation the following January.⁹³¹ In an auspicious turn of events, less than two weeks later Jenkins selected Mansen as one of his five main U.S. distributors, meaning the Miami resident would deal directly with Dillon on a regular basis.⁹³² According to Gary Neal, a special agent for the USCS, at Degan's behest, Pacifico arranged a meeting between his "bodyguard" and Mansen to discuss a sizeable purchase of anabolic steroids.⁹³³ Unbeknownst to Mansen, the man was

⁹²⁹ Philip Halpern in interview with author, 24 August 2019.

⁹³⁰ United States of America v. David Jenkins et. al., 16-18.

⁹³¹ Assael, *Steroid Nation*, 20; and Eisendrath, "Confessions of a Steroid Smuggler," 46.

⁹³² United States of America v. David Jenkins et. al., 20.

⁹³³ In Eisendrath, "Confessions of a Steroid Smuggler," 47, Neal's affidavit serves as the main source of information for this narrative.

actually an undercover USCS agent named Robert Hastie, whom Degan had thoroughly prepared prior to the operation. They met at Mansen's Miami apartment on 15 March to discuss the transaction, which Halpern recalled was for "around \$250,000."⁹³⁴ The timing could not have been better. In early 1987, Dillon and Jenkins had been masterminding the largest single transaction of all-time: \$570,000 worth of anabolic steroids to be purchased by their five main distributors.⁹³⁵ Smuggling small loads had grown far too risky. Amid a series of failed border-crossings, and the arrests of loyal company men, Macklis nearly resigned from the operation in February.⁹³⁶

Satisfied that Hastie was a serious customer, Mansen introduced him to Dillon. On 17 March the trio met at the Dana Inn in San Diego's posh Mission Bay area to discuss logistics. Eschewing the cautious phone manner that served him well in months past, Dillon told the undercover agent all about Jenkins and the Mexican connection, and the life of crime he had led for more than two years. In a later interview for the *Los Angeles Times*, Dillon noted that during one such conversation he bragged about earning "\$750,000 in the past two years dealing steroids" to bait "Mansen and Hastie [into making] a large purchase that would net [him] \$50,000."⁹³⁷ The only problem was Hastie did not have \$250,000 to spend, as the task force first needed confirmation that the deal would proceed as planned. As Halpern explained in a 1988 interview for *Los Angeles Times Magazine*, "[the task force] wasn't about to give him \$250,000 of the government's money to hand over to [Jenkins]."⁹³⁸ In fact, federal officers were standing

⁹³⁴ Philip Halpern in interview with author, 24 August 1987.

⁹³⁵ *United States of America v. David Jenkins et. al.*, 20; and Eisendrath, "Confessions of a Steroid Smuggler," 47; the exact value of the transaction has been disputed by several co-conspirators. Fifteen months after the fact Dillon claimed the amount pooled together was \$600,000, but the federal indictment against him cites the figure as \$500,000.

⁹³⁶ *United States of America v. David Jenkins et. al.*, 20-21.

⁹³⁷ Eisendrath, "Confessions of a Steroid Smuggler," 47.

⁹³⁸ *Ibid.*; Halpern's claim is corroborated by Customs agent David Shaw in an interview two months later. See for reference Kaufman, "Hurricane's Strength Coach," *The Tampa Bay Times*, 22 May 1987.

by with the funds pending confirmation that the deal was moving forward.⁹³⁹ As a stall tactic Hastie convinced them it was vital that he first understand how the operation worked before making such a large purchase. Dillon obliged, deciding they would first travel to Tijuana to deliver a first installment of \$200,000 pooled together from Mansen and the other distributors, a trial run of sorts.⁹⁴⁰ In the meantime, according to Halpern, “[Degan] was making... sure Customs agents were in the loop [to ensure] the deal went without a hitch.”⁹⁴¹

In the early morning of 20 March, the men arrived at the Hotel Fiesta Americana. Mansen presented Jenkins with two brown paper grocery bags filled with money, and in return, was given the key to a U-Haul truck parked just across the border. According to Degan, Jenkins had arranged for the load to be smuggled separately, and for the truck to be parked outside the Dana Inn where Dillon had been laying in wait. This meant the pair had to cross the border, unload the truck, then return to Tijuana with \$370,000; Hastie’s total contribution, plus the remaining \$120,000 from Mansen and his associates.⁹⁴² After returning to the U.S. the men located the truck in the hotel parking lot, then proceeded to unload its contents into the Toyota pickup truck of Mansen’s friend and business partner Dennis Motte, who couriered the drugs to a residence in San Clemente the following day.⁹⁴³

Now that it appeared the deal was on, Degan placed \$250,000 in a safe deposit box at a bank in San Ysidro, not far from the U-Haul. En route back to Tijuana, Hastie collected the money, pooled it with the \$120,000, then set off with Mansen for a second meeting with Jenkins.

⁹³⁹ Assael, *Steroid Nation*, 21.

⁹⁴⁰ Bill Ott, “U.S. Indicts Ex-Track Star, 33 Others for Steroid Smuggling,” *The San Diego Union-Tribune*, 22 May 1987; and *United States of America v. David Jenkins et. al.*, 21; in a later interview Jenkins disputes this amount, asserting it was closer to \$100,000. See for reference Eisendrath, “Confessions of a Steroid Smuggler,” 47.

⁹⁴¹ Philip Halpern in interview with author, 24 August 2019.

⁹⁴² Dennis Degan in interview for Assael, *Steroid Nation*, 21; and Eisendrath, “Confessions of a Steroid Smuggler,” 46-47.

⁹⁴³ *United States of America v. David Jenkins et. al.*, 22.

This time, however, things did not go as smoothly. Degan had instructed Customs agents to ask Hastie if he was carrying more than \$10,000, and when he said “no,” to search his bag anyway. What followed was nothing short of an Academy Award-winning performance. As agents put them in handcuffs Hastie proceeded to maniacally scream at Mansen, accusing him of being a federal informant. Carrying on with the show, the two were finger-printed, photographed, and interrogated by Customs agents, and all the while Hastie continued with his haranguing. The money was confiscated and both men were released several hours later, but not before, according to Degan, “word [had] hit the street that the whole thing had been Dillon’s rip-off plan.”⁹⁴⁴ Indeed, while the impetus behind the operation was to gather more intel on Dillon and Jenkins, there was an unexpected upshot: Mansen and the other four distributors were convinced Dillon had bamboozled them, or set them up at the very least. “It went better than we expected,” Halpern recalled in a 2019 interview, “Jenkins... and the other [co-conspirators] were demanding their money... [Dillon] was seriously unnerved. It was too much for him [and] he cracked.”⁹⁴⁵ The situation grew worse when several days later Customs agents raided the San Clemente house where Motte had stored the contents of the U-Haul. The next day Dillon met the same fate. “After that,” he said in a later interview, “I decided to get a lawyer,” who contacted Halpern shortly thereafter.⁹⁴⁶ It appeared Duchaine was right. The “nasty” situation was too much for Dillon to bear.

⁹⁴⁴ For Degan’s comments and details of the incident see Assael, *Steroid Nation*, 21; for further details see Eisendrath, “Confessions of a Steroid Smuggler,” 47.

⁹⁴⁵ Philip Halpern in interview with author, 24 August 2019.

⁹⁴⁶ Eisendrath, “Confessions of a Steroid Smuggler,” 48; and Assael, *Steroid Nation*, 22.

THE INFORMANT

Early that spring, a beleaguered Dillon and attorney John Clearly drove to Halpern's San Diego office to negotiate his surrender. Despite the fact that the Illinois native had key information about the distribution network, and had dealt with Jenkins on a regular basis, he had little in the way of leverage. Dillon was now fighting a two-front war with federal agents and his former colleagues, and thanks to Hastie's first-rate undercover work, had divulged enough information to earn a lengthy prison stay. There was a palpable smell of blood in the water, and Halpern aimed to strike while the getting was good. "Up until [that point] I had not been successful in turning [other] guys smuggling into informants," he explained, "but I thought... 'well maybe I have a shot with Dillon.'"⁹⁴⁷ Without any assurance of leniency or a formal plea agreement on the table, Dillon agreed.⁹⁴⁸

For the U.S. Attorney, it was vital that he first gain an understanding of how the trafficking ring functioned, and perhaps more so, learn the identity of its mastermind. Most of his questions were answered over the course of several meetings with Dillon in late March. "To start I asked Dillon, well how does this work," said Halpern, "and he said he was in charge of one [customer base] in the network... and was told [over] the phone where to meet the smugglers when loads came in."⁹⁴⁹ For hours Dillon poured over details of the operation's early stages, his relationship with Duchaine, and personal dealings with clients, but was more reticent when it came to giving up Jenkins, Halpern's proverbial white whale in the investigation. "[Jenkins] was clearly very very smart...and organized and detailed... I wanted to catch him," Halpern declared, "at one point I asked [Dillon] who was organizing everything... [Dillon] told me [he] only knew

⁹⁴⁷ Philip Halpern in interview with author, 24 August 2019.

⁹⁴⁸ Eisendrath, "Confessions of a Steroid Smuggler," 48.

⁹⁴⁹ Philip Halpern in interview with author, 24 August 2019.

him as Mr. X.”⁹⁵⁰ Mindful that nothing short of full cooperation could keep him from doing serious prison time, Dillon later acquiesced and gave his former boss’s name. The young attorney was rendered speechless. Halpern was once a “reasonably good” track athlete in his own right, and had raced competitively while attending Cambridge University in the early 1980s, not far from Jenkins’ training base in England.⁹⁵¹ “I thought, “is this the same David Jenkins?”... It took me right back to England and the track and field scene there,” he reminisced, “now that we knew who he was... it was just a matter of [catching] him.”⁹⁵²

Dillon was proving himself indispensable to the investigation. His knowledge of the operation’s inner-workings allowed officers to track Jenkins’ movements, and alerted Halpern to the fact that “[Jenkins] was planning on fleeing the country” that spring.⁹⁵³ In the spring of 1987, Dillon recorded telephone conversations with Duchaine and Jenkins for the purpose of baiting them into making incriminating statements. In a 1988 interview for *Los Angeles Times Magazine*, Dillon claimed to have inveigled his former partners into bragging about the money they earned over the years, and listened intently as Jenkins described the \$570,000 deal that went awry in March.⁹⁵⁴ According to the article’s author, John Eisendrath, Dillon insisted “the authorities already had enough information” on his former partners, which in Duchaine’s case was indubitable. Less than one week before Dillon turned himself in, an FBI Special Agent forwarded Degan’s case summary on Duchaine to the Bureau’s headquarters in Los Angeles and the DOJ office in Washington. The ten-page document contained a compendium of damning evidence, including witness statements, dozens of seized packages containing drugs and money

⁹⁵⁰ Ibid.

⁹⁵¹ Ibid.

⁹⁵² Ibid.

⁹⁵³ Mark Evie, “A Former British Olympian Who Allegedly,” *United Press International*, 9 July 1987.

⁹⁵⁴ Eisendrath, “Confessions of a Steroid Smuggler,” 48; the fact that Dillon was doing this for the task force is corroborated in Assael, *Steroid Nation*, 43, and by Halpern.

orders, and surveillance logs from task force agents.⁹⁵⁵ Indeed, according to Halpern, Duchaine was “picked off separately” from the others, and “[his] case was “a done deal” by late March.⁹⁵⁶ Perhaps it was just as well. The guru was in ill health and had fallen into a state of depression after joining Zumpano in San Francisco. In a 2019 interview, his friend and former research assistant Bruce Kneller noted that, at this point, “the guru” was “hopelessly addicted to Nubain,” an opioid analgesic with a high potential for both abuse and dependence.⁹⁵⁷

After a near nineteen-month investigation the task force devised the ultimate grand-finale to seal the case against Jenkins. By Halpern’s account, sometime in mid-April he and Degan organized what he termed a “buy bust;” a sting operation for which Dillon would broker a steroid deal lucrative enough to catch his former boss in the act.⁹⁵⁸ “In order to get him we had to organize a sufficiently large load,” Halpern explained, “and [to ensure] he was personally involved [we] knew it had to [be] for several hundred thousand dollars.”⁹⁵⁹ The operation played out as follows: first Dillon tracked down a client interested in buying a large quantity of anabolic steroids, which incidentally was for \$170,000. As per Halpern’s instructions, he then phoned Jenkins to present him with the opportunity. The Scot not only agreed to the deal but carried on with a detailed plan for how to execute it.⁹⁶⁰ The “mastermind” of the smuggling ring had bought it: hook, line, and sinker.

⁹⁵⁵ FBI Special Agent in memorandum to FBI Special Agent in Charge, 31 March 1987.

⁹⁵⁶ Philip Halpern in interview with author, 24 August 2019; further evidence of this appears in FBI Los Angeles teletype correspondence to FBI Director, 13 February 1987. In fact, the message notes that Duchaine would have been arrested and prosecuted sooner if not for a scheduling conflict with the lead prosecutor.

⁹⁵⁷ Bruce Kneller in interview with author, 3 August 2019; for Nubain’s addictive properties, see Karen McElrath and Dominic Connolly, “Nalbuphrine (Nubain): Non-Prescribed Use, Injecting, and Risk Behaviors for Bloodborne Viruses,” *Contemporary Drug Problems* 33 (2006): 322-324.

⁹⁵⁸ Philip Halpern in interview with author, 24 August 2019.

⁹⁵⁹ Ibid.

⁹⁶⁰ Ibid.

The operation was set for 27 April in San Diego. First Dillon rendezvoused with Jenkins, then met his unsuspecting client at the Hyatt Hotel in Pacific Beach where federal agents were standing by. This time there were no undercover Customs agents involved, which meant Dillon had to wear a “wire,” a hidden microphone through which federal agents could listen to and record the exchange. Jenkins was none the wiser, nor had he noticed that surveillance teams had also been watching him for nearly a month.⁹⁶¹ On the way to the Hyatt, Dillon made a quick detour to meet the Flying Scotsman, who handed him the key to a U-Haul truck full of smuggled steroids, then returned to his home north of the city. With guile equal to that of his counterpart, Halpern had instructed Customs agents days earlier to allow the cache of drugs a safe pass through the border, making certain they could be linked to Jenkins. “I wanted to follow one of the [steroid] loads,” Halpern explained, “and ultimately that’s how we [caught] Jenkins... by observing him at the [crime]scene.”⁹⁶² Indeed, the next day Degan and several FBI agents arrested Jenkins at his home in Oceanside, CA, then transported him directly to the Metropolitan Correctional Center (MCC) in downtown San Diego.⁹⁶³ The deal in Pacific Beach also went as planned. Federal agents apprehended the buyer seconds after he greeted Dillon in the hotel’s lobby, and confiscated the \$170,000. For appearances, according to Halpern, they also “fake arrested” Dillon, whose cooperation had not gone unnoticed.⁹⁶⁴

⁹⁶¹ Ibid.

⁹⁶² Ibid.

⁹⁶³ William Polk, “U.S. Indicts 34 in Sports Steroid Smuggling Ring,” *The San Diego Union-Tribune*, 21 May 1987; and Davis, “Athletics,” *The Times* (London), 22 May 1987.

⁹⁶⁴ Philip Halpern in interview with author, 24 August 2019; and Eisendrath, “Confessions of a Steroid Smuggler,” 50.

“THESE GUYS WEREN’T HARDENED CRIMINALS”

“At this point, we’ve taken apart the entire distribution network as we know it,” U.S. Attorney Peter Nunez declared after Jenkins’ arrest.⁹⁶⁵ Indeed, with its ring-leader and supply source excised from the equation, there was nothing left of the criminal enterprise. At his arraignment Halpern presented evidence of his plot to flee the country, compelling U.S. Magistrate J. Lawrence Irving to withhold bail pending a preliminary hearing.⁹⁶⁶ For nearly a month the former “Golden Boy” of Scottish athletics sat idle at MCC, a living incarnation of the archetypal fallen hero in classical literature. At his preliminary hearing on 26 May, Jenkins pled “not guilty” to the thirty-six criminal charges brought against him, including conspiracy to defraud the U.S. government, introducing misbranded drugs into interstate commerce, and illegally importing drugs without a license, all proscribed under the FDCA.⁹⁶⁷ Clad in a prison-issue navy blue jumpsuit, according to *The Times*, Jenkins stood motionless with his hands clasped behind his back for the duration of the fifteen-minute hearing.⁹⁶⁸ Outside the courtroom his attorney Robert Grimes told reporters, “it’s never been alleged that [Jenkins] was personally in possession of steroids... it should be pointed out that [he] was not involved with any controlled substances, such as cocaine or Valium.”⁹⁶⁹ There was indeed a distinction to be made. Cocaine and Valium were both codified under the CSA, respectively as Schedule II and IV drugs, and anabolic steroids were not.⁹⁷⁰ Halpern framed things quite differently in a 22 May press conference:

⁹⁶⁵ Murray, “Authorities Smashed a Steroid,” *United Press International*, 21 May 1987.

⁹⁶⁶ “Athlete Pleads Innocent to Steroid Smuggling,” *United Press International*, 26 May 1987.

⁹⁶⁷ *United States of America v. David Jenkins et. al.*, 11-43; at least one source alleges that in addition to the FDCA violations, Jenkins was charged with “conspiracy to collect credit by extortionate means,” and “extortion,” however, the above federal indictment suggests otherwise. See for reference “Athlete Pleads Innocent,” *United Press International*, 26 May 1987.

⁹⁶⁸ “Jenkins in Jail After Court Appearance,” *The Times* (London), 27 May 1987.

⁹⁶⁹ Polk, “U.S. Indicts 34,” *The San Diego Union-Tribune*, 21 May 1987.

⁹⁷⁰ The Controlled Substances Act of 1970, article 812 (A-C); no changes were made to the drugs’ classification theretofore.

“Jenkins is the number one defendant in [this case] and was one of the masterminds behind the conspiracy.”⁹⁷¹

On 20 May 1987 Halpern and colleague Phil Nunez filed a 110-count grand jury indictment against thirty-four members of the trafficking ring, the first public dissemination of the affair.⁹⁷² Jenkins, Duchaine, and Dillon were listed among dozens of defendants alleged to have played a role in the steroid outfit, and if convicted, faced serious jail time. The forty-page document enumerated a timeline for the alleged criminal acts carried out over a fifteen-month period, and the legal bases for how they contravened FDCA legislation. Its unsealing on 21 May, and the revelation of a “100 million dollar black market” for anabolic steroids, incited a media frenzy in news outlets around the United States and abroad.⁹⁷³ Phrases like “serious medical complications,” “international smuggling ring,” and “counterfeit steroids” abounded in news articles, edifying readers of the dangers associated with the drugs’ prolonged use, and details of an underground economy to which few had been privy.⁹⁷⁴ As lead attorney, Halpern was tasked with prosecuting most of the defendants, and by extension, was sought out by what he estimated to be “hundreds of reporters” for further information on the case.⁹⁷⁵ In several interviews after filing the indictment, he revealed that, at its peak, the criminal enterprise was supplying an astonishing seventy percent of the anabolic steroids sold on the American black market. The

⁹⁷¹ Davis, “Athletics,” *The Times* (London), 22 May 1987.

⁹⁷² United States of America v. David Jenkins et. al., 43; the case against the trafficking ring remained confidential until the indictment was filed. In Alfano and Janofsky, “Weight on Black Market,” *The New York Times*, 18 November 1987 the writers describe the investigation as “little publicized,” but in actuality it was not made public until the indictment was unsealed on 21 May. This was affirmed by Philip Halpern in interview with the author.

⁹⁷³ United States of America v. David Jenkins et. al., 43; and Murray, “Authorities Smashed,” *United Press International*, 21 May 1987.

⁹⁷⁴ See for example William Polk, “Guilty Pleas Entered on Steroid Ring: 300,000 Bail Set for Accused Leader” *The San Diego Tribune*, 6 June 1987; Polk, “U.S. Indicts 34,” *The San Diego Union-Tribune*, 21 May 1987; and Murray, “Authorities Smashed,” *United Press International*, 21 May 1987.

⁹⁷⁵ Philip Halpern in interview with author, 24 August 2019.

attorney also advised reporters that, as of 25 May, federal agents were still in the process of locating twelve of the thirty-four co-conspirators.⁹⁷⁶

Of the dozen that remained at large, Duchaine was the most notable. In fact, his illegal activities, vis a vis the mail-order businesses and European connection, earned him a special section in the indictment. For his role in the conspiracy the guru was charged with introducing misbranded drugs into interstate commerce, conspiracy to defraud the U.S. government, and the improper labeling of prescription medications, totaling thirteen criminal counts.⁹⁷⁷ For nearly three years he had managed to escape prosecution, despite his brazen promotion of the John Ziegler Fan Club in muscle magazines and mail-order fliers. Around the time of Jenkins' preliminary hearing, Duchaine was arrested in Benicia, CA, a small Bay Area city forty-five minutes north of San Francisco, and taken to jail in a nearby county. While the incident garnered little media attention, a *San Diego Tribune* article the following week noted the arresting officers had recovered several unspecified weapons after detaining him, ostensibly for protection after a deal gone askew.⁹⁷⁸ As Jenkins' stint in jail approached the one-month mark, Duchaine was released on bail after less than twenty-four hours. For the second time in three months Zumpano came to the rescue, and this time he quite literally bailed his friend out, posting a \$25,000 bond the following day. Duchaine's freedom was short-lived. Interviewed for *Steroid Nation*, attorney Nancee Schwartz revealed that he was arrested for "steroid dealing" two weeks later while visiting a place that had become all-too familiar over the years.⁹⁷⁹ According to an FBI

⁹⁷⁶ For Halpern's comments see Christopher Reed, "Olympic Star's Co-Defendant Admits Steroid Plot," *The Guardian* (London), 12 June 1987; Seamus Milne and Christopher Reed, "Arrested Olympic Medallist Faces Drug Ring Charges," *The Guardian* (London), 23 May 1987; Alan L. Adler, "A Federal Indictment Charging 34 People," *The Associated Press*, 21 May 1987; and Anne Krueger, "Ex-Track Star Denies Aiding Steroids Ring," *The San Diego Union-Tribune*, 26 May 1987.

⁹⁷⁷ FBI Special Agent in memorandum to FBI Special Agent in Charge of Investigation, 11 June 1987.

⁹⁷⁸ Polk, "Guilty Pleas Entered," *The San Diego Union-Tribune*, 6 June 1987.

⁹⁷⁹ Assael, *Steroid Nation*, 43.

memorandum, federal agents apprehended Duchaine in the San Diego area on 9 June 1987, and by virtue of the fact he had resumed his criminal activities, was remanded on a “high bond” of \$300,000.⁹⁸⁰ Duchaine was not only reincarcerated for the same offense, but the San Diego trip was likely a violation of his bail conditions.⁹⁸¹

In a 2019 interview, Halpern described his approach to prosecuting Jenkins, Duchaine, and Dillon, and in general, his values as a prosecutor. In a 2019 interview he said:

I was really hoping [they] would accept plea bargains... these guys weren’t hardened criminals, but [they] had to learn a lesson... I would hope that most of the people I prosecute... when [it’s over] they respect me and think I was fair... if people you prosecute think you treated them fairly, then you were either fair, or gave them [a] good deal... it wasn’t because I like them necessarily. That doesn’t go into my calculation.⁹⁸²

The attorney was more than willing to negotiate plea agreements with all thirty-four co-conspirators, offering each of them reduced charges in exchange for cooperation. The only problem was no one obliged, at least not at the outset. Despite the fact Halpern and the investigative team had put together near impregnable cases against most of the men, the first twenty-two taken into custody entered “not guilty” pleas at their arraignments and remained tight-lipped.⁹⁸³ Dillon, of course, was not among them, and continued to assist prosecutors with building cases against his former partners. In an 11 June 1987 interview for *The Guardian*, attorney John Cleary confirmed that Dillon had entered guilty pleas on single counts of conspiracy to defraud the U.S. government, and the illegal importation of drugs without a license.⁹⁸⁴ According to Cleary, his client “just wanted to put the case behind him,” a gross

⁹⁸⁰ Ibid.; and Polk, “Guilty Pleas Entered,” *The San Diego Union-Tribune*, 6 June 1987.

⁹⁸¹ Bail conditions varied by jurisdiction and nature of the crime, but in most cases offenders like Duchaine were prohibited from traveling outside a pre-determined area (i.e. city, county, state, etc.) while awaiting trial. See for reference JoAnn M. Arkfeld, “The Federal Bail Reform Act of 1984: Effect of the Dangerousness Determination on Pretrial Detention,” *Pacific Law Journal* 19, no. 4 (1988): 1440.

⁹⁸² Philip Halpern in interview with author, 24 August 2019.

⁹⁸³ “Athlete Pleads Innocent,” *United Press International*, 27 May 1987; the article named only Jenkins among the “not guilty” pleas.

⁹⁸⁴ Reed, “Olympic Star’s Co-Defendant,” *The Guardian* (London), 12 June 1987.

understatement given the plight Dillon had suffered in the past three months. “No one regrets what happened more than me,” he told Eisendrath the following spring, “I gave up all my friends, and I can’t compete [in bodybuilding] anymore.”⁹⁸⁵ While his life had gone to pieces, as it turned out, assisting with the investigation provided the opportunity to start anew. In exchange for his cooperation, as Halpern recalls, Dillon kept himself out of prison and “was sentenced to straight probation because of his cooperation.”⁹⁸⁶

Likewise, Jenkins and Duchaine eventually struck deals with the U.S. Attorney’s Office, perhaps resigned to the fact their cases were problematic, at best. On 6 November 1987 Jenkins pled guilty to introducing misbranded drugs into interstate commerce, conspiracy to defraud the U.S. government, illegally importing drugs without a license, and receiving drugs subject to seizure.⁹⁸⁷ Unlike Dillon, the former track star was apparently unwilling to inculcate his partners in crime. In an interview for *The Times* three months later, Halpern indicated that Jenkins had been cooperating with authorities “to some extent” but was “not testifying on the record against... other members of the ring.”⁹⁸⁸ The remaining thirty-two charges were dropped as part of a plea agreement, which also stipulated that he acknowledge the extent of his involvement in the conspiracy in open court. Jenkins posted a \$75,000 bond and returned to Carlsbad, and a vitamin business torn apart by federal agents the past spring. In the coming months, the Olympic hero turned drug criminal spoke openly about the affair, and how a suggestion over lunch with friends had quickly spiralled out of control. The following year he told reporters, “I don’t think

⁹⁸⁵ Eisendrath, “Confessions of a Steroid Smuggler,” 48.

⁹⁸⁶ Philip Halpern in interview with author, 24 August 2019.

⁹⁸⁷ “Sentence in Steroid Case,” *The New York Times*, 13 December 1988; and “Sprinter’s Steroid Smuggling Sparks Seven-Year Sentence,” *The Toronto Star*, 13 December 1988.

⁹⁸⁸ Davis, “Operation Overlord,” *The Times* (London), 11 February 1988.

we thought beyond the casualness of what we were going to do... it was like an express train, there was no break. At least we couldn't [stop] it."⁹⁸⁹

Weary from years of looking over his shoulder, not to mention several stints in jail, Duchaine followed suit in the spring of 1988. In a hearing before the U.S. District Court in San Diego on 7 April, the now notorious guru of steroids entered guilty pleas on single counts of conspiring to defraud the U.S. government, and unlawfully distributing anabolic steroids.⁹⁹⁰ In exchange for dropping eleven of the criminal charges listed in the indictment, to Halpern's surprise, Duchaine agreed to testify against several co-conspirators in a related extortion trial the following October.⁹⁹¹ "Well, he must have been desperate," the attorney recounted in a 2019 interview, "he didn't seem like the kind of guy who would want to cooperate... I expected him to take his medicine."⁹⁹²

On 13 December 1988, Jenkins made the forty-mile drive back to San Diego Municipal Court for sentencing.⁹⁹³ Christopher Reed of *The Associated Press* described Jenkins as "unmoved" when Irving sentenced him to seven years in prison, a \$75,000 fine, and seven years probation.⁹⁹⁴ "You have earned this sentence," scolded Irving, "the message will get out... that the illegal trafficking of steroids in the United States will not be tolerated."⁹⁹⁵ Jenkins read a personal statement before Irving's ruling, and "unmoved" or otherwise, seemed to have gained perspective after waiting in limbo for thirteen months. Quoted in a late edition of *The Toronto Star*, he told the court, "I apologize to... the government for my actions... it was misguided,

⁹⁸⁹ Quotes from several of Jenkins' interviews with American journalists can be found in Patrick McDonnell, "Athlete Pushes Anti-Steroid Message," *The Times* (London), 28 October 1988.

⁹⁹⁰ FBI memorandum to FBI Headquarters in Los Angeles, 19 April 1988.

⁹⁹¹ United States of America v. Daniel Richard Duchaine, United States District Court of Southern California, criminal case no. 870491, December 1988; and FBI Headquarters memorandum to FBI Director, 3 May 1988.

⁹⁹² Philip Halpern in interview with author, 26 August 2019.

⁹⁹³ Ibid.

⁹⁹⁴ Christopher Reed, "Track Star Imprisoned for Dealing in Steroids," *The Globe and Mail*, 13 December 1988.

⁹⁹⁵ Ibid; and "Sprinter's Steroid Smuggling," *The Toronto Star*, 13 December 1988.

foolish, and as such I take responsibility.”⁹⁹⁶ After the proceedings wrapped, Halpern was swarmed by a throng of reporters seeking a juicy soundbite. The young attorney did not disappoint: “[Jenkins] was the creator of the biggest black market in this country, and perhaps the world... he has some fine attributes, but greed got in the way.”⁹⁹⁷ Following the proceedings Jenkins was taken directly to Boron Prison Camp, a minimum-security facility 115 miles northeast of Los Angeles.⁹⁹⁸

Two months later to the day, a war-torn – and hopelessly drug-addicted, according to friend and noted journalist Romano – Duchaine appeared in San Diego courts for sentencing. On the morning of 13 February 1989, Irving made good on his avowal that steroid trafficking “would not be tolerated,” sentencing Duchaine to three years in prison for the distribution charge, and five years probation and a \$15,000 fine for defrauding the government.⁹⁹⁹ After watching her client exit the courtroom in handcuffs, attorney Nancee Schwartz told reporters that she expected Duchaine would serve only ten months in prison, the minimum stay before he became parole-eligible. According to Assael, and a later article in *The San Diego Tribune*, he was released after approximately thirteen months.¹⁰⁰⁰

CONCLUSION

Altogether, the trio were charged with eighty-nine separate offenses, but in the end only Duchaine spent more than a year in prison. On 9 June 1989 Jenkins walked free after spending 319 total days behind bars, and only 178 days of his seven-year sentence. By today’s standards

⁹⁹⁶ “Sprinter’s Steroid Smuggling,” *The Toronto Star*, 13 December 1988.

⁹⁹⁷ Ibid.; and Reed, “Track Star Imprisoned,” *The Globe and Mail*, 13 December 1988.

⁹⁹⁸ Bill Ott, “Ex-Athlete’s Steroid Term is Reduced,” *The San Diego Union-Tribune*, 10 June 1989.

⁹⁹⁹ FBI memorandum to FDA Department of Health and Human Services, “Daniel Richard Duchaine Doing Business as OEM Publications: Fraud Against the United States Government,” 22 March 1989; and “Drugs: Steroid Sentence,” *The New York Times*, 15 February 1989.

¹⁰⁰⁰ Assael, *Steroid Nation*, 42; and “Steroid Guru Convicted Again,” *The San Diego Union-Tribune*, 18 April 1992.

the punishment was a proverbial slap on the wrist. The former 400 meter star was released in accordance with Rule 35(b) of the criminal code, which stipulates, “within one year of sentencing, a court may reduce a sentence if a defendant... provide(s) substantial assistance in investigating or prosecuting another person.”¹⁰⁰¹ In exchange for serving a mere one-fifteenth of his sentence, Jenkins agreed to testify in the ongoing extortion trials of several former business partners – the same case in which Duchaine was assisting prosecutors – and volunteer in the community. Detailing the latter in a *San Diego Union-Tribune* article the following day, columnist Bill Ott noted that Jenkins agreed to visit San Diego-area schools to educate “students about sport ethics and drug abuse,” a court-mandated lecture tour of sorts, and organize Special Olympics events. Whether by coincidence or perhaps Halpern’s athletics background, the Golden Boy was to perform four-hundred hours of community service, a fitting number for the champion quarter-miler.¹⁰⁰²

Even Jenkins, the architect and ring-leader of the operation, was willing to turn on former business partners for a lighter sentence. It seems Halpern’s view that “these guys weren’t hardened criminals,” is apropos, and evidenced in their behavior amid pressure from law enforcement. In a 28 October 1988 interview published in *The Times* – his sentencing date fast approaching – Jenkins revealed that “heat from law enforcement” had been a major source of anxiety that spring, and often kept him awake at night.¹⁰⁰³ Tensions at home reached a crescendo after his April arrest, and soon after, his wife moved out. “I wish I hadn’t done it,” he told

¹⁰⁰¹ Patti B. Saris, Charles R. Breyer, Dabney L. Friedrich, Rachel E. Barkow, William H. Pryor Jr., Michelle Morales, and J. Patricia Wilson Smoot, *The Use of Federal Rule of Criminal Procedure 35(b)* (Washington, D.C.: United States Sentencing Commission, 2002), 4.

¹⁰⁰² Ott, “Steroid Term is Reduced,” *The San Diego Union-Tribune*, 10 June 1989; while the “quarter-mile” distance has not been contested in international competition for some time, the term is still used colloquially in reference to the 400 meters.

¹⁰⁰³ McDonnell, “Anti-Steroid Message,” *The Times* (London), 28 October 1988.

journalist Robert McDonnell, “but you can’t change history.”¹⁰⁰⁴ Indeed, the Flying Scotsman lived in ignominy as the mastermind of an international drug smuggling ring, but in the coming years managed to find success with Next Nutrition, a cutting edge, next generation supplement company he launched in 1989.¹⁰⁰⁵ As for Dillon, he and his wife also separated shortly after the indictment was filed, capping off what was undoubtedly the worst year of his life. Within months, he told John Eisendrath in a 1988 interview, he was “contemplate[ing] suicide.”¹⁰⁰⁶ While there was no divorce to speak of for Duchaine, the strain of the investigation had left his life in shambles. In Assael’s words, he “had been on a slow, steady road to junkie oblivion” since the spring of 1988, spending his days holed up in his apartment high on Nubain and Valium, paranoid that investigators were closing in.¹⁰⁰⁷ Upon his release from prison in the spring of 1990, according to several sources, Duchaine reverted back to his old habits. In an interview for *Steroid Nation*, for instance, Romano recalled that he was injecting Nubain every morning and had added the weight-loss drug Fastin to his daily ritual.¹⁰⁰⁸

“My recollection is I didn’t try [any] of [the conspirators],” said Halpern in a 2019 interview, “every single person pled guilty.”¹⁰⁰⁹ The actions of Jenkins, Duchaine, and Dillon, and others involved in the trafficking ring speak volumes, and suggest that informing on fellow conspirators was an acceptable alternative to a lengthy stint in prison. Perhaps this should come as no surprise. This was a black market enterprise founded by a former Olympian, a mechanical engineer, and a Theatre Arts major; men unpracticed in coping with pressure from law

¹⁰⁰⁴ Ibid.

¹⁰⁰⁵ Newton, *Steroids and Doping in Sports*, 92.

¹⁰⁰⁶ Eisendrath, “Confessions of a Steroid Smuggler,” 48.

¹⁰⁰⁷ Duchaine’s attorney Nancee Schwartz in an interview for Assael, *Steroid Nation*, 43.

¹⁰⁰⁸ John Romano in interview for Assael, *Steroid Nation*, 61-62; and Bruce Kneller in interview with author, 3 August 2019; according to Kneller, Duchaine was under the impression that Nubain was a growth hormone-stimulating agent – an unsubstantiated rumor in the bodybuilding community at the time - and was “totally addicted to Nubain” for the duration of their friendship.

¹⁰⁰⁹ Philip Halpern in interview with author, 24 August 2019.

enforcement and the ultimate consequences of their actions. It was an impromptu and opportunistic alliance formed to capitalize on a void left in the market by government regulation. Unlike traditional organized crime syndicates like La Cosa Nostra or the Yakuza, there was no “omerta,” or “code of silence,” or a real or implied danger attendant to “ratting out” fellow members of the outfit.¹⁰¹⁰ Without these checks and balances the men had little reason to hold their silence, perhaps notwithstanding the moral dilemma inherent to betraying a friend or trusted partner. Given their behavior amid mounting pressure from federal authorities, this outcome is less than surprising.

What began with an informal discussion over dinner one evening spawned a criminal conspiracy of unprecedented size and scale, one which its three founders could not have foreseen. For all intents and purposes, the trio improvised a business model for smuggling and trafficking enormous volumes of anabolic steroids. Granted, Duchaine had imported small amounts from Europe in the past, but nevertheless, the men were inexperienced. As Jenkins explained to *Times* journalist Robert McDonnell, the trio had not “looked beyond the casualness” of their business arrangement, and in a matter of months, the operation was spiralling out of control.¹⁰¹¹ While this may have been the case, several key moments in the investigation resulted from circumstances that were well-within their control. For instance, after his home was raided by federal agents, Dillon carried on with dealing steroids as if nothing had happened. A more astute criminal would likely have taken extra measures to evade authorities, or an indefinite

¹⁰¹⁰ In Giovanni A. Travaglino, Dominic Abrams, and Georgina Randsley de Moura, “Men of Honor Don’t Talk: The Relationship Between Masculine Honor and Social Activism Against Criminal Organizations in Italy,” *Political Psychology* 37, no. 2 (2016): 185, the authors note “omerta has two salient dimensions. First, to display manliness, men are expected to be able to avenge offenses without the help of authorities and to avoid contact with police forces in every situation, including when they are victims of a crime. Second, individuals must display indifference toward others’ illegal activities. Those who collaborate with police, report a crime, or meddle in other people’s business lose value and respect from others and may even incur sanctions.

¹⁰¹¹ McDonnell, “Anti-Steroid Message,” *The Times* (London), 28 October 1988.

hiatus from all illegal activity. “I’d say most offenders [that are] familiar with the system would change their [modus operandi],” said California attorney Kelvan Howard in a 2019 interview, “they’d understand that if law enforcement can execute a search warrant [and] don’t arrest you... [that is] certainly not the end of it.”¹⁰¹² Ultimately Dillon’s ignorance, or perhaps carelessness, led to his arrest and role as an informant, which proved instrumental to the investigation.

For an operation of such complexity and scale, and the sums of money at stake, the smuggling methods employed were rather primitive. If the task force was correct in its valuation, Jenkins imported more than \$70 million worth of anabolic steroids over an eighteen-month period; thousands of pounds of drugs divided amongst at least thirty-three dealers nationwide.¹⁰¹³ Relative to more traditional or organized criminal networks, the methods of importation were sub-standard. The use of hollowed-out gas tanks, not to mention their concealment in smugglers’ clothing limited the size of each load, necessitating frequent return trips across the border. Each additional trip begot an increased likelihood of a search and seizure at the border, and potentially damning evidence in the hands of Customs agents. In a 1988 interview with *Times* journalist Ivor Davis, Halpern estimated that “at the peak of their activities smugglers would [courier]... five loads [per] day” every day of the week.”¹⁰¹⁴ Further, increasing numbers of shipments were being intercepted leading into 1987, yet the operation continued to use both the same border point near San Ysidro, and the same smuggling methods. In his monograph *Underground Anabolics*, Llewellyn finds that “these fairly crude methods... were [consistent] enough to be viable” for a time, “as long as Customs agents... were unaware of the high-volume steroid

¹⁰¹² Kelvan Howard in interview with author, 12 August 2019.

¹⁰¹³ Murray, “Authorities Smashed,” *United Press International*, 21 May 1987; Jim Schachter, “Ex-Olympian Arrested in Steroid Crackdown,” *The Los Angeles Times*, 22 May 1987; and Philip Halpern in interview with author, 24 August 2019.

¹⁰¹⁴ Davis, “Operation Overlord,” *The Times* (London), 11 February 1988.

manufacturing in Mexico.”¹⁰¹⁵ It was only when Macklis threatened to terminate the operation altogether that Jenkins and Dillon reconfigured the network with the five U.S. distributors.

In the mid-to-late 1980s “professional” criminal organizations were employing far more efficient and surreptitious methods of smuggling.¹⁰¹⁶ In *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America*, authors Julie Bunck and Michael Fowler find, “the most popular method to smuggle drugs into the [U.S. at the time] was onboard light planes,” which were “routed to remote airstrips... on the U.S. border flanking Mexico.”¹⁰¹⁷ With a high rate of expertise, and success, drug runners eluded the DEA and U.S. Customs with low-radar flight patterns and simple strategies for obscuring cargo planes behind other airborne vessels.¹⁰¹⁸ Another popular and perhaps more furtive smuggling practice was the use of underground tunnels, a practice perfected by Mexican cartels in the 1980s. In a 2019 interview from prison, former Sinoloa Cartel leader Jesus Zambada Garza described it as “the most secure way to cross drugs to the U.S.,” and estimated that tunnel-smuggling accounted for ninety-five percent of the cocaine trafficked across the border.¹⁰¹⁹ It should be noted that these methods were typically used for smuggling more serious drugs, cocaine and heroin for example, but could have been useful for anabolic steroids nevertheless.

¹⁰¹⁵ Llewellyn with Tober, *Underground Anabolics*, 15.

¹⁰¹⁶ Several authors and journalists have made the claim that Mexican Cartels are professional, corporation-like entities. See for reference Guadalupe Correa-Cabrera, *Criminal Corporations: Energy and Civil War in Mexico* (Austin, TX: The University of Texas Press, 2017), 56-85; Robert J. Bunker and John P. Sullivan, “Cartel Evolution Revisited: Third-Phase Cartel Potentials and Alternative Futures in Mexico,” in *Narcos Over the Border: Crimes, Cartels and Mercenaries*, ed. Robert J. Bunker (New York, NY: Routledge, 2011), 30-54; E. Eduardo Castillo, “Mexican Drug Cartels are Becoming Diversified Multinational Corporations,” *The Associated Press*, 17 March 2014; and Patrick Radden Keefe, “How a Mexican Drug Cartel Makes its Billions,” *The New York Times*, 15 June 2012.

¹⁰¹⁷ Julie Marie Bunck and Michael Ross Fowler, *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America* (University Park, PA: The Pennsylvania State University Press, 2012), 61.

¹⁰¹⁸ Ibid.; and Ron Chepesiuk, *The War on Drugs: An International Encyclopedia* (Santa Barbara, CA: ABC-CLIO Inc., 1999), 133.

¹⁰¹⁹ Sonia Moghe, “Traffickers at the El Chapo Trial Say Drugs Aren’t Smuggled Through Open Parts of the Border,” accessed 19 October 2019, <https://fox2now.com/2019/01/12/traffickers-at-the-el-chapo-trial-say-drugs-arent-smuggled-through-open-parts-of-the-border/>.

At its peak the trafficking ring accounted for seventy percent of the black market steroids in the United States, a significant share of an underground economy estimated to be worth more than \$100 million.¹⁰²⁰ In a savvy, but ultimately ill-fated business venture, Jenkins, Duchaine, and Dillon exploited the FDA's crackdown on anabolic steroids, filling a void in the marketplace left in its wake. By 1988, black market substitutes accounted for an estimated ninety-five percent of the American marketplace, of which seventy percent came from their outfit.¹⁰²¹ But, unlike Garza or others like him, Jenkins was far from the "kingpin of a sophisticated criminal organization," as Halpern once declared.¹⁰²² Nor were Duchaine and Dillon crafty drug hustlers. They were not desperados or mafiosos, or a gang or cartel. They were a motley crew of steroid bootleggers; an alliance of convenience reminiscent of the "freelancing smugglers" in the Prohibition Era sixty years earlier.¹⁰²³ According to criminologist Mitchel P. Roth, individual bootleggers began joining forces at the onset of Prohibition to capitalize on an *increased demand* for alcohol, creating "a trade that returned great profits."¹⁰²⁴ Gradually these factions evolved into organized crime syndicates, for which accountants, lawyers, smuggling and transportation experts, and chemists were hired to protect and streamline their operations.¹⁰²⁵ A well-established, widely-enjoyed and theretofore legal substance was suddenly illegal, galvanizing would-be bootleggers in building an underground economy.¹⁰²⁶ Likewise, the FDA's actions in late 1985 made opportunists of the three co-founders, whose aim at the outset was to profit from

¹⁰²⁰ This may be a conservative estimate. Several sources estimate it may have been as much as \$300 million at the time. See for example Murray, "Authorities Smashed," *United Press International*, 21 May 1987.

¹⁰²¹ Alfano and Janofsky, "Weight on Black Market," *The New York Times*, 18 November 1988.

¹⁰²² John Goodbody and Ivor Davis, "Drugs Charge Alerts Sports Council," *The Times* (London), 23 May 1987.

¹⁰²³ Mitchel P. Roth, *Organized Crime: A 21st Century Approach, Second Edition* (London; New York: Routledge, 2017), 146.

¹⁰²⁴ *Ibid.*

¹⁰²⁵ Lawrence J. Kaplan and Dennis Kessler, *An Economic Analysis of Crime: Selected Readings* (New York: Thomas Publishing, 1976), 26.

¹⁰²⁶ Wayne Hall, "What are the Policy Lessons of National Alcohol Prohibition in the United States, 1920-1933?," *Addiction* 105 (2010): 1170.

the removal of Dianabol from the pharmaceutical market. Only the enterprise grew far beyond what they had expected, and before long, was spiraling out of control. The “gentlemanly and articulate” Jenkins, as Halpern described him, hardly had the manner of a drug kingpin, and neither he, nor Duchaine or Dillon were equipped to sail the uncharted waters of large-scale steroid trafficking.

Prohibition was repealed after fourteen years, but anabolic steroid laws tightened in the wake of the outfit’s dismantling. The rise and fall of the trafficking operation coincided with a shift in perceptions and bureaucratic priorities with regard to anabolic steroids, and drugs in general. At the time Degan assumed the role of “lone ranger,” as Halpern put it, in 1984, federal agencies like the DEA and FBI were strictly handling cases involving “serious” street drugs with high abuse-potential, leaving substances not listed in the CSA under the FDA’s jurisdiction.¹⁰²⁷ The FBI’s foray into steroid investigations stemmed from a DOJ mandate, after Degan had successfully petitioned for the federal task force. Whether by design or happenstance, the timing could not have been more opportune. His request coincided with the height of President Ronald Reagan’s War on Drugs, a period of highly politicized anti-drug rhetoric that became a hallmark of his presidency.¹⁰²⁸ Reagan announced the second incarnation of the war in 1982, three years before the task force assembled, and a renewed commitment to Nixon’s directive in the early 1970s. From 1982 to 1986 the number of federal drug convictions rose dramatically, most of which were “for trafficking, importation, and distribution” of controlled substances.¹⁰²⁹ Germane to this discussion, from 1980 to 1985 the FBI’s annual budget for drug enforcement units

¹⁰²⁷ Philip Halpern in interview with author, 24 August 1987; Halpern notes in several interviews that anabolic steroids were a “low priority” for federal agencies, particularly the DEA. See also Alfano and Janofsky, “Weight on Black Market,” *The New York Times*, 18 November 1988.

¹⁰²⁸ Kenneth B. Nunn, “Race, Crime and the Pool of Surplus Criminality: Or Why the “War on Drugs” was a “War on Blacks,”” *The Journal of Gender, Race & Justice* 6 (2002): 387-388.

¹⁰²⁹ Sacco, *Drug Enforcement in the United States*, 13.

increased from \$8 million to \$95 million.¹⁰³⁰ While the Bureau was still a neutral entity in the nascent steroid war during these years, this may have been a factor. If not for the budget increase, it is less likely the FBI could have spared resources for the task force.

Yes, anabolic steroids were restricted drugs under U.S. legislation, and if lessons were learned from the Fitton case, traffickers could *theoretically* face legal consequences under the FDCA. However, when Reagan declared “drugs are menacing our society” in his 1986 State of the Union address, it is unlikely he had anabolic steroids in mind.¹⁰³¹ They were regulated under U.S. law, but certainly not an adversary in the War on Drugs. After the trafficking ring was dismantled, however, legislators began to take notice. Congress ratified the Anti-Drug Abuse Act (ADAA) – an amendment to the FDCA that promulgated criminal penalties for the unlawful distribution of anabolic steroids – in November of 1988, in the final stages of the investigation, and one month before Jenkins was sentenced.¹⁰³² Trafficking offenders now faced a maximum of three years in prison and a \$25,000 fine. Legislators annexed the issue within months of Halpern filing the indictment, and held formal hearings pursuant to limiting the drugs’ supply networks, and their codification under the CSA.¹⁰³³ Jenkins’ outfit was referenced several times in the proceedings, most notably in discussions of the wide availability of black-market steroids, and arguments supporting stricter penalties for distributors.¹⁰³⁴ Two years later, the Anabolic Steroids Control Act added twenty-eight commonly-used anabolics to Schedule III of the CSA, and made federal drug criminals of steroid traffickers.¹⁰³⁵

¹⁰³⁰ Katherine Beckett, *Making Crime Pay: Law and Order in Contemporary American Politics* (London: Oxford University Press, 1997), 52-53, 167.

¹⁰³¹ Boyd, “Reagans Advocate,” *The New York Times*, 15 September 1986.

¹⁰³² The Anti-Drug Abuse Act of 1988, sec. 2402, 4230.

¹⁰³³ In fact, the movement to codify anabolic steroids as Schedule II substances persisted after the 1988 legislation. Both the DEA and American Medical Association lobbied against their inclusion in the CSA, but ultimately, they were listed under Schedule III of the Controlled Substances Act.

¹⁰³⁴ The Anti-Drug Abuse Act of 1988, sec. 2402, 4230.

¹⁰³⁵ The Anabolic Steroid Control Act of 1990, sec. 2(A-C), 3(B).

For the three ringleaders the upsides of the operation far outweighed the risks, given the sums of money involved, the relatively minor penalties for trafficking under the FDCA – a \$1,000 fine and a year in prison were hardly a deterrent – and the fact that steroids were viewed as less serious than dangerous drugs like cocaine and heroin, both principle targets in the War on Drugs.¹⁰³⁶ Dillon’s interview in *Steroid Nation* sheds light on Duchaine’s insouciant attitude about smuggling and trafficking. In a discussion not long after the three men first met for dinner, Dillon recalled, the guru said something akin to, “no one goes to jail for a long time for this.”¹⁰³⁷ Indeed, at the time only Fitton had been jailed for a steroid-related offense, and “would have gotten probation and nothing more,” according to Halpern, had he not jumped bail.¹⁰³⁸ By the time the men realized the game had changed, it may have been too late. They were not drug kingpins, gangsters or mobsters, or the masterminds of an intricate criminal network. They were America’s first real enemies in the war on anabolic steroids.

¹⁰³⁶ Under the FDCA traffickers faced a maximum of one year in prison and a \$1,000 fine. While Fitton spent one year in prison for trafficking, according to Halpern, he would have received probation had he not jumped bail. For penalties promulgated under the FDCA see Federal Food, Drug and Cosmetic Act of 1938, 49, 396; for “ill-defined” penalties see Alfano and Janofsky, “Weight on Black Market,” *The New York Times*, 18 November 1988.

¹⁰³⁷ Assael, *Steroid Nation*, 15.

¹⁰³⁸ Philip Halpern in interview with author, 26 August 2019.

Chapter 6: Conclusion

Athletes, bodybuilders, and fitness enthusiasts had been using performance-enhancers for decades – in large numbers and with relative impunity – but by the early 1980s the furtive practice was a secret no longer. Once in a blissful (or wilful) state of ignorance, sports fans and journalists across North America could no longer trust that their beloved sporting heroes were competing clean, an “end of innocence” as Jan Todd so aptly describes.¹⁰³⁹ Inasmuch as the Caracas debacle revealed to the masses the extent of the doping problem in Olympic sport, few were investigating the sources from which banned substances were accessed, a necessary precondition for the unscrupulous athlete seeking a performance boost. Unlike their state-sponsored counterparts in the GDR, athletes in the U.S. and Canada were left to their own devices, whether that entailed finding a physician willing to prescribe them, a “routine drug run” after an overseas competition, or buying illegal drugs from “Big Leo” by the dumpsters behind the local gym.¹⁰⁴⁰ For purveyors of doping products, the rewards far outweighed the foreseeable downsides. Where sporting officials in the GDR were protected by a bureaucratic cloak of conspiracy, so to speak, doping suppliers in North America were protected by an absence of rigorous controls, and, at least prior to Fitton’s jail stint, had no reason to believe their illicit dealings could land them in serious trouble. Nor did physicians like Kerr, as there were no laws proscribing medical doping until the ADAA was ratified in 1988.¹⁰⁴¹ Despite his public profile as a doctor sympathetic to the needs of athletes, Kerr was never charged with a criminal offense and remained in good standing with the California Medical Board. The malpractice lawsuits brought

¹⁰³⁹ Todd and Rosenke, “The Event that Shook the Whole World Up,” 165.

¹⁰⁴⁰ Jan Todd in conversation with author, 28 July 2020.

¹⁰⁴¹ Physician-assisted doping was permissible under Canadian law until 1996, however, most provincial medical boards had deemed the practice unethical by the late 1980s, and were issuing penalties for non-compliance. See for reference *Dubin Inquiry*, 387-391.

against him can be seen as a harbinger of the emerging war on steroids in America.¹⁰⁴²

Physicians like Kerr were not only prone to lawsuits brought by litigious former patients, but as of 1988, could face serious penalties for prescribing anabolics without clinical justification.

Some twenty years after the AMA first condemned medical doping, U.S. drug legislation was in harmony with ethico-normative standards in medicine. Practically speaking, Kerr's harm-reduction philosophy no longer held water. The laws were clear-cut, and remain on the books more than three decades later.

The burgeoning popularity of anti-aging medicine in ensuing years leaves one wondering if "clinical justification" is a fluid concept, shifting in parallel, somewhat arbitrarily, with professional standards of practice. Regarded as medical quackery by many traditional physicians, and as a gateway to the fountain of youth by others, the field aims to treat non-pathological manifestations of the natural aging process, namely with the infusion of "youth hormones" that promote strength, vitality, and sexual performance.¹⁰⁴³ There are a wide range of treatment courses in anti-aging medicine, varying according to patients' self-reported symptoms, and the clinician's subjective interpretation of "deficiency" in their endocrine profiles.¹⁰⁴⁴ The ironies here are self-evident. Less than four years after the ADAA was signed into law, anabolic drugs that were once all-but synonymous with athletic doping – testosterone and HGH – were widely-used in anti-aging medicine, and continue to be touted as miracle elixirs indicated for a legitimate medical purpose: to counteract the body's natural, physiological decline associated with aging.¹⁰⁴⁵ While more conservative-minded physicians have lamented the medicalization of

¹⁰⁴² The cases of Morris, Maur, and Lumas are reviewed in Chapter Two, but there were likely others.

¹⁰⁴³ Robert H. Binstock, "Anti-Aging Medicine and Research: A Realm of Conflict and Profound Societal Implications," *Journal of Gerontology* 59, no. 6 (2004): 527.

¹⁰⁴⁴ John E. Morley, "Endocrinology of the Aging Male: An Overview," in *Men's Health and Aging, Second Edition*, eds. Bruno Lunenfeld, Louis J.G. Gooren, Alvaro Morales, and John E. Morley (London, UK: Informa UK Ltd., 2007), 241.

¹⁰⁴⁵ *Ibid.*, 526, 528.

aging as a dangerous *brave new world* – a slippery slope with respect to emerging technologies and professional obligations – the field has grown considerably in the past thirty years, contemporaneous to a seemingly endless parade of high-profile doping scandals, several of which have involved the illicit use of testosterone and HGH.¹⁰⁴⁶ The anti-aging movement’s founding father, Dr. Bob Goldman, was once staunch anti-doping activist, and perhaps Kerr’s most vocal of detractors in the early 1980s. Just nine years after writing the anti-steroid treatise *Death in the Locker Room*, Goldman and co-author Ronald Klatz founded the American Academy of Anti-Aging Medicine (A4M), anti-aging medicine’s first professional association, and have since authored a host of publications in the field.¹⁰⁴⁷

Goldman’s views on chemical enhancement were once in diametric opposition to Kerr’s, but by the mid-1990s there was little to separate the two. *Death in the Locker Room* is rife with melodramatic diction on the dangers of androgen abuse, condemns the “few [unethical] sports physicians” for placing patients in harm’s way, and brands Kerr a self-indulgent opportunist in a scathing three-page editorial.¹⁰⁴⁸ Pertinent to this discussion, Goldman attributes a host of adverse side-effects to anabolic steroid use, but notes that “testosterone is far more dangerous” to the reproductive system, and is more likely to cause chronic illness – liver disease and cancer are cited in the text – than “safer anabolics” like Anavar and Deca Durabolin.¹⁰⁴⁹ Twelve years later, the Illinois physician was singing an entirely different tune. In *The New Anti-Aging Revolution*,

¹⁰⁴⁶ The phrase “brave new world” is a reference to the unforeseen dangers of technological advancement, ultimately leading to a social dystopia. See for reference Aldous Huxley, *Brave New World* (London, UK: Chatto & Windus, 1932).

¹⁰⁴⁷ See for example Robert Goldman and Ronald Klatz, *The “E” Factor: Ergogenic Aids, the Secrets of New-tech Training and Fitness for the Winning Edge* (Chicago: Elite Sports Medicine Publications, 1988); Robert Goldman and Ronald Klatz, *Anti-Aging Secrets* (Chicago: Elite Sports Medicine Publications, 1996); Ronald Klatz and Robert Goldman, *Stopping the Clock: Why Many of Us Will Live Past 100—and Enjoy Every Minute* (New Canaan, CT: Keats Publishers, 1996); and Ronald Klatz, ed., *Ten Weeks to a Younger You* (Chicago: Sport Tech Labs, 1999).

¹⁰⁴⁸ Goldman, Klatz, and Bush, *Death in the Locker Room*, 79-81.

¹⁰⁴⁹ *Ibid.*, 160, 264.

published in 1996, he and Klatz herald testosterone as a “powerful anti-aging tool to millions of men,” noting its efficacy in *preventing* cardiovascular disease (CVD) and certain cancers, and “profound effects on physical health and well-being.”¹⁰⁵⁰ The latter phrase in particular could have been written by Robert Kerr himself.

Goldman’s transition to anti-aging medicine in the 1990s merits further discussion. As we learned in Chapter Three, in early interviews he seemed wholly convinced that Kerr was motivated primarily by extrinsic rewards, and had built a “lucrative” practice by styling himself a guru of anabolics in the public eye.¹⁰⁵¹ Whatever the case may have been, there are shades of irony in Goldman’s early stance on anabolics and career trajectory in later years. As of 1988, prescribing anabolics without medical justification was considered a felony trafficking offense, and under ADAA legislation, doping doctors faced the same penalties as Big Leo and the Gym gang. In effect, this gave the average user two options: make illegal purchases on the black market, or give up juicing altogether. Within four years there would be a third supply source, and a workaround for the ADAA’s provisions against medical doping. Goldman and Klatz founded the anti-aging’s first professional association, the A4M, in the early 1990s, and were pioneering a new medical paradigm that created legitimate uses for controlled doping agents like HGH, Human Chorionic Gonadotropin (HCG), and testosterone, two of Kerr’s go-to medications in the early 1980s. It should be noted that the “anti-aging specialist” designation could be misleading for those unfamiliar with the field, as patients of all ages are eligible for treatment.¹⁰⁵² Had the

¹⁰⁵⁰ Ronald Klatz and Robert Goldman, *The New Anti-Aging Revolution: Stopping the Clock For a Younger, Sexier, Happier You* (North Bergen, NJ: Basic Health Publications, 1996), 95, 111, 139, 142.

¹⁰⁵¹ Goldman New York Times interview

¹⁰⁵² See for reference John Manuel Andriote, “Should the Modern Man be Taking Testosterone,” *The Atlantic*, 5 April 2013; and Amir Tirosh, “Testosterone Replacement Leaving Men Heartbroken,” *Science Translational Medicine* 5, no. 213 (2013): 197-213.

San Gabriel doctor embraced the nascent anti-aging movement after leaving the public eye, there is no doubt the transition would have been seamless.

In his 2020 monograph, titled, *Quackonomics!: The Cost of Unscientific Health Care in the U.S.*, medical scholar Ethan Welch finds, “no one has really defined what is a “normal” testosterone level, and yet... patients [are] achieving... levels that [are] ridiculously high... testosterone *misuse*... is most commonly [associated with] anti-aging medicine.”¹⁰⁵³ Its convergence with high-performance sport may have been a matter of course, as the medicalization of “low T,” in the professional parlance, has given athletes in non-Olympic sports the opportunity to dope with relative impunity, not unlike the “testosterone loophole” described by Terry Todd in the early 1980s.¹⁰⁵⁴ Perhaps the most notorious of offenders has been The Ultimate Fighting Championship (UFC), an organization reputed to house the world’s premier combat sports athletes. From 1993 through 2014 the UFC relied upon state athletic commissions to drug test fighters in the lead-up to major events, its top brass standing idle while fan favorites like Randy Couture, Forrest Griffin, and Vitor Belfort juiced their way to world titles and superstardom, artificially enhanced by a legitimate, albeit controversial medicine. “Testosterone Replacement Therapy (TRT) is... for guys whose [levels] are too low, but here’s what you’re supposed to do,” said UFC President Dana White in a 2012 interview, “get your levels up to that of a normal guy your age and if you’re even that much over, now it becomes illegal.”¹⁰⁵⁵ The only problem was most state commissions set a high upper limit for testosterone, meaning more

¹⁰⁵³ Ethan L. Welch (M.D.), *Quackonomics: The Cost of Unscientific Health Care in the U.S. and Other Fraud Found Along the Way* (Conneaut Lake, PA: Page Publishing, 2020), accessed 6 August 2020, <https://books.google.ca/books?id=TwfaDwAAQBAJ&pg=PT136&dq=anti-aging+medicine+and+testosterone+level+and+unscientific&hl=en&sa=X&ved=2ahUKEwjHitzjoYjrAhXmIjQIHd22CIIQ6AEwAHoECAQQA#v=onepage&q=anti-aging%20medicine%20and%20testosterone%20level%20and%20unscientific&f=false>.

¹⁰⁵⁴ The phrase “testosterone loophole” was first appeared in Todd, “The Steroid Predicament,” *Sports Illustrated*, 1 August 1983.

¹⁰⁵⁵ White’s interview is referenced in Hoberman, *Dopers in Uniform*, 187.

astute fighters could achieve supernatural levels without the spectre of a positive test, or having to call Big Leo for a late-night drug deal. While a tenuous argument can be made for aging stars like Couture, and perhaps the injury-plagued Griffin, there is evidence to suggest that younger fighters were capitalizing on a second “testosterone loophole” some three decades after Todd’s ground-breaking piece in *Sports Illustrated*.¹⁰⁵⁶ Perhaps the most notorious was Brazilian middleweight Vitor Belfort, whose testosterone count was reportedly at the maximum limit of 1,200 ng/dl six weeks before a headline matchup with then champion Chris Weidman at UFC 187.¹⁰⁵⁷ A day before their 23 May bout at the MGM Arena in Las Vegas, an irritated Weidman told ESPN staff writer Brett Okamoto, “I found out his testosterone scores throughout his [training] camp. They [were] extremely high... this is a guy who was on [TRT] because he needed it... yet his [levels] are four times the amount of mine, and I’m 10 years younger. So he’s cheating, and I called him out on that.”¹⁰⁵⁸ “Cheating” or not, Belfort’s abnormally high testosterone count did not exceed the upper limit stipulated in Nevada State Athletic Commission (NSAC) rules.¹⁰⁵⁹

While regulations on doping products may have been relatively lenient in the 1980s – predating the ADAA that is – users in North America could only gain access through black

¹⁰⁵⁶ Todd, “The Steroid Predicament,” *Sports Illustrated*, 1 August 1983.

¹⁰⁵⁷ “Brett Okamoto, Chris Weidman Labels Vitor Belfort a Cheater on Eve of UFC 187 Match,” accessed 4 August 2020, https://www.espn.com/boxing/story/_/id/12935240/ufc-champion-chris-weidman-accuses-vitor-belfort-cheating-based-testosterone-tests.

¹⁰⁵⁸ Ibid.

¹⁰⁵⁹ Ibid.; and Steven Marrocco and Matt Erickson, “Vitor Belfort Admits Elevated Testosterone Found in NSAC Random Test,” accessed 4 August 2020, <https://mmajunkie.usatoday.com/2014/06/vitor-belfort-admits-elevated-testosterone-found-in-nsac-random-test>; it should be noted that, at the time, NSAC guidelines permitted a testosterone to epitestosterone ratio (T/E Ratio) of 6:1, two points higher than WADA’s 4:1 standard. Prior to rule changes implemented in 2014, fighters approved for TRT therapy were also required to keep their T/E Ratio ratios below 6:1, and were subject to fines and competition bans for non-compliance. For further reading, see “Nevada Commission Bans TRT Exemptions, Urges Other States to Follow,” accessed 10 August 2020, <https://www.foxsports.com/stories/ufc/nevada-commission-bans-trt-exemptions-urges-other-states-to-follow>; and “Testosterone Replacement Therapy Banned By Nevada Athletic Commission Decision Supported By Ultimate Fighting Championship,” accessed 10 August 2020, <https://www.classlawgroup.com/testosterone-replacement-therapy-banned-by-nevada-athletic-commission-decision-supported-by-ultimate-fighting-championship/>.

market sources, or physicians practicing on the margins of traditional, conservative medicine. If the ethnographic studies of Alan Klein and Paul Goldstein are any indication, the former could be accomplished with relative ease. Nevertheless, it was not as if Stanazolol and Anavar lined the shelves at the local Safeway or neighborhood 7-Eleven, or over-the-counter at the CVS Pharmacy. Moreover, neither doctors nor black marketeers – dime-store “smugglers for resale,” large-scale criminal enterprises and everything in between – advertised their services on network television or roadside billboards. Like traditional drug dealers, they profited by way of referrals and word-of-mouth. By promoting a “30% Off Counterfeit Dianabol Black Friday Extravaganza,” Jenkins might have broadened the operation’s customer base, but assuredly would have drawn the sting of authorities in search of the elusive Mr. X. Even so, if he and his partners learned anything from Fitton’s run-ins with the law it was that steroid traffickers were low on the proverbial totem pole for authorities. The FDA’s Dennis Degan was the lone sheriff in the wild west of steroids at the time, and he was fighting a losing battle with scarce resources and a general lack of interest in other agencies. Fitton was arrested at least three times in a four-year period, each time with large amounts of anabolic steroids, and likely would have walked away unscathed on the third occasion had he not jumped bail, as Halpern explained.

Nevertheless, the Englishman was released after serving just nine months of a four-and-a-half year sentence, a clear indication that steroid traffickers were viewed as lesser offenders than traditional drug dealers. This raises a compelling question: had Fitton been dealt with more severely would he have been viewed as a cautionary tale by future dealers? Would Jenkins’ illegal enterprise have come to bear? Neither Jenkins nor Duchaine or Dillon were hardened or experienced criminals, and if an example had been made of Fitton, they might have made other career choices.

The essays in this volume present historical examples of three principal access points for performance-enhancers in the 1980s, a period marked by scandal, and prescriptive reform in legislation and anti-doping policy. As a collection of thematically-related studies they demonstrate that, in the absence of adequate controls, purveyors operating in relative anonymity flooded the market with anabolic drugs, and left policy makers – some willfully blind and others oblivious – scrambling to remedy a decades-old problem that had reached a critical mass. In Canada, it was a bureaucratic war against doping waged by the nation’s sports system, and in America a paternalistic and politically-charged campaign against *all* drugs, reminiscent of the social-reform politics of the Progressive Era in the early twentieth century. Physicians and “business-minded” athletes had been plying their trade since the mid-1960s, and by the early 1980s – if revelations from the *Dubin Inquiry* are any indication – many users had access to several different supply lines.

There is no data to suggest supply sources – licit and illicit – in North America increased at a steady rate from the 1960s and onward, however, anabolic drugs carried the same restrictions as prescription hemorrhoid cream until the late 1980s. American legislators and Canadian sporting bureaucrats had reason to impose tighter regulations on them a decade earlier, but perhaps the steroid issue was not *yet* considered an imminent threat. In *Testosterone Dreams*, Hoberman finds, “androgens acquired a social stigma almost entirely because of... athletic cheating,” and that “doping made... anabolic steroids notorious during the 1980s”¹⁰⁶⁰ Indeed, it was only after scandal hit in the fall of 1983 that policy makers sprung into action. Sport Canada proscribed possession and trafficking in *Drug Use and Doping Control*, and the USOC established a pre-competition testing program, albeit a dubious one. While drug use in sport

¹⁰⁶⁰ Hoberman, *Testosterone Dreams*, 201.

seemed to emerge as a social problem in both nations, there are important contextual factors to consider here. Drug use was already “menacing” American society, as Reagan famously declared, and was a salient issue in the general public, and for legislators, a source of political capital. In effect, the Anti-Drug Abuse Act (ADAA) merged sports doping with the War on Drugs by criminalizing the distribution of steroids and HGH for any purpose other than approved medical uses. Germane to this discussion, revelations of widespread underground trafficking and medical doping were problematized in several Congressional hearings proposing the legislation. Policy makers north of the border, on the other hand, appear to have framed doping as a problem limited to the confines of elite sport, rather than a broad social issue. But like in the U.S., prescriptive reforms have generally been politically-motivated and reactive. In a 2014 article, sport sociologist Ian Ritchie points to the Caracas scandal and Johnson’s positive as triggering events that spurred government initiatives to create, strengthen, and expand anti-doping enforcement.

The history of Canada’s anti-doping initiatives has been... characterized by government intervention in reaction to [scandal]. It was not until [Caracas that] sport administrators develop[ed] the country’s first anti-doping policy... [after] Johnson’s positive test... previously uninvolved actors such as [the] Minister of Sport Jean Charest and Prime Minister Brian Mulroney intervened in the crisis, and major change occurred when government oversight was replaced by [the Canadian Anti-Doping Agency]... an independent... agency... that managed the anti-doping policy subsystem in Canada until 2004.¹⁰⁶¹

Scholars have also cited Johnson’s positive as a forerunner to steroid prohibition in America. In a critical analysis of doping in the nation’s sports system, legal scholar Shayna Sigman submits, “the Johnson incident increased the political and public attention to the [steroid] issue... after the scandal created a political storm about steroid use in sports, Congress enacted the Anabolic

¹⁰⁶¹ Ritchie and Jackson, “Politics and Shock,” 204, 208.

Steroid Control Act.”¹⁰⁶² Ratified in late 1990, the Act codified twenty-seven widely-used steroids under Schedule III of the CSA, and made their unlawful possession a felony offense.¹⁰⁶³ By statutory definition, juicers were no different than recreational drug users.

From the turbulent air of the 1980s emerged new kinds of illicit traffickers, many of whom set up their own labs, rather than importing drugs made elsewhere. The most prominent of these providers was a boisterous fellow with a sports nutrition business and a fondness for the spotlight. In September of 2003 federal agents raided the offices of Victor Conte, owner and operator of the Bay Area Laboratory Cooperative (BALCO) and suspected drug dealer to the world’s finest strength and power athletes. A year-long federal investigation revealed that Conte, business partner Jim Valente, and sprint coach Remy Korchemmy had been supplying illegal doping agents to a stable of ultra-elite American athletes, including Olympic sprint queen Marion Jones; the mercurial baseball slugger Barry Bonds; and Oakland Raiders linebacker Bill Romanowski, a four-time Superbowl champion and arguably BALCO’s first big-name client.¹⁰⁶⁴ With IRS agent and budding anti-doping crusader Jeff Novitzky heading the operation, federal agents confiscated hundreds of documents detailing the doping programs Conte had tailored for individual athletes, and a storage locker full of testosterone, HGH, EPO, and an undetectable steroid aptly referred to as “the clear.”¹⁰⁶⁵ It was later discovered that the BALCO boss had contracted rogue chemist Patrick Arnold to synthesize the mystery drug, later named

¹⁰⁶² Shayna A. Sigman, “Are We All Dopes? A Behavioral Law & Economics Approach to Legal Regulation of Doping in Sports,” *Marquette Sports Law Review* 19, no. 1 (2008): 143, 172.

¹⁰⁶³ Sweitzer, “Cops on Steroids,” 198.

¹⁰⁶⁴ Mark Fainaru-Wada and Lance Williams, *Game of Shadows: Barry Bonds, BALCO, and the Steroid Scandal that Rocked Professional Sports* (New York: Gotham Books, 2006), 180; elite shot putter Kevin Toth had been working with Conte since the early 1990s, but had nowhere near the star power of Romanowski, a two-time Pro Bowl selection and NFL record-holder in consecutive games played. See for reference Christopher B. Doob, *The Anatomy of Competition in Sports: The Struggle for Success in Major U.S. Professional Leagues* (Lanham, MD: Rowman and Littlefield, 2015), 66.

¹⁰⁶⁵ Fainaru-Wada and Williams, *Game of Shadows*, 180.

Tetrahydrogestrinone (THG), for the express purpose of helping clients thwart drug testers.¹⁰⁶⁶ In the coming months, investigators learned that athletes were paying a pretty penny for Conte's services – payments ledgers from high-profile athletes routinely exceeded five figures – and perhaps rightfully so. The firm was fully-stocked with an assortment of pharmaceutical grade doping agents, some undetectable, and utilized sensitive drug-testing instruments to screen clients before major competitions.¹⁰⁶⁷ In February of 2004, Conte was indicted on forty-two felony counts of dispensing controlled substances, criminal conspiracy, and money laundering, amounting to maximum penalties of thirty years in prison and significant fines.¹⁰⁶⁸ But similar to Jenkins' twenty years earlier, the operation's mastermind was given a proverbial slap on the wrist. Conte served only four months in prison and a further four under house arrest.

The BALCO scandal made headlines around the world, and spurred a reinvigorated anti-steroid movement in the United States. Less than a year after Novitzky and his men converged on the BALCO headquarters in the South Bay Area, Congressional hearings were convened to address rampant steroid use in high-performance sport, totaling eight days of testimony, and at an extraordinary cost to American taxpayers.¹⁰⁶⁹ In the four years ensuing, Conte's disgraced former-clients were paraded one by one before a federal grand jury, some serving as key witnesses, and others as defendants in criminal proceedings. In the fall of 2007, track and field legend Marion Jones was sentenced to six months in prison for lying to federal agents in the

¹⁰⁶⁶ Laurence M. Westreich, "Anabolic-Androgenic Steroids," in *Lowinson and Ruiz's Substance Abuse: A Comprehensive Textbook*, eds. Pedro Ruiz and Eric C. Strain (Philadelphia, PA: Lippincott, Williams, and Wilkins, 2011), 361-362.

¹⁰⁶⁷ Fainaru-Wada and Williams, *Game of Shadows*, 159, 185.

¹⁰⁶⁸ Tim Layden, "With BALCO Behind Him, Victor Conte is Still Hustling—And Loving Every Minute," *Sports Illustrated* (28 June 2017), accessed 5 August 2020, <https://www.si.com/more-sports/2017/06/28/victor-conte-balco-steroids>.

¹⁰⁶⁹ "Roger Clemens Trial: Are Steroid Hearings Worth It?," *CBS News*, 17 April 2012, accessed 5 August 2020, <https://www.cbsnews.com/news/roger-clemens-trial-are-steroid-hearings-worth-it/>; and Patrick Hruby, "The Barry Bonds Trial: Was It Worth It?," *The Atlantic*, 14 April 2011.

BALCO investigation, two months longer than Conte, a known drug trafficker and the central figure in the case.¹⁰⁷⁰ But similar to Robert Kerr, the Mirabel men, and the trafficking ringleaders, Conte was far from a seasoned criminal, and was treated more like a white collar offender than a lawless drug pusher. America had been fighting a war against steroids for fifteen years, but with offenders escaping with lenient sentences the legislation served no purpose. Much like President Reagan's second incarnation of the War on Drugs, a more robust system of enforcement coming out of the 1980s did little to remedy the doping problem, if anything. While the ADAA and ASCA might have changed the rules, and perhaps the game itself, the end result was no different.

Performance-enhancing drugs may have been available in the 1980s – as we see in the research of Klein and Goldstein – but the age of the internet has enabled users to make purchases from the comfort of their homes, with a simple click of the mouse. In the late 1990s, popular websites like United-Pharmacy.com and Anabolics.com were offering a wide range of inexpensive black-market products, with no age restrictions or prescription required. It came as no surprise that neither remains operational, as both accepted major credit card payments, sent out regular promotional emails, and of course, sold illegal drugs to anonymous consumers. In recent years, online vendors like DRS-Labs.com and the now-defunct RUI-Products.com have avoided legal troubles by marketing performance enhancers as “research chemicals” unfit for human consumption.¹⁰⁷¹ For aspiring dealers looking to break into the market, raw steroid powder can be purchased in large quantities on websites based in Third-World nations.¹⁰⁷² The

¹⁰⁷⁰ “Marion Jones Sentenced to Six Months in Prison,” *The New York Times*, 12 January 2008.

¹⁰⁷¹ John Smith (pseudonym) in interview with author, 3 August 2020. The interviewee requested that his name be kept confidential.

¹⁰⁷² Donati, “World Trafficking in Doping Substances,” 45; and Kraska et. al., “Trafficking in Bodily Perfection,” 170.

findings of Kraska and colleagues in “Trafficking in Bodily Perfection” suggest that any internet user with the proper motivation, and perhaps a lack of compunction, could obtain enough product to supply a large-scale distribution network, and enough information to build it successfully. “The internet [has] a treasure trove of information about how to traffic [anabolic steroids]” the authors note, “manufacturing at home [carries] few legal risks... All it [takes is] a little home chemistry acumen and some basic pharmaceutical supplies to convert... very cheap precursor chemicals into potent and profitable steroids.”¹⁰⁷³

As we learned in Chapter Five, building an illegal steroid business was far more complicated twenty years earlier. To lay the foundations for the trafficking ring, Jenkins had to secure a supply source for the raw Dianabol precursor – he may have had an inside connection as there is no evidence to suggest others were doing this – and arrange to have it shipped safely to the Tijuana laboratory. He also made regular trips to Mexico while the operation was up and running, a risky proposition for the “mastermind” of a criminal organization. Moreover, neither he nor his partners had encrypted text messaging, IP address blockers, or specialized home manufacturing equipment at their disposal. These emerging trends have, and will undoubtedly continue to make the ongoing steroid war a complicated series of battles for authorities. The supply chain has grown increasingly complex and technologized in the past several decades, and to combat the problem in earnest, policy makers must tailor their strategies accordingly.

¹⁰⁷³ Kraska et. al., “Trafficking in Bodily Perfection,” 165, 170.

Bibliography

Newspaper Articles

“3 Canadian Lifters Suspended for 7 Months.” *The Los Angeles Times*, 8 November 1983.

“4 Lifters Lose Medals For Use of Steroids.” *The New York Times*, 23 August 1983.

“84 Olympic Tests Used to See How Long Drugs Lingered, Doctor Says.” *The Los Angeles Times*, 19 June 1989.

“A British Weightlifter Who Disappeared...” *United Press International*, 26 August 1985.

“A Doctor Who Monitors Drug-Testing of Athletes.” *United Press International*, 3 July 1988.

“A Second Weightlifter Has Testified.” *The National Post* (Toronto), 6 February 1989.

Adler, Alan L. “A Federal Indictment Charging 34 People.” *The Associated Press*, 21 May 1987.

Alfano, Peter and Michael Janofsky. “A Guru Who Spread the Gospel of Steroids.” *The New York Times*, 18 November 1988.

Alfano, Peter and Michael Janofsky. “Drugs that May Build Bulk Pull Weight on Black Market.” *The New York Times*, 18 November 1988.

Alfano, Peter. “The Image Remains a Problem for Lifters.” *The New York Times*, 13 May 1984.

Almond, Elliot and Julie Cart. “Did USOC Underestimate Enemy in War on Drugs.” *The Los Angeles Times*, 28 July 1985.

Almond, Elliot, Julie Cart, and Randy Harvey. “Drugs Made Bodybuilder Feel Invincible Until They Almost Killed Him.” *The Los Angeles Times*, 31 January 1984.

Almond, Elliot, Julie Cart, and Randy Harvey. “If Athletes Want to Cheat to Get to Olympics... There’s a Doctor to Help.” *The Los Angeles Times*, 4 December 1983.

Almond, Elliot, Julie Cart, and Randy Harvey. “USOC Tries to ‘Weed Out’ Doctors Who Prescribe Steroids.” *The Los Angeles Times*, 4 December 1983.

Altman, Lawrence K. “The Doctor’s World; For New Specialists in Drug Detection Athletes Set Fast Pace.” *The New York Times*, 22 November 1988.

Amdur, Neil. “Mounting Drug Use Afflicts World Sports.” *The New York Times*, 20 November 1978.

- Anderson, Cerisse. "Powerlifter Sought for Steroid Sales." *United Press International*, 11 May 1985.
- Anderson, Claude. "Sports Slants." *The San Bernardino Sun*, 18 March 1953..
- Andriote, John Manuel. "Should the Modern Man be Taking Testosterone." *The Atlantic*, 5 April 2013.
- "Athlete Pleads Innocent to Steroid Smuggling." *United Press International*, 26 May 1987.
- "Athletes Caught Using Steroids Will Lose Federal Aid: Jelinek." *The Star-Phoenix* (Saskatoon), 6 September 1985.
- "Athletes Discover New Drug." *The Globe and Mail*, 14 November 1983.
- "Athletes Injected Urine, Lifter Says." *The Ottawa Citizen*, 2 February 1989.
- "Athletes Named at Probe Bought Steroids, Pair Say." *The Toronto Star*, 10 April 1989.
- Bailey, Sandra. "Performance Drugs: Policing vs. Monitoring." *The Washington Post*, 8 June 1984.
- "Ban Sought." *The Billings Gazette*, 24 August 1984.
- Beacon, Bill. "Four Members of Canada's National Weightlifting Team Have Been..." *United Press International*, 4 November 1983.
- Beamish, Mike. "Canadian Lifters Flunk Drug Tests." *The Vancouver Sun*, 30 July 1984.
- Bell, Terry. "Silver Medallist Plays It Safe." *The Province* (Vancouver), 3 August 1984.
- Boivin, John. "Toronto Sprinter Ineligible for Using Anabolic Steroids." *The Globe and Mail*, 27 March 1982.
- Boyd, Gerald M. "Reagans Advocate 'Crusade' on Drugs." *The New York Times*, 15 September 1986.
- Brady, Erik. "Awaiting a Heart Transplant; Ex-Steeler's Biggest Foe Now is Time." *USA Today*, 5 July 1989.
- Brend, Yvette. "Don't Count on Pot Pardons to Wipe Your Record Clean, Legal Experts Warn." CBC News, 9 October 2019. Accessed 22 October 2019:
www.cbc.ca/news/canada/british-columbia/pardons-pot-convictions-us-border-inadmissable-canadians-1.4868873.
- Brennan, Christine. "86 Americans Failed USOC's Drug Tests." *The Washington Post*, 11

January 1985.

Brennan, Christine. "Steve Lewis Tops Reynolds for 400m Gold." *The Washington Post*, 28 September 1988.

Brooks, Janet. "Banned Weightlifter Found Steroids Essential." *The Gazette* (Montreal), 15 December 1984.

Brooks, Janet. "Canadian Lifters Lose Appeal After Failing Olympic Drug Tests." *The Gazette* (Montreal), 25 November 1984.

Brooks, Janet. "Montreal Weightlifter Ruled Unfit for Games." *The Gazette* (Montreal), 30 July 1984.

Brooks, Janet. "Ottawa Warns Lifters on Drug Plan." *The Gazette* (Montreal), 19 January 1985.

Brooks, Janet. "Parente Sets Six Lift Marks." *The Gazette* (Montreal), 14 February 1983.

Brubaker, Bill. "California Doctor Will Testify on Johnson's Source of Steroids." *The Washington Post*, 18 March 1989.

Cahill, Kay. "Olympic Advisor Linked to Steroid Sale." *Austin American Statesman*, 13 July 1984.

"Canada Declares War on Drug Use." *Times Colonist* (Victoria), 30 August 1983.

"Canada Sixth in Lifting Meet." *The Vancouver Sun*, 29 May 1980.

"Canada Supported Weightlifters Charged with Smuggling." *The Baltimore Sun*, 23 February 1989.

"Canada to Lead Drug Abuse Fight." *Nanaimo Daily News*, 30 August 1983.

"Canada Wins Gold in Pan-Am Weightlifting Event." *The Edmonton Journal*, 18 August 1983.

"Canada's Luna-Grenier Wins Weightlifting Bronze." *Brampton Guardian*, 12 July 2015.

Canadian Broadcasting Corporation. "Canada Starts Getting Tough on Drugs." CBC Digital Archive. Accessed 8 November 2015: <http://www.cbc.ca/archives/entry/canada-starts-getting-tough-on-drugs>.

"Canadian Freed of Drug Charge." *The New York Times*, 24 January 1984.

"Canadian Lift Record Smashed." *The Times Columnist* (Victoria), 10 June 1984.

"Canadian Lifter Captures Medal." *The Globe and Mail*, 3 August 1984.

- “Canadian Lifter May Compete.” *The Los Angeles Times*, 2 August 1984.
- “Canadian Los Angeles 100m Bronze Medallist Ben Johnson...” *Courier-Mail* (Brisbane), 17 January 1985.
- “Canadian National Team Weightlifter Mario Parente Has Been Acquitted.” *United Press International*, 24 January 1984.
- “Canadian Runner Banned For Life After Drug Test.” *The New York Times*, 27 November 1975.
- “Canadian Weightlifting Association Suspended.” *The Associated Press*, 22 August 1985.
- “Canadian Weightlifting Team...” *The Age* (Melbourne), 1 August 1984.
- “Canadians, Cubans Cited in Pan Am: 4 Lose Medals for Steroid Use.” *The New York Times*, 23 August 1983.
- “Canadians Sent Home for Drug Use.” *The Windsor Star*, 30 July 1984.
- Carlton, Jim. “Doctor Files Seized in Steroid Probe.” *The Los Angeles Times*, 19 January 1990.
- Cart, Julie. “World Anti-Doping Conference Was a Challenge Itself.” *The Los Angeles Times*, 18 July 1988.
- Castillo, Eduardo E. “Mexican Drug Cartels are Becoming Diversified Multinational Corporations.” *The Associated Press*, 17 March 2014.
- Chong, Jia Rui. “AIDS Doctor Pleads Guilty to Healthcare Fraud.” *The Los Angeles Times*, 27 February 2009.
- Christie, James. “Athletics Congress Under Scrutiny.” *The Globe and Mail*, 23 September 1989.
- Christie, James. “Canadian Athletes Charged Over Drugs.” *The Globe and Mail*, 5 November 1983.
- Christie, James. “CTFA Plans Spot Checks Over Steroids.” *The Globe and Mail*, 25 June 1982.
- Christie, James. “Faster, Higher, Stronger: Banned Lifter Feels Penalty Undeserved.” *The Globe and Mail*, 25 October 1983.
- Christie, James. “Faster, Higher, Stronger: Perfect 10s Draw Changes in FIG Scoring.” *The Globe and Mail*, 10 November 1983.
- Christie, James. “Faster, Higher, Stronger: Use of Steroids by Eastern Bloc Causes Pressure.” *The Globe and Mail*, 23 August 1983.

- Christie, James. "Federation Lifts Ban on Toronto Sprinter." *The Globe and Mail*, 16 June 1982.
- Christie, James. "U.S. Hid Failed Tests, Files Reveal." *The Globe and Mail*, 17 April 2003.
- Christie, James, and Matthew Fisher. "Steroid Use in Weightlifting: Another Setback for Sport." *The Globe and Mail*, 30 July 1984.
- Cleary, Martin. "Games Give Hadlow Chance to Rebuild Dream." *The Ottawa Citizen*, 24 July 1984.
- Cleary, Martin. "Government to Look at Steroid Use." *The Ottawa Citizen*, 17 September 1988.
- Cleary, Martin. "Weightlifters Face Suspension After Losing Appeal on Dope Tests." *The Ottawa Citizen*, 23 November 1984.
- "Coaches Gave Clean Urine to Weightlifters, Inquiry Told." *The Edmonton Journal*, 2 February 1989.
- Crabbe, Robert. "Legislation Aimed at Discouraging Athletes, Especially Teenagers, from Using Body-Building Drugs." *United Press International*, 4 December 1985.
- Crawley, Steve. "9.79 Johnson Shatters Lewis and Clock." *The Sun Herald* (Sydney), 25 September 1988.
- Crawley, Steve. "Why, Ben? What Are We Going to Tell the Kids?; The Johnson Affair." *Sydney Morning Herald*, 28 September 1988.
- Crowe, Jerry. "Dr. Robert Kerr; Center of Controversy Over Steroids for Athletes." *The Los Angeles Times*, 5 January 2001.
- Curran, Peggy. "Montreal Weightlifter Acquitted of Importing Steroids." *The Gazette* (Montreal), 24 January 1984.
- Curran, Peggy. "Weightlifter Guilty of Importing Steroids Discharged." *The Gazette* (Montreal), 17 May 1984.
- Davis, Ivor. "Athletics: Jenkins on Drug Charges." *The Times* (London), 22 May 1987.
- Davis, Ivor. "Operation Overlord of the Drug Ring: How a Tenacious Attorney Named 'Bulldog' Halpern Tracked Down Mr X, Alias David Jenkins, the British Olympic Sprinter Turned Drug Runner, Now Awaiting Sentence in the US." *The Times* (London), 11 February 1988.
- DeLean, Paul. "Suspend 2 Québec Weightlifters for Life, Jelinek Says." *The Gazette* (Montreal), 23 August 1985.

“Demers Sets Mark.” *The Province* (Vancouver), 10 June 1984.

Denlinger, Ken. “Johnson: Unforgettable, Not Forgivable.” *The Washington Post*, 16 July 1989.

Denton, Herbert H. “Canada's Issajenko Testifies to Steroid Use.” *The Washington Post*, 14 March 1989.

Denton, Herbert H. “Coach Says Johnson Took Steroids Since ‘81; Ex-Gold Medalist Was Told All Top-Ranked Sprinters Used Drugs.” *The Washington Post*, 2 March 1989.

Dietz, David. “Athletes on Steroids: Muscle-Building Drug with Rabid Consequences.” *The San Francisco Examiner*, 3 September 1986.

“Doctor Pushed for Drugs in Sport.” *The Herald Sun* (Melbourne, Australia), 10 January 2001.

Dougherty, Kerry. “Plucknett Returns Spotlight to Steroids.” *The Washington Post*, 19 July 1981.

Dowbiggin, Bruce. “Revelations Taint U.S. Olympic Athletes.” *The Calgary Herald*, 17 April 2003.

“Doping is on Agenda.” *The Province* (Vancouver), 14 June 1988.

“Dr. Robert Kerr, 65; Known as Steroid Guru.” *The Washington Post*, 9 January 2001.

“Drug-Linked Lifters Banned 2 Years.” *The Washington Post*, 23 October 1983.

“Drug Problems Aside, Demers Grabs Silver.” *The Windsor Star*, 3 August 1984.

“Drug Reprieve.” *The New York Times*, 14 August 1988.

“Drug Screening Will Increase, Jelinek Says.” *The Globe and Mail*, 6 September 1985.

“Drug Use Ends Careers of Six Amateurs.” *The Calgary Herald*, 17 July 1986.

“Drugs: Steroid Sentence.” *The New York Times*, 15 February 1989.

Dvorchak, Robert. “Never Enough/Steroids in Sports: Experiment Turns Epidemic.” *Post Gazette* (Pittsburgh), 1 October 2005.

Evie, Mark. “A Former British Olympian Who Allegedly.” *United Press International*, 9 July 1987.

Fachet, Robert. “4 Stripped of Games Medals After Drug Tests.” *The Washington Post*, 23 August 1983.

Fachet, Robert. "Eight Weightlifters Test Positive." *The Washington Post*, 27 August 1983.

"Federation Reinstates Weightlifters." *The Leader-Post* (Regina, Canada), 9 July 1987.

Feinstein, John. "Doctor Says Steroid Patients Have Won Medals, Tested Clean." *The Washington Post*, 10 August 1984.

Fisher, Doug. "Former World Weight Lifting Champion Larry Pacifico..." *The Associated Press*, 18 June 1987.

Fitterman, Lisa. "Coach Aware of Steroid Use." *The Gazette* (Montreal), 14 September 1988.

"Former Canadian Track and Field Veteran Bishop Dolegiewicz Dead at 55." *The Canadian Press*, 30 October 2008.

"Francis Luna-Grenier, 21." *The Gazette* (Montreal), 3 August 2008.

"French Weightlifters Banned for Drug Test Refusal." *Xinhua General News Service*, 5 March 1987.

Fuhrman, Janice. "Canadian Sprinter Ben Johnson Tested Positive." *United Press International*, 26 September 1988.

Gasher, Mike. "Test Weightlifters Better." *The Province* (Vancouver), 26 August 1983.

Gasher, Mike. "Two Lifters to Get Their Say." *The Province* (Vancouver), 16 September 1984.

Gasher, Mike. "Weightlifters Face a Heavy Burden." *The Province* (Vancouver), 29 January 1984.

Goodbody, John. "A Sport Facing New Threat of Banishment." *The Times* (London), 31 January 1990.

Goodbody, John, and Andrew Morgan. "Steroids Kill Bodybuilder: Doctor Warns Dangers." *The Times* (London), 27 August 1987.

Goodbody, John, and Ivor Davis. "Drugs Charge Alerts Sports Council." *The Times* (London), 23 May 1987.

Granger, David. "A Steroid Story: Sandlin Thought Drugs Were a Way to the Big Time." *The Alabama Journal*, 1 August 1985.

Granger, David and Alan Schmodtke. "Steroid Dealer Linked to AU." *The Alabama Journal*, 30 July 1985.

Grant, Ian. "Bitter Demers Finds New Role Tougher than Competing." *The Gazette* (Montreal),

23 March 1987.

Grant, Ian. "Garon, Bolduc Set Weightlifting Marks." *The Gazette* (Montreal), 27 March 1988.

Grant, Ian. "Local Lifter Garon Out to Snatch Gold." *The Gazette* (Montreal), 9 July 1986.

"Greg Foster Suspended Over Banned Drug Use." *Jet*, 21 May 1990.

"Guy Greavette Garners Gold." *The Vancouver Sun*, 18 August 1983.

"Hadlow Awaits Judgement." *The Province* (Vancouver), 14 March 1984.

"Hadlow Cleared." *The Ottawa Citizen*, 16 May 1984.

Hall, Joseph, and Mary Ormsby. "Astaphan Sought Drug Connection, Bodybuilder Says." *The Toronto Star*, 11 May 1989.

Hall, Joseph, and Mary Ormsby. "Coach Hints at World Stars Using Steroids Johnson Knowingly Took Drugs: Francis." *The Toronto Star*, 2 March 1989.

Hall, Joseph, and Mary Ormsby. "Drug Left Her 'Very Aggressive' Sprinter Issajenko Tells Probe." *The Toronto Star*, 13 March 1989.

Hall, Joseph, and Mary Ormsby. "Dubin Berates Astaphan on Steroids." *The Toronto Star*, 1 June 1989.

Hall, Joseph, and Mary Ormsby. "He Injected Steroids in Ben, Coach Says Johnson Said On Drugs Before Record Run in '87." *The Toronto Star*, 2 March 1989.

Harden, Blaine. "Buttlegging; Federal Agents 'Sting' Cigarette Smugglers." *The Washington Post*, 29 June 1980.

Harvey, Randy. "Canadian Inquiry Told of Bizarre Medical Practices." *The Los Angeles Times*, 20 June 1989.

Harvey, Randy. "Drug-Test Results Clear All U.S. Track Athletes." *The Los Angeles Times*, 13 August 1988.

Harvey, Randy. "Kerr Says Evidence Linking Astaphan Was Not Allowed." *The Los Angeles Times*, 2 June 1989.

Harvey, Randy. "Lewis' Name Arises Again at Inquiry." *The Los Angeles Times*, 25 May 1989.

Harvey, Randy. "USOC Coach Helps Athletes With Drug Tests." *The Los Angeles Times*, 30 June 1984.

- Harvey, Randy. "Weightlifter, Lobbyist Join Forces in Fighting Steroids." *The Los Angeles Times*, 9 April 1986.
- "Heike Drechsler and Ben Johnson Left the Record Books...." *Courier-Mail* (Brisbane), 9 March 1987.
- Herrera, Pete. "The Pressure to Win an Olympic Medal..." *The Associated Press*, 27 September 1988.
- Hersh, Phil. "Reynolds in Race to Clear His Name." *Chicago Tribune*, 12 May 1991.
- Hersh, Phil. "Steroid Use Made Her Run... For Her Life." *The Chicago Tribune*, 24 April 1989.
- Hruby, Patrick. "The Barry Bonds Trial: Was It Worth It?" *The Atlantic*, 14 April 2011.
- Hynes, Mary. "Nerve Gas Used by Athletes, Inquiry Told." *The Globe and Mail*, 20 June 1989.
- "IAAF to Rebrand as World Athletics." *The Hindu*, 9 June 2019.
- "In Weightlifting." *The Calgary Herald*, 14 June 1986.
- Janofsky, Michael. "Adviser Suspects N.F.L. Steroid Use." *The New York Times*, 28 August 1983.
- Janofsky, Michael. "Canadian Shot-Putter Tells of Steroid Role." *The New York Times*, 27 July 1989.
- Janofsky, Michael. "Coach Tells a Canadian Inquiry Johnson Used Steroids Since '81: 10 Other Track Athletes Also Cited in Inquiry." *The New York Times*, 2 March 1989.
- Janofsky, Michael. "Doctor Says He Supplied Steroids to Medalists." *The New York Times*, 20 June 1989.
- Janofsky, Michael. "Track Star Admits to Use of Steroids: 'You Increase the Dosage or Change to a New Drug.'" *The New York Times*, 14 March 1989.
- Janofsky, Michael, and Peter Alfano. "Drug Use by Athletes Runs Free Despite Tests." *The New York Times*, 17 November 1988.
- Japenga, Ann. "Guidebook to Steroid Use is Called Deceptive and Dangerous." *The Los Angeles Times*, 31 January 1984.
- "Jenkins in Jail After Court Appearance." *The Times* (London), 27 May 1987.
- "Johnson Sets Sights on Lewis' Olympic Crown." *Courier-Mail* (Brisbane), 1 September 1987.

Jollimore, Mary. "An AP Sportscene." *The Associated Press*, 26 September 1989.

"Jones Konihowski Sets National Record." *The Times Colonist* (Victoria, Canada), 4 October 1981.

"Jurisprudence." *The Washington Post*, 8 December 1983.

Kaufman, Michelle. "Hurricanes' Strength Coach is Among 34 Indicted Nationwide for Smuggling Steroids." *The Tampa Bay Times*, 22 May 1987.

Keefe, Patrick Radden. "How a Mexican Drug Cartel Makes its Billions." *The New York Times*, 15 June 2012.

Kindred, Dave. "Steroids: Placebos of Peril." *The Washington Post*, 25 August 1983.

Kornheiser, Tony. "For Johnson, Fool's Gold." *The Washington Post*, 27 September 1988.

Krueger, Anne. "Ex-Track Star Denies Aiding Steroids Ring." *The San Diego Union-Tribune*, 26 May 1987.

"Lawyer Seeks Discharge for Hadlow." *The Ottawa Citizen*, 1 May 1984.

Layden, Tim. "With BALCO Behind Him, Victor Conte is Still Hustling – And Loving Every Minute." *Sports Illustrated*, 28 June 2017. Accessed 5 August 2020: <https://www.si.com/more-sports/2017/06/28/victor-conte-balco-steroids>.

Lewis, Ron. "Chernova Ban Adds to Russia Doping Scandal." *The Times* (London), 31 January 2015.

"Lewis Had No Answer to Big Ben Johnson." *Sunday Mail* (Queensland), 25 September 1988.

Lief, Fred. "Uh Canada, In One of the Most Troubling Incidents..." *United Press International*, 22 August 1983.

"Lifter May Rebound to Compete in L.A." *The Edmonton Journal*, 1 August 1984.

"Lifter on Sidelines with High Pressure." *The Province* (Vancouver), 30 July 1984.

"Lifter Snatches a Technical Acquittal." *The Edmonton Journal*, 24 January 1984.

"Lifters Face Tests Soon." *The Herald* (Melbourne), 1 December 1987.

"Lifters Get Their Day in Court." *The Windsor Star*, 8 December 1983.

"Lifters May Get Games Chance." *The Globe and Mail*, 8 December 1983.

- Litzky, Frank. "Chilean Cyclist is Disqualified." *The New York Times*, 26 August 1983.
- Litzky, Frank. "Some U.S. Athletes Leave Games at Caracas Amid Stiff Drug Tests." *The New York Times*, 24 August 1983.
- Litzky, Frank. "Tully Returns and Wins Gold." *The New York Times*, 27 August 1983.
- Litzky, Frank. "U.S. Orders Athletes Drug Tests." *The New York Times*, 25 August 1983.
- Litzky, Frank. "Use of Steroids: Discovery in the Face of Disbelief." *The New York Times*, 28 August 1983.
- Lorge, Barry. "A Thoroughly Modern Athlete: Bigger, Better - and on Drugs; 'This Isn't a Sporadic Case, It's More Like an Epidemic.'" *The Washington Post*, 27 May 1979.
- Lyons, Richard. "Athletes Warned on Hormone: Side-Effects Seen as Serious." *The New York Times*, 14 June 1984.
- MacDonald, Neil. "Hunger for Victory Gobbles up Victims." *The Ottawa Citizen*, 9 August 1986.
- Mackay, Duncan. "The Dirtiest Race in History: Olympic 100m final, 1988." *The Guardian* (London), 17 April 2003.
- Mackinnon, John. "Steroids Charge Vague, Hadlow's Lawyer Says." *The Ottawa Citizen*, 14 March 1984.
- MacLeod, Robert. "Steroid Guru had Athletes Sign Form." *The Globe and Mail*, 14 March 1989.
- MacDonald, Neil. "Steroids: Win, Lose or Draw." *The Windsor Star*, 30 August 1986.
- "Mario Parente, 20." *The Los Angeles Times*, 25 January 1984.
- "Marion Jones Sentenced to Six Months in Prison." *The New York Times*, 12 January 2008.
- Marrocco, Steven, and Matt Erickson. "Vitor Belfort Admits Elevated Testosterone Found in NSAC Random Test." Accessed 4 August 2020:
<https://mmajunkie.usatoday.com/2014/06/vitor-belfort-admits-elevated-testosterone-found-in-nsac-random-test>.
- Mayoh, Rick. "Government Cracks Down on Athletes' Drug Use." *The Ottawa Citizen*, 15 December 1983.
- McDonald, Archie. "Laumann Lost Medal But Has Kept Her Good Name for this Most Venial of Sins." *The Vancouver Sun*, 24 March 1995.

- McDonnell, Patrick. "Athlete Pushes Anti-Steroid Message." *The Times* (London), 28 October 1988.
- McMane, Fred. "A Cuban Fencer, Mario Durruthy Wilson..." *United Press International*, 26 August 1983.
- McMane, Fred. "The United States Gold Rush in Swimming." *United Press International*, 21 August 1983.
- Milne, Seamus, and Christopher Reed. "Arrested Olympic Medallist Faces Drug Ring Charges." *The Guardian* (London), 23 May 1987.
- "Miscellany." *The Gazette*, 1 May 1984.
- Moghe, Sonia. "Traffickers at the El Chapo Trial Say Drugs Aren't Smuggled Through Open Parts of the Border." Accessed 10 September 2019:
<https://fox2now.com/2019/01/12/traffickers-at-the-el-chapo-trial-say-drugs-arent-smuggled-through-open-parts-of-the-border/>.
- Molloy, Paul. "Pignone Lift Has Silver Lining." *The Sydney Morning Herald*, 4 October 1982.
- "Montreal Lifter Asks to Return to Games." *The Gazette* (Montreal), 2 August 1984.
- Moore, Kenny. "Chasing the Dream: Butch Reynolds Shattered Lee Evans 20-Year-Old World Record in the 400m." *Sports Illustrated*, 29 August 1988.
- Moore, Richard. "From Gold and Silver to Drugs and Jail David Jenkins Never Ran from Fate." *The Scotsman*, 9 July 2012.
- Moss, Marv. "Life Ban Tracks Bitter Pill after Wenzel Pops Tablets." *The Gazette* (Montreal), 27 November 1975.
- Murray, Susan. "Authorities Smashed a Steroid Smuggling Network." *United Press International*, 21 May 1987.
- "Names Emerge in L.A. Steroid Case." *The Washington Post*, 1 September 1991.
- "Nevada Commission Bans TRT Exemptions, Urges Other States to Follow." Accessed 10 August 2020: <https://www.foxsports.com/stories/ufc/nevada-commission-bans-trt-exemptions-urges-other-states-to-follow>.
- "New Style, But Carl's Still Fired Up With Zeal." *Sunday Mail* (Brisbane), 5 March 1989.
- Nicholson, Joe. "Doc a Real Cure-iosity." *New York Daily News*, 13 August 1995.
- O'Keeffe, Michael. "USOC Gets Testy Over Investigation," *The New York Daily News*, 17 April

2003.

Okamoto, Brett. Chris Weidman Labels Vitor Belfort a Cheater on Eve of UFC 187 Match.” Accessed 4 August 2020: https://www.espn.com/boxing/story/_/id/12935240/ufc-champion-chris-weidman-accuses-vitor-belfort-cheating-based-testosterone-tests.

“Olympics Advisor Advocates Steroids.” *United Press International*, 1 July 1984.

“Olympic Javelin Thrower Raps U.S. Drug Testing.” *The Los Angeles Times*, 16 August 1988.

“Olympic Scoreboard.” *The Atlanta Constitution*, 3 August 1984.

“Olympic Status of Lifters Uncertain.” *Star-Phoenix* (Saskatoon, Canada), 10 December 1983.

Ott, Bill. “Ex-Athlete’s Steroid Term is Reduced.” *The San Diego Union-Tribune*, 10 June 1989.

Ott, Bill. “U.S. Indicts Ex-Track Star, 33 Others for Steroid Smuggling.” *The San Diego Union Tribune*, 22 May 1987.

“Ottawa to Probe Drug Use by ‘Lifters.” *The Gazette* (Montreal), 17 September 1988.

“Ottawa’s Phil Takahashi Wins Judo Gold.” *The Ottawa Citizen*, 21 February 1975.

Pickering, Edward. “Vive le Tour? Bien Sur!” *The New York Times*, 3 June 2007.

Polk, William. “British Track Star Pleads Guilty to Steroid Charges.” *The San Diego Tribune*, 7 November 1987.

Polk, William. “Guilty Pleas Entered on Steroid Ring: 300,000 Bail Set for Accused Leader.” *The San Diego Tribune*, 6 June 1987.

“Pound: Only 10% of Olympic Drug Cheats Caught.” *Cable News Network* (CNN), 1 August 2012. Accessed 29 June 2020: <https://www.cnn.com/2012/08/01/sport/olympics-drugs-pound-shiwen/index.html>.

“Pre-Olympic Weightlifting at Allen Tomorrow.” *The Morning Call* (Philadelphia), 12 January 1980.

Proudfoot, Jim. “It’s Just Ben-Tastic.” *The Toronto Star*, 24 September 1988.

“Québec Body Seeks Tests for Lifters.” *The Ottawa Citizen*, 8 November 1983.

“Québec Lifter Acquitted.” *The Globe and Mail*, 4 January 1984.

“Québecers Shine at Weightlifting Championships.” *The Gazette* (Montreal), 21 May 1984.

- “Quest for Gold.” *The Province* (Vancouver), 1 October 1982.
- Reed, Christopher. “Olympic Star’s Co-Defendant Admits Steroid Plot.” *The Guardian* (London), 12 June 1987.
- Reed, Christopher. “Track Star Imprisoned for Dealing in Steroids.” *The Globe and Mail*, 13 December 1988.
- “Riders Asked to Sign Drug Declaration.” *The Washington Post*, 20 June 2007.
- “Roger Clemens Trial: Are Steroid Hearings Worth It?” *CBS News*, 17 April 2012. Accessed 5 August 2020: <https://www.cbsnews.com/news/roger-clemens-trial-are-steroid-hearings-worth-it/>.
- Ross, Oakland. “Drugs, Not Records, Mark Games.” *The Globe and Mail*, 29 August 1983.
- Ross, Oakland. “Canadian Lifters Banned for Drug Use.” *The Globe and Mail*, 23 August 1983.
- Rubin, James H. “Inflation Contributing to Decrease in Cigarette Bootlegging.” *The Associated Press*, 17 April 1980.
- Sanoff, Alvin P. “Drug Problem in Athletics: It’s Not Only the Pros.” *U.S. News and World Report*, 17 October 1983.
- Scanlon, Wayne. “Two Lifters Reinstated After Steroid Tests Found to be Lax.” *The Ottawa Citizen*, 9 July 1987.
- Schachter, Jim. “Ex-Olympian Arrested in Steroid Crackdown.” *The Los Angeles Times*, 22 May 1987.
- Schmidt, Michael S. “Rodriguez Linked Anew to Prohibited Drugs.” *The New York Times*, 30 January 2013.
- Schoalts, Dave. “Demers Puts Scandal, Weightlifting Aside.” *The Globe and Mail*, 18 Feb 1989.
- Sell, David. “Growth Hormone Proves to be Tempting for Athletes.” *The Washington Post*, 10 August 1986.
- “Sentence in Steroid Case.” *The New York Times*, 13 December 1988.
- Sherwood, Tom. “District Convicts Man in Illegal Cigarette Sales.” *The Washington Post*, 24 August 1979.
- “Shotputter Says That He Was Reinstated After Expose Threats.” *The Los Angeles Times*, 27 April 1989.

“Six Athletes Dumped After Using Steroids.” *The Vancouver Sun*, 16 July 1986.

Sokol, Al. “Ben Got Needle Club Doctor Injected Sprint Champ For Bursitis, Therapist Discloses.” *The Toronto Star*, 1 October 1988.

Sokol, Al. “Ben Johnson – A National Treasure.” *The Toronto Star*, 24 September 1988.

Sokol, Al. “Big Ben’s Career in Ruins.” *The Toronto Star*, 27 September 1988.

Sokol, Al. “Feds Cut Off Drug Users Jelinek Admits Life Funding Ban Will Ruin Athletes’ Careers.” *The Toronto Star*, 17 July 1986.

Sokol, Al. “Life Bans Sought for Drug Abuse: Jelinek Ends Financial Support for Athletes Utilizing Steroids.” *The Toronto Star*, 16 July 1986.

Sokol, Al. “Steroids Soil Weightlifting’s Reputation 3 Dropped from Olympic Team After Failing Tests.” *The Toronto Star*, 9 September 1988.

“Sprinter’s Steroid Smuggling Sparks Seven-Year Sentence.” *The Toronto Star*, 13 December 1988.

Starkman, Randy. “Bishop Dolegiewicz Dies.” *The Toronto Star*, 1 November 2008.

Starkman, Randy. “Canadian Track Body Slaps Mark McKoy With Two-Year Ban.” *The Toronto Star*, 9 January 1989.

Starkman, Randy. “U.S. Track Body Prefers to Ignore Drug Allegations.” *The Toronto Star*, 28 November 1989.

“Steroid Case: 4 Charged.” *The Washington Post*, 5 November 1983.

“Steroid Guru Convicted Again.” *The San Diego Union-Tribune*, 18 April 1992.

“Steroid Use Laid to Some Medalists.” *The New York Times*, 10 August 1984.

“Steroids Confiscated from Canadian Lifters.” *The Los Angeles Times*, 5 November 1983.

“Technicality Lifts Charge from Weightlifter.” *The Windsor Star*, 24 January 1984.

“Ten of 12 Plead Guilty in Cigarette Smuggling Case.” *The New York Times*, 27 November 1980.

“Testosterone Replacement Therapy Banned By Nevada Athletic Commission Decision Supported By Ultimate Fighting Championship.” Accessed 10 August 2020: <https://www.classlawgroup.com/testosterone-replacement-therapy-banned-by-nevada-athletic-commission-decision-supported-by-ultimate-fighting-championship/>.

Thau, Chris. "Weight Men Banned: Fight Against Drugs in Sport." *The Times* (London), 7 September 1987.

"The Canadian Weightlifting Association Suspended..." *The Associated Press*, 22 August 1985.

"The Drug Runners." *The Sydney Morning Herald*, 18 April 2003.

"The Pride of Canada." *The Globe and Mail*, 18 July 1984.

"The Sport of Lewis: Bashing." *Sunday Mail* (Queensland), 6 January 1991.

"The Strength Coach at the University of California." *The Associated Press*, 18 December 1985.

"Tough Action Urged Against Weightlifters." *The Calgary Herald*, 23 August 1984.

"Track Body IAAF to Rebrand as World Athletics." *The Associated Press*, 9 June 2019.

"Two Canadian Lifters Sent Home – Steroids." *The Los Angeles Times*, 29 July 1984.

"Two Canadians Fail Test." *The Province*, 29 July 1984.

"Two Suspended Weightlifters are Reinstated: Sport Canada Drops All Sanctions Indicating Any Steroid Use." *The Toronto Star*, 9 July 1987.

"Urine Tests Slated for NCAA Athletes." *The Los Angeles Times*, 19 June 1973.

"Verdict Seen March 29 on Ottawa Weightlifter." *The Windsor Star*, 15 March 1984.

Watson, Laurie. "The Canadian Sports Minister Said Thursday He Would Not..." *United Press International*, 17 July 1986.

"Weightlifter Convicted for Illegal Importing of Anabolic Steroids." *The Ottawa Citizen*, 30 March 1984.

"Weightlifter Not Guilty of Steroid Charge." *The Calgary Herald*, 24 January 1984.

"Weightlifters Getting Hard Work, No Drugs." *The Gazette* (Montreal), 14 July 1984.

"Weightlifters Plead Not Guilty." *The Star-Phoenix* (Saskatoon, Canada), 8 December 1983.

"Weightlifters to Miss Olympics After Tests Show Steroid Use." *The Gazette* (Montreal), 9 September 1988.

"Weightlifting Will be Under Close Scrutiny." *The Calgary Herald*, 17 September 1988.

"Weightmen Tell Court: Not Guilty." *The Globe and Mail*, 8 December 1983

Weinstein, Henry. "Doctor Given 5-Year Term for Steroid Distribution." *The Los Angeles Times*, 1 October 1991.

Weinstein, Henry. "Doctor Indicted on 27 Counts as Steroid Supplier Drugs: L.A. Physician is Accused of Illegal Distribution to Athletes and Bodybuilders. His Lawyer Says the Government is Trying to Make an Example out of His Client." *The Los Angeles Times*, 15 August 1991.

"Williams Conquers Top Runners in 2 Sprints at King Games." *The New York Times*, 23 May 1976.

Wilstein, Steve. "Jeff Michels Had Hoped to March In..." *The Associated Press*, 28 July 1984.

Wood, Larry. "Trying to Pin Blame on COA Standards." *The Calgary Herald*, 13 September 1988.

Wood, Tracy. "San Gabriel Doctor Says He Will Testify." *The Los Angeles Times*, 2 May 1989.

Woodward, Steve. "Reputation Led Athletes to Steroid Guru." *USA Today*, 6 April 1989.

"Wrestling Settles Weightlifting." *The Ottawa Citizen*, 23 February 1979.

Magazine Articles

—. "A Physician Gives His Opinion About the Entry of STH into the Bodybuilding World." *Flex*, June 1983. Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.

— "An Interview with Robert Kerr, M.D; The Human Growth Hormone: Is it a Bane or a Blessing? A Prescription for Health or a Portent or Disaster?" *Flex*, June 1983. Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.

Chu, Daniel. "A California Sports Doctor Defends the Controlled Use of a Fad Drug by Olympic Athletes." *People*, 16 July 1984.

Duchaine, Daniel. "Newest Developments in Precontest Carbing Up." *Flex*, December 1984. Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.

Duchaine, Daniel. "Free-Form Amino Acids: The Protein Source of the 1980s." *Flex*, January 1984. Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.

Eisendrath, John. "Confessions of a Steroid Smuggler: When the Quest for Big Muscles Turns

- into a Passion for Big Money.” *Los Angeles Times Magazine*, 24 April 1988.
- Gilbert, Bil. “Drug Use and Abuse: The Nature and Extent of the Problem.” *Sports Illustrated*, 23 June 1969.
- Gladwell, Malcolm. “The Sporting Scene: Drugstore Athlete.” *The New Yorker*, 10 September 2001.
- Johnson, William Oscar. “Steroids: A Problem of Huge Dimensions.” *Sports Illustrated*, 13 May 1985.
- Kerr, Robert (M.D.). “HCG: Muscle Hormone from Pregnant Women.” *Flex*, July 1983.
Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.
- Kerr, Robert (M.D.). “L-Dopa: A Question of Risk vs. Benefit.” *Flex*, September 1983.
Accessed in the H.J. Lutcher Stark Center Physical Culture and Sports Archive, The University of Texas at Austin.
- Maloney, Tim. “An Interview with Michele Ferrari: Part 2, The Eye of the Storm.” *The Cycling News*, n.d. Accessed 10 February 2019:
<http://autobus.cyclingnews.com/riders/2003/interviews/?id=ferrari03>
- Neems, Steve. “Roids: Everything You Would Know but Were Afraid to Ask.” *High Times* (no date). Accessed 11 December 2018 in the Personal Collection of Jan and Terry Todd, Austin, Texas.
- “RGXLife.com and Champion Nutrition Form Strategic Content Partnership.” *Business Wire*, 26 April 2007. Accessed 3 March 2020,
www.businesswire.com/news/home/20070426005631/en/RGXLife.com-Champion-Nutrition-Form-Strategic-Content-Partnership.
- “Snaring the Cigarette Smugglers.” *Newsweek*, 25 February 1980.
- Snider, Sharon. “Phony Steroid Dealers Receive Real Sentence.” *FDA Reports*, July-August, 1990.
- “The Athletes and Steroids.” *MacLean’s*, 14 November 1983.
- Todd, Terry. “The Steroid Predicament.” *Sports Illustrated*, 1 August 1983.
- “The Godfather.” *Sports Illustrated*, 11 March 2008.

Scholarly Articles and Books

- Abadinsky, Howard. *Drug Use and Abuse: A Comprehensive Introduction, Ninth Edition*. Boston, MA: Cengage Learning, 2014.
- Abood, Richard R. *Pharmacy Practice and the Law, Seventh Edition*. Burlington, MA: Jones and Bartlett Learning, 2014.
- Achilladelis, Basil. "Innovation in the Pharmaceutical Industry." In *Pharmaceutical Innovation: Revolutionizing Human Health*, edited by Ralph Landau, Basil Achilladelis, and Alexander Scriabine, 1-147. Philadelphia: Chemical Heritage Press, 1999.
- Adler, Patricia A., and Peter Adler. "Shifts and Oscillations in Deviant Careers: The Case of Upper-Level Drug Dealers and Smugglers." In *Drugs, Alcohol, and Social Problems*, edited by James D. Orcutt and David R. Rudy, 199-215. Lanham, MD: Rowman and Littlefield, 2003.
- Albergotti, Reid, and Vanessa O'Connell. *Wheelmen: Lance Armstrong, the Tour de France, and the Greatest Sports Conspiracy Ever*. New York: Gotham Books, 2013.
- American Medical Association, Council on Scientific Affairs. "Drug Abuse in Athletics: Anabolic Steroids and Human Growth Hormone." *Journal of the American Medical Association* 259, no. 11 (1988): 1703-1705.
- Anderson, Sheldon. *The Politics and Culture of Modern Sports*. Lanham, MD: Lexington Books, 2015.
- Arkfeld, JoAnn M. "The Federal Bail Reform Act of 1984: Effect of the Dangerousness Determination on Pretrial Detention." *Pacific Law Journal* 19, no. 4 (1988): 1435-1457.
- Assael, Shaun. *Steroid Nation: Juiced Home Run Totals, Anti-Aging Miracles, and a Hercules in Every High School: The Secret History of America's True Drug Addiction*. New York, NY: ESPN Books, 2007.
- Ayaar, Vageesh S. "History of Growth Hormone Therapy." *Indian Journal of Endocrinology and Metabolism* 15, no.3 (2011): 162-165.
- Barnes, Alison Patrucco. "Beyond Guardianship Reform: A Re-Evaluation of Autonomy and Beneficence for a System of Principled Decision-Making in Long Term Care." *Emory Law Journal* 41, no. 3 (1992): 633-766.
- Barnes, John. *Sports and the Law in Canada*. London, United Kingdom: Butterworths, 1988.
- Beamish, Rob. "Olympic Ideals Versus the Performance Imperative: The History of Canada's Anti-Doping Policies." In *Sport Policy in Canada*, edited by Lucie Thibault and Jean Harvey, 217-242. Ottawa: The University of Ottawa Press, 2013.

- Beamish, Rob. "Steroids, Symbolism, and Morality: The Unintended Consequences of the Social Construction of a Social Problem." In *Elite Sport, Doping and Public Health*, edited by Verner Møller, Paul Dimeo and Mike McNamee, 55-74. Odense: University of Southern Denmark Press, 2009.
- Beamish, Rob, and Ian Ritchie. "Ben Johnson, Charles Dubin, and 'The Spirit of Sport.' Canada's Role in International Anti-Doping Policies." *Olympika: The International Journal of Olympic Studies* 24 (2015): 47-72.
- Beamish, Rob, and Ian Ritchie, *Fastest, Highest, Strongest: A Critique of High-Performance Sport*. New York: Routledge, 2006.
- Beamish, Rob, and Ian Ritchie. "The Spectre of Steroids: Nazi Propaganda, Cold War Anxiety and Patriarchal Paternalism." *The International Journal of the History of Sport* 22, no. 5 (2005): 777-795.
- Beck, James M., and Elizabeth D. Azari, "FDA, Off-Label Use, and Informed Consent: Debunking Myths and Misconceptions." *Food and Drug Law Journal* 53, no. 1 (1998): 71-104.
- Beckett, Katherine. *Making Crime Pay: Law and Order in Contemporary American Politics*. London: Oxford University Press, 1997.
- Bernstein, Monte S., Robert L. Hunter, and Stanley Yachnin. "Hepatoma and Peliosis Hepatis Developing in a Patient with Fanconi's Anemia." *The New England Journal of Medicine* 284 (1971): 1135-1136.
- Binstock, Robert H. "Anti-Aging Medicine and Research: A Realm of Conflict and Profound Societal Implications." *Journal of Gerontology* 59, no. 6 (2004): 523-533.
- Blizzard, Richard. "History of Growth Hormone Therapy." *The Indian Journal of Pediatrics* 79, no. 1 (2012): 87-91.
- Boe, Sue. "The Increasing Use of Prescription and Over-the-Counter Psychoactive Drugs by Adults in the U.S." *Journal of Drug Uses* 1 (1971): 286-294.
- Brett, Allan S. "Ethical Issues in Risk Factor Intervention." *The American Journal of Medicine* 76, no. 4 (1984): 557-561.
- Brower, Kirk J. "Anabolic Steroids: Addictive, Psychiatric, and Medical Consequences." *The American Journal of Addictions* 1, no. 2 (1991): 100-114.
- Brown, P., F. Cathala, P. Castaigne, and D.C. Gajdusek. "Creutzfeldt-Jakob Disease: Clinical Analysis of a Consecutive Series of 230 Neuropathologically Verified Cases." *Annals of Neurology* 20, no.5 (1986): 597-602.

- Bryant, Robert L., and Howard L. Forman. *Prescription Drug Abuse*. Santa Barbara, CA: Greenwood, 2019.
- Bunck, Julie Marie, and Michael Ross Fowler. *Bribes, Bullets, and Intimidation: Drug Trafficking and the Law in Central America*. University Park, PA: The Pennsylvania State University Press, 2012.
- Bunker, Robert J., and John P. Sullivan. "Cartel Evolution Revisited: Third-Phase Cartel Potentials and Alternative Futures in Mexico." In *Narcos Over the Border: Crimes, Cartels and Mercenaries*, edited by Robert J. Bunker, 30-54. New York, NY: Routledge, 2011.
- Burge, John. "Legalize and Regulate: A Prescription for Reforming Anabolic Steroid Legislation." *Loyola of Los Angeles Entertainment Law Review* 15 (1994): 33-60.
- Carrabine, Eamonn. *Crime and Social Theory*. London: Macmillan Publishers, 2017.
- Cha, Victor D. *Beyond the Final Score: The Politics of Sport in Asia*. New York: Columbia University Press, 2009.
- Chast, Francois. "A History of Drug Discovery: From First Steps of Chemistry to Achievements in Molecular Pharmacology." In *The Practice of Medicinal Chemistry, Third Edition*, edited by Patricia Wermuth, 3-55. London: Academic Press, 2008.
- Chepesiuk, Ron. *The War on Drugs: An International Encyclopedia*. Santa Barbara, CA: ABC CLIO Inc., 1999.
- Chester, Neil, and Nick Wojek. "Regulation of Anti-Doping in Sport: International and National Operational Frameworks." in *Drugs in Sport*, edited by David R. Mottram and Neil Chester. New York: Routledge, 2015.
- Chin, Ko-Lin. *The Golden Triangle: Inside Southeast Asia's Drug Trade*. Ithaca, NY: Cornell University Press, 2009.
- Church, Anthony G. "Pressure Groups and Canadian Sport Policy: A Neo-Pluralist Examination of Policy Development." Ph.D. dissertation, University of Western Ontario, 2008.
- Clark, Ann S., and Alison S. Fast. "Comparison of the Effects of 17 α -Methyltestosterone, Methandrostenolone, and Nandrolone Decanoate on the Sexual Behavior of Castrated Male Rats." *Behavioral Neuroscience* 100, no. 6 (1996): 1478-1486.
- Coleman, James E., and Joshua Levine. "Burden of Proof in Endogenous Substance Cases." In *Doping and Anti-Doping Policy in Sport: Ethical, Legal and Social Perspectives*, edited by Brian McNamee and Verner Moller, 27-49. London; New York: Routledge, 2011.

- Connor, James M. "Towards a Sociology of Drugs in Sport." *Sport in Society* 12, no. 3 (2009): 327-343.
- Correa-Cabrera, Guadalupe. *Criminal Corporations: Energy and Civil War in Mexico*. Austin, TX: The University of Texas Press, 2017.
- De Haen, Paul. "New Products Parade 1967." *Drug Intelligence* 2 (1968): 86-94.
- De Pencier, Joseph. "Law and Athlete Drug Testing in Canada." *Marquette Sports Law Journal* 4, no. 2 (1994): 259-299.
- Denham, Bryan E. "On Drugs in Sports in the Aftermath of Flo-Jo's Death, Big Mac's Attack." *Journal of Sport & Social Issues* 23, no. 3 (1999): 362-367.
- Denham, Bryan E. "Performance-Enhancing Drug Use in Amateur and Professional Sports: Separating the Realities from the Ramblings." *Culture, Sport, and Society* 3, no. 2 (2000): 56-69.
- Denham, Brian E. "Sports Illustrated, the 'War on Drugs,' and the Anabolic Steroid Control Act of 1990." *Journal of Sport and Social Issues* 21, no. 3 (1997): 260-273.
- Dennis, Mike. "The East German Doping Program." In *Routledge Handbook of Doping in Sports*, edited by Verner Moller, Ian Waddington, and John Hoberman, 170-180. New York: Routledge, 2015.
- Dimeo, Paul. "The Origins of Anti-Doping Policy in Sports: From Public Health to Fair Play." In *Elite Sport, Doping and Public Health*, edited by Paul Dimeo, Verner Møller, and Mike McNamee, 29-40. Odense: University of Southern Denmark, 2009.
- Dimeo, Paul, and Thomas M. Hunt. "The Doping of Athletes in the Former East Germany: A Critical Assessment of Comparisons with Nazi Medical Experiments." *International Review for the Sociology of Sport* 47, no.5 (2012): 581-593.
- Dimeo, Paul, Thomas M. Hunt, and Matthew Bowers. "Saint or Sinner?: A Reconsideration of the Career of Prince Alexandre de Merode, Chair of the International Olympic Committee's Medical Commission, 1967-2002." *The International Journal of the History of Sport* 28, no. 6 (2011): 925-940.
- Dimeo, Paul, Thomas M. Hunt, and Richard Horbury. "The Individual and the State: A Social Historical Analysis of the East German 'Doping System.'" *Sport in History* 31, no. 2 (2011): 218-237.
- Doob, Christopher B. *The Anatomy of Competition in Sports: The Struggle for Success in Major U.S. Professional Leagues*. Lanham, MD: Rowman and Littlefield, 2015.
- Duchaine, Daniel. *Underground Steroid Handbook II: Incorporating Material from the*

- Original Underground Steroid Handbook, Ultimate Muscle Mass, and the USH Updates #1-10*. Venice, CA: HLR Technical Books, 1989.
- Duchaine, Daniel. *Underground Steroid Handbook*. Venice, CA: OEM Publishing, 1982.
- Duhamel, Louise. "Notwithstanding Everything and All of Us." In *Pierre: Colleagues and Friends Talk About the Trudeau They Knew*, edited by Nancy Southam, 167-186. Toronto: McClelland & Stewart Ltd., 2005.
- Dupont, Robert L., and Eric A. Voth. "Drug Legalization, Harm Reduction, and Drug Policy." *Annals of Internal Medicine* 123, no. 6 (1995): 461-465.
- Dziewa, Brian. "USADA the Unconquerable: The One-Side Nature of the United States Anti Doping Administration's Arbitration Process." *Saint Louis University Law Journal* 58 (2014): 875-910.
- Fainaru-Wada, Mark, and Lance Williams. *Game of Shadows: Barry Bonds, BALCO, and the Steroid Scandal that Rocked Professional Sports*. New York: Gotham Books, 2006.
- Fair, John. "Isometrics or Steroids: Exploring New Frontiers of Strength in the Early 1960s." *Journal of Sport History* 20 (1993): 1-24.
- Fair, John D. *Mr. America: The Tragic History of a Bodybuilding Icon*. Austin: The University of Texas Press, 2015.
- Fincoeur, Bertrand, Katinka Van De Ven, and Kyle J. D. Mulrooney. "The Symbiotic Evolution of Anti-Doping and Supply Chains of Doping Substances." *Trends in Organized Crime* 18, no. 3 (2014): 229-250.
- Forcroy, Jean. "Designer Steroids: Past, Present and Future." *Current Opinion in Endocrinology and Diabetes* 13 (2006): 306-309.
- Fox, Maurice, Ann Minot, and Grant W. Liddle. "Oxandrolone: A Potent Anabolic Steroid of Novel Chemical Configuration." *The Journal of Clinical Endocrinology and Metabolism* 22, no. 9 (1962): 921-924.
- Franke, Werner, and Brigitte Berendonk. "Hormonal Doping and Androgenization of Athletes: A Secret Program of the German Democratic Republic Government." *Clinical Chemistry* 43, no. 7 (1997): 1262-1279.
- Frasier, S. Douglas (M.D.). "The Not-So-Good Old Days: Working with Pituitary Growth Hormone in North America, 1956 to 1985." *The Journal of Pediatrics* 131, no.1 (1997): S1-S4.
- Fukumi, Sayaka. *Cocaine Trafficking in Latin America: EU and U.S. Policy Responses*. New York: Ashgate Publishing, 2008.

- Gahlinger, Paul. *Illegal Drugs: A Complete Guide to Their History, Chemistry, Use and Abuse*. New York: Penguin, 2004.
- Gillon, Raanan. "Primum Non Nocere" and the Principle of Non-Maleficence." *British Journal of Medicine* 291 (1985): 130-131.
- Gleaves, John, and Matthew Llewellyn. "Sport, Drugs and Amateurism: Tracing the Real Cultural Origins of Anti-Doping Rules in International Sport." *The International Journal of the History of Sport* 31, no. 8 (2014): 839-853.
- Goldman, Robert, and Ronald Klatz. *Anti-Aging Secrets*. Chicago: Elite Sports Medicine Publications, 1996.
- Goldman, Robert, and Ronald Klatz. *The "E" Factor: Ergogenic Aids, the Secrets of New-tech Training and Fitness for the Winning Edge*. Chicago: Elite Sports Medicine Publications, 1988.
- Goldman, Bob, Ronald Klatz, and Patricia Bush. *Death in the Locker Room: Steroids & Sports*. South Bend, IN: Icarus Press, 1984.
- Goldstein, Paul. "Anabolic Steroids: An Ethnographic Approach." In *Anabolic Steroid Abuse*, edited by Geraline C. Lin and Lynda Erinoff, 74-96. Rockville, MD: National Institute on Drug Abuse, 1990.
- Grace, F., N. Sculthorpe, J. Baker, and B. Davies. "Blood Pressure and Rate Pressure Product Response in Males Using High-Dose Anabolic Androgenic Steroids (AAS)." *Journal of Science and Medicine in Sport* 6, no. 3 (2003): 307-312.
- Greene, Jeremy A., and Scott H. Podolsky. "Keeping Modern in Medicine: Pharmaceutical Promotion and Physician Education in Postwar America." *Bulletin of the History of Medicine* 83, no. 2 (2009): 331-377.
- Griffiths, Scott, Richard Henshaw, Fiona H. McKay, and Matthew Dunn. "Post-Cycle Therapy for Performance and Image Enhancing Drug Users: A Qualitative Investigation." *Performance Enhancement and Health* 5, no. 3 (2017): 103-105.
- Grix, Jonathan. *Sport Politics: An Introduction*. London: Palgrave, 2016.
- Hall, Wayne. "What are the Policy Lessons of National Alcohol Prohibition in the United States, 1920-1933?" *Addiction* 105 (2010): 1164-1173.
- Harbour, Jerry L. *Lean Human Performance Improvement*. Boca Raton, FL: CRC Press, 2015.
- Hatch, Hilary Joy. "On Your Mark, Get Set, Stop! Drug-Testing Appeals in the International

- Amateur Athletic Federation.” *Loyola of Los Angeles International and Comparative Law Review* 16, no. 2 (1994): 537-568.
- Henne, Kathryn E. *Testing for Athlete Citizenship: Regulating Doping and Sex in Sport*. Brunswick, NJ: Rutgers University Press, 2015.
- Henry, Veronica. “Off-Label Prescribing: Legal Implications.” *The Journal of Legal Medicine* 20 (1999): 365-383.
- Hoberman, John. *Dopers in Uniform: The Hidden World of Police on Steroids*. Austin: The University of Texas Press, 2017.
- Hoberman, John. “Historical and Cultural Analysis of Doping.” In *Performance-Enhancing Technologies in Sports: Ethical, Conceptual, and Scientific Issues*, edited by Thomas Murray, Karen J. Maschke, and Angela A. Wasuna, 3-27. Baltimore: Johns Hopkins University Press, 2009.
- Hoberman, John. *Mortal Engines: The Science of Performance and the Dehumanization of Sport*. New York: Free Press, 1992.
- Hoberman, John. “Physicians and the Sports Doping Epidemic.” *American Medical Association Journal of Ethics* 16, no. 7 (2014): 570-574.
- Hoberman, John. “Sports Physicians and Doping: Medical Ethics and Elite Performance.” In *The Social Organization of Sports Medicine*, edited by Dominic Malcolm and Parissa Safai, 247-266. New York: Routledge, 2012.
- Hoberman, John. “Sports Physicians and the Doping Crisis in Elite Sport.” *Clinical Journal of Sport Medicine* 12 (2002): 203-208.
- Hoberman, John. *Testosterone Dreams: Rejuvenation, Aphrodisia, Doping*. Berkeley, CA: The University of California Press, 2005.
- Hoberman, John. “The Reunification of German Sports Medicine, 1989-1992.” *Quest* 45, no. 2 (1993): 277-285.
- Hoberman, John. “The Transformation of East German Sport.” *Journal of Sport History* 17, no. 1 (1990): 62-68.
- Hoberman, John, and Charles E. Yesalis. “The History of Synthetic Testosterone.” *Scientific American* (February 1995): 76-81.
- Holt, Richard I.G. “Detecting Growth Hormone Abuse in Athletes.” *Analytical and Bioanalytical Chemistry* 401, no.2 (2011): 449-462.

- Holt, Richard I.G., Ioulietta Erotokritou-Mulligan, and Peter H. Sönksen. "The History of Doping and Growth Hormone Abuse in Sport." *Growth Hormone and IGF Research* 19 (2009): 320-326.
- Horvath, Peter N. "The DESI Hit List: The Story and Reflections." *Journal of the American Academy of Dermatology* 5, no. 3 (1981): 363-366.
- Houlihan, Barrie. "Anti-Doping Policy in Sport: The Politics of International Policy Coordination." *Public Administration* 77, no. 2 (1999): 311-334.
- Houlihan, Barrie. *Dying to Win: Doping in Sport and the Development of Anti-Doping Policy*. Strasbourg: Council of Europe Publishing, 1999.
- Houlihan, Barrie. "Policy Harmonization: The Example of Global Anti-Doping Policy." *Journal of Sport Management* 13 (1999): 197-213.
- Houlihan, Barrie, Dag Vidar Hanstad, Sigmund Loland, and Ivan Waddington. "The World Anti-Doping Agency at 20: Progress and Challenges." *International Journal of Sport Policy and Politics* 11, no. 2 (2019): 193-201.
- Hunt, Thomas M. *Drug Games: The International Olympic Committee and the Politics of Doping, 1960-2008*. Austin: University of Texas Press, 2011.
- Hunt, Thomas M. "Sport, Drugs, and the Cold War: The Conundrum of Olympic Doping Policy, 1970-1979." *Olympika* 16 (2007): 19-41.
- Hunt, Thomas M. "The Health Risks of Doping During the Cold War: A Comparative Analysis of the Two Sides of the Iron Curtain." *International Journal of the History of Sport* 31, no. 17 (2014): 2230-2244.
- Hunt, Thomas M. "The Lessons of Crisis: Olympic Doping Regulation in the 1980s." *Iron Game History* 10, no. 2 (2008): 12-28.
- Hunt, Thomas M., Paul Dimeo, and Scott R. Jedlicka. "The Historical Roots of Today's Problems: A Critical Appraisal of the International Anti-Doping Movement." *Performance Enhancement & Health* 1 (2012): 55-60.
- Huxley, Aldous. *Brave New World*. London, UK: Chatto & Windus, 1932.
- Jackson, Gregory, and Ian Ritchie. "Leave it to the Experts: The Politics of 'Athlete Centeredness' in the Canadian Sport System." *International Journal of Sport Management and Marketing* 2, no. 4 (2007): 396-411.
- Jefferies, Leigh C. "Clinical Aspects of Transfusion Therapy." In *Hematology, Volume 487*, edited by Emmanuel C. Besa, Patricia C. Catalano, Jeffrey A. Kant, and Leigh C. Jefferies, 269-294. Philadelphia, PA: Lippincott Williams and Wilkins, 1992.

- Jennings, Andrew. *The New Lord of the Rings: Olympic Corruption and How to Buy Gold Medals* London: Simon and Shuster, 1996.
- Jensen, Eric L., and Jurg Gerber. "State Efforts to Construct a Social Problem: The 1986 War on Drugs in Canada." *The Canadian Journal of Sociology* 18, no. 4 (1993): 453-462.
- Johnson, F., Leonard, Kenneth G. Lerner, Marilyn Siegel, John R. Feagler, Philip W. Majerus, John R. Hartmann, and E. Donnall Thomas. "Association of Androgenic-Anabolic Steroid Therapy With Development of Hepatocellular Carcinoma." *The Lancet* 300, no. 7790 (1972): 1273-1276.
- Johnson, Thomas J., Wayne Wanta, Timothy Boudreau, Janet Blank-Libra, Killian Schaffer, and Sally Turner. "Influence Dealers: A Path Analysis Model of Agenda Building During Richard Nixon's War on Drugs." *Journalism & Mass Communication Quarterly* 73, no. 1 (1996): 181-194.
- Kamber, Matthias. "Development of the Role of National Anti-Doping Organisations in the Fight Against Doping: From Past to Future." *Forensic Science International* 213 (2011): 3-9.
- Kaplan, Lawrence J., and Dennis Kessler. *An Economic Analysis of Crime: Selected Readings*. New York: Thomas Publishing, 1976.
- Kain, Daniel J. "'It's Just a Concussion:' The National Football League's Denial of a Causal Link Between Multiple Concussions and Later-Life Cognitive Decline." *Rutgers Law Journal* 40 (2009): 697-736.
- Kanayama, Gen, and Harrison G. Pope Jr. "History and Epidemiology of Anabolic Androgens in Athletes and Nonathletes." *Molecular and Cellular Endocrinology* 464 (2018): 4-13.
- Kerr, David A., Luke Strockis, and Harrison Lebowitz. *Idiots to Monsters: The Essential Guide to Surviving Common Threats & Violent Encounters*. Pasadena, CA: Defense Kinetics Inc., 2019.
- Kidd, Bruce. "Seoul to the World, the World to Seoul ... and Ben Johnson: Canada at the 1988 Olympics." *Sport in Society* 16, no. 4 (2013): 449-63.
- Kidd, Bruce, Robert Edelman, and Susan Brownwell. "Comparative Analysis of Doping Scandals: Canada, Russia, and China." In *Doping in Elite Sport: The Politics of Drugs in the Olympic Movement*, edited by Wayne Wilson and Ed Derse, 153-188. Champagne, IL: Human Kinetics, 2001.
- Kinsinger, Frank Stuart. "Beneficence and the Professional's Moral Imperative." *Journal of Chiropractic Humanities* 16, no. 1 (2009): 44-46.

- Klatz, Ronald, editor. *Ten Weeks to a Younger You*. Chicago: Sport Tech Labs, 1999.
- Klatz, Ronald, and Robert Goldman. *Stopping the Clock: Why Many of Us Will Live Past 100 and Enjoy Every Minute*. New Canaan, CT: Keats Publishers, 1996.
- Klatz, Ronald, and Robert Goldman. *The New Anti-Aging Revolution: Stopping the Clock For a Younger, Sexier, Happier You*. North Bergen, NJ: Basic Health Publications, 1996.
- Klein, Alan M. *Little Big Men: Bodybuilding Culture and Gender Construction*. Albany: State University of New York Press, 1993.
- Klein, Alan M. "Pumping Irony: Crisis and Contradiction in Bodybuilding." *Sociology of Sport Journal* 3 (1986): 122.
- Kraska, Peter B., Charles R. Bussard, and John J. Brent. "Trafficking in Bodily Perfection: Examining the Late-Modern Steroid Marketplace and Its Criminalization." *Justice Quarterly* 27, no. 2 (2010): 159-185.
- Krüger, Arnd. "Sport and Identity in Germany Since Reunification." In *Sport, Representation, and Evolving Identities in Europe*, edited by Philip Dine, 289-316. Bern, Switzerland: Peter Lang AG, 2010.
- Labrousse, Alain, and Laurent Laniel. *The World Geopolitics of Drugs, 1998/1999*. Berlin, Germany: Kluwer Academic Publishers, 2001.
- Levin, J., J.A.P. Trafford, and P.M.F. Bishop. "Stanozolol, a New Anabolic Steroid." *Journal of New Drugs* 2, no.1 (1962): 50-55.
- Lewit, Eugene M., and Douglas Coate. "The Potential for Using Excise Taxes to Reduce Smoking." *Journal of Health Economics* 1, no. 2 (1982): 121-145.
- Llewellyn, William. *Anabolics*. Jupiter, FL: Molecular Nutrition, 2011.
- Llewellyn, William, and Ronnie Tober. *Underground Anabolics*. Juniper, FL.: Body of Science, 2010.
- Lo, Bernard. *Resolving Ethical Dilemmas: A Guide for Physicians*. Baltimore, MD: Lippincot, Williams, and Wilkins, 2009.
- Lyman, Michael D. *Drugs and Society: Causes, Concepts, and Control, Seventh Edition*. New York: Routledge, 2014.
- Macedo, Emmanuel. "A Philosophical Critique of Anti-Doping: Uncovering a History of Dissent and Imperialism." Ph.D. dissertation, California State University Fullerton, 2017.

- MacIntosh, Donald, Michael Hawes, Donna Ruth Greenhorn, and David Ross Black. *Sport and Canadian Diplomacy*. Montreal; Buffalo: McGill-Queens University Press, 1994.
- Macklin, Ruth. "Applying the Four Principles." *Journal of Medical Ethics* 29, no. 5 (2003): 275-280.
- Mallon, Bill, and Ian Buchanan. *Historical Dictionary of the Olympic Movement*. Lanham, Maryland: Scarecrow Press, 2006.
- Malone, David G., and Mitchell Martineau. "Blood Loss Management," in *Spine Surgery: Techniques, Complication, Avoidance, and Management*, edited by Edward C. Benzel, 1601-1606. Philadelphia, PA: Elsevier, 2012.
- Masse, Robert, Christiane Ayotte, Honggang Bi, and Robert Dugal. "Detection and Characterization of Stanozolol Urinary Metabolites in Humans by Gas Chromatography – Mass Spectrometry." *Journal of Chromatography* 497 (1989): 17-37.
- Mazmanian, Pamela M., Robert K. Richards, Robert L. Tupper, and Dennis K. Wentz. "The Key Role of State Medical Societies in Continuing Medical Education." In *Continuing Medical Education: Looking Back, Planning Ahead*, edited by Dennis K. Wentz, 87-101. Hanover, NH: Dartmouth College Press, 2011.
- McCullough, Laurence B. *Historical Dictionary of Medical Ethics*. Lanham, MD: Rowman & Littlefield, 2018.
- McElrath, Karen, and Dominic Connolly. "Nalbuphrine (Nubain): Non-Prescribed Use, Injecting, and Risk Behaviors for Bloodborne Viruses." *Contemporary Drug Problems* 33 (2006): 321-340.
- Moffat, Anthony C. "History of Doping in Sport." In *Sport and Exercise Medicine for Pharmacists*, edited by Steven B. Kayne, 219-238. London: Pharmaceutical Press, 2006.
- Moghe, Sonia. "Traffickers at the El Chapo Trial Say Drugs Aren't Smuggled Through Open Parts of the Border." Accessed 10 September 2019:
<https://fox2now.com/2019/01/12/traffickers-at-the-el-chapo-trial-say-drugs-arent-smuggled-through-open-parts-of-the-border/>.
- Moore, Richard. *The Dirtiest Race in History: Ben Johnson, Carl Lewis, and the 1988 Olympic 100m Final*. London: Bloomsbury Publishing, 2012.
- Morley, John E. "Endocrinology of the Aging Male: An Overview." In *Men's Health and Aging, Second Edition*, edited by Bruno Lunenfeld, Louis J.G. Gooren, Alvaro Morales, and John E. Morley, 241-244. London, UK: Informa UK Ltd., 2007.
- Naul, Roland, and Ken Hardman. "Sport and Physical Education in Re-unified Germany, 1990

- 2000.” In *Sport and Physical Education in Germany*, edited by Roland Naul and Ken Hardman, 77-86. New York: Routledge, 2002.
- Newton, David E. *Steroids and Doping in Sports: A Reference Handbook, 2nd Edition*. Santa Barbara, CA: ABC-CLIO Publishing, 2018.
- Nunn, Kenneth B. “Race, Crime and the Pool of Surplus Criminality: Or Why the “War on Drugs” was a “War on Blacks.”” *The Journal of Gender, Race & Justice* 6 (2002): 381-445.
- Olderr, Steven. *The Pan American Games: A Statistical History, 1951-1999*. Jefferson, NC: McFarland and Co. Inc., 2003.
- Paoli, Letizia. “Doping and Anti-Doping: Neglected Issues in Criminology.” *European Journal of Crime, Criminal Law and Criminal Justice* 20 (2012): 231-238.
- Paoli, Letizia, and Alessandro Donati. *The Sports Doping Market: Understanding Supply and Demand, and the Challenges of Their Control*. New York: Springer, 2014.
- Pasek, Peter A. “Diuretics and Masking Agents (Sport).” In *The SAGE Encyclopedia of Pharmacology and Society*, edited by S. Boslaugh, 495-497. Thousand Oaks, CA: SAGE Publications, 2016, 495-497.
- Popper, Hans. “Cholestasis.” *Annual Review of Medicine* 19 (1968): 39-56.
- Quirke, Viviane. “From Alkaloids to Gene Therapy: A Brief History of Drug Discovery in the 20th Century.” In *Making Medicines: A Brief History of Pharmacy and Pharmaceuticals*, edited by Stuart Anderson, 177-202. London: Pharmaceutical Press, 2005.
- Raben, M.S. “Treatment of a Pituitary Dwarf with Pituitary Growth Hormone.” *Journal of Clinical Endocrinology and Metabolism* 18 (1958): 901-903.
- Rancich, Ana Maria, Marta Lucia Pérez, Celina Morales, and Ricardo Jorge Gelpi. “Beneficence, Justice, and Lifelong Learning Expressed in Medical Oaths.” *Journal of Continuing Education in the Health Professions* 25, no. 3 (2005): 211-220.
- Rhee, James, and Timothy Erickson. “Erythropoietin Stimulation and Other Blood Doping Methods.” In *Medical Toxicology of Drug Abuse: Synthesized Chemicals and Psychoactive Plants*, edited by Donald G. Barceloux, 306-325. Hoboken, NJ: John Wiley & Sons, 2012.
- Ritchie, Ian. “‘Keep a Lid’ on the Crisis: Anti-doping in Canada Since 1983.” *Performance Enhancement & Health* 3, no. 2 (2014): 114-115.
- Ritchie, Ian, and Greg Jackson. “Politics and Shock: Reactionary Anti-Doping Policy Objectives

- in Canadian and International Sport.” *International Journal of Sport Policy and Politics* 6, no. 2 (2014): 195-212.
- Rogers, Kara, editor. *Substance Use and Abuse*. New York: Britannica Educational Publishing, 2011.
- Rosen, Daniel M. *Dope: A History of Performance Enhancement in Sports from the 19th Century to Today*. Westport, CT: Praeger, 2008.
- Roth, Mitchel P. *Organized Crime: A 21st Century Approach, Second Edition*. London; New York: Routledge, 2017.
- Sacco, Lisa N. *Drug Enforcement in the United States: History, Policy, and Trends*. Washington, D.C.: The Congressional Research Service, 2014.
- Sandheep-Sahu, Hemlata, and Anupam Verma. “Adverse Events Related to Blood Transfusion.” *Indian Journal of Anaesthesia* 58, no. 5 (2014): 543-551.
- Samaras, Thomas T. “Advantages of Taller Human Height.” In *Human Body Size and the Laws of Scaling: Physiological Performance, Growth, Longevity and Ecological Ramifications*, 33-45. New York: Nova Science Publishers, 2007.
- Sanbar, Shafeek S., and James Warner. “Medical Malpractice Overview.” In *Legal Medicine*, edited by Shafeek S. Sanbar, 253-264. Philadelphia, PA: Mosby Elsevier, 2007.
- Sanders, Barry A. *The Los Angeles 1984 Olympic Games: Images of Sports*. Charleston, SC: Arcadia Publishing, 2013.
- Sharma, R.K. *Concise Textbook of Forensic Medicine & Toxicology*. New Delhi: Elsevier, 2008.
- Shayna A. Sigman, “Are We All Dopes? A Behavioral Law & Economics Approach to Legal Regulation of Doping in Sports.” *Marquette Sports Law Review* 19, no. 1 (2008): 125-208.
- Straubel, Michael S. “Doping Due Process: A Critique of the Doping Control Process in International Sport.” *Dickinson Law Review* 106 (2002): 523-572.
- Sweitzer, Philip J. “Drug Law Enforcement in Crisis: Cops on Steroids.” *De Paul Journal of Sports Law* 2, no. 2 (2004): 193-229.
- Tatem, Alexander J., Levi C. Holland, Jason Kovac, Jonathan A. Beilan, and Larry I. Lipshultz. “Nandrolone Decanoate Relieves Joint Pain in Hypogonadal Men: A Novel Prospective Pilot Study and Review of the Literature.” *Translational Andrology and Urology* 9, supp. 2 (2020): S186-S194.

- Taylor, William N. (M.D.). *Macho Medicine: A History of the Anabolic Steroid Epidemic*. Jefferson, N.C.: McFarland, 1991.
- Taylor, William N. (M.D.). *Anabolic Steroids and the Athlete*. Jefferson, NC: MacFarland, 1982.
- Terret, Thierry “Sport in Eastern Europe During the Cold War.” *The International Journal of the History of Sport* 26, no. 4 (2009): 465-468.
- Thibault, Lucie and Katherine Babiak. “Athlete Development and Support.” In *Sport Policy in Canada*, edited by Lucie Thibault and Jean Harvey, 147-176. Ottawa: The University of Ottawa Press, 2013.
- Thibault, Lucy, and Jean Harvey. “The Evolution of Federal Sport Policy from 1960 to Today.” In *Sport Policy in Canada*, edited by Lucie Thibault and Jean Harvey, 11-35. Ottawa: The University of Ottawa Press, 2013.
- Tirosh, Amir. “Testosterone Replacement Leaving Men Heartbroken.” *Science Translational Medicine* 5, no. 213 (2013): 197-213.
- Tobbell, Dominique A. “Allied Against Reform: Pharmaceutical Industry-Academic Physician Relations in the United States, 1945-1970.” *Bulletin of the History of Medicine* 82, no. 4 (2008): 878-912.
- Todd, Terry. “Anabolic Steroids: The Gremlins of Sport.” *The Journal of Sport History* 14, no.1 (1987): 87-107.
- Todd, Jan, and Terry Todd. “Significant Events in the History of Drug Testing and the Olympic Movement: 1960-1999.” In *Doping in Elite Sport: The Politics of Drugs in the Olympic Movement*, edited by Wayne Wilson and Ed Derse, 65-128. Champagne, IL: Human Kinetics Publishers, 2001.
- Todd, Jan, and Daniel L. Rosenke. “‘The Event that Shook the Whole World Up:’ Historicizing the 1983 Pan-American Games Doping Scandal.” *The International Journal of the History of Sport* 33, nos. 1-2 (2016): 164-185.
- Travaglino, Giovanni A., Dominic Abrams, and Georgina Randsley de Moura. “Men of Honor Don’t Talk: The Relationship Between Masculine Honor and Social Activism Against Criminal Organizations in Italy.” *Political Psychology* 37, no. 2 (2016): 183-199.
- Ungerleider, Steven. *Faust’s Gold: Inside the East German Doping Machine*. New York: Thomas Dunne Books/St. Martin’s Press, 2001.
- Vestergaard, Per. “The Analysis of Urinary Hormonal Steroids.” *Lipids* 15, no. 9 (1980): 710-718.

- Von Der Pahlen, Bettina. "The Role of Alcohol and Steroid Hormones in Human Aggression." In *Vitamins and Hormones*, edited by Gerald Litwack, 416-429. San Diego, CA: Elsevier Academic Press, 2005.
- Voy, Robert, and Kirk Deeter. *Drugs, Sport, and Politics: The Inside Story About Drug Use in Sport and its Political Cover-up, with a Prescription for Reform*. Champagne, IL: Leisure Press, 1991.
- Vrijman, Emile N. "Harmonisation: A Bridge Too Far? A Commentary on Current Issues and Problems." In *Drugs and Doping in Sport: Socio-Legal Perspectives*, edited by John O'Leary, 147-166. London: Cavendish Publishing, 2001.
- Waddington, Ivan. "Doping in Sport: Some Issues for Medical Practitioners." *Physical Education and Sport* 1, no. 8 (2001): 51-59.
- Waddington, Ivan. *Sport, Health and Drugs: A Critical Sociological Perspective*. London: Spon Press, 2000.
- Wade, Nicolas. "Anabolic Steroids: Doctor's Denounce Them, But Athletes Aren't Listening." *Science, New Series* 176, no. 4042 (1977): 1399-1401.
- Wasik, Martin. "The Grant of an Absolute Discharge." *Oxford Journal of Legal Studies* 5, no. 2 (1985): 211-237.
- Welch, Evan L. (M.D.). *Quackonomics: The Cost of Unscientific Health Care in the U.S. and Other Fraud Found Along the Way*. Conneaut Lake, PA: Page Publishing, 2020. Accessed 6 August 2020:
<https://books.google.ca/books?id=TwfaDwAAQBAJ&pg=PT136&dq=anti-aging+medicine+and+testosterone+level+and+unscientific&hl=en&sa=X&ved=2ahUKEwjHitzjoYjrAhXmIjQIHd22CIIQ6AEwAHoECAQQAg#v=onepage&q=anti-aging%20medicine%20and%20testosterone%20level%20and%20unscientific&f=false>.
- Wells, H.G. *The Invisible Man*. New York: Oxford University Press, 1996.
- Westreich, Laurence M. "Anabolic-Androgenic Steroids." In *Lowinson and Ruiz's Substance Abuse: A Comprehensive Textbook*, edited by Pedro Ruiz and Eric C. Strain, 354-372. Philadelphia, PA: Lippincott, Williams, and Wilkins, 2011.
- Williams, Edward B. "Exemption from the Requirement of Adequate Directions for Use in the Labeling of Drugs." *Food, Drug and Cosmetic Law Quarterly* 2 (1947): 155-172.
- Yesalis, Charles E. "The History of Doping in Sport." *International Sports Studies* 24, no. 1 (2002): 42-76.
- Yesalis, Charles E., and Michael S. Bahrke. "Anabolic Steroid and Stimulant Use in North American Sport Between 1850 and 1980." *Sport in History* 25, no. 3 (2005): 434-451.

Yesalis, Charles E., Stephen Courson, and James E. Wright. "The History of Anabolic Steroid Use in Sport and Exercise." In *Anabolic Steroids in Sport and Exercise*, edited by Charles E. Yesalis, 35-47. Champagne, IL: Human Kinetics, 2000.

Yesalis, Charles E., Richard T. Herrick, William Buckley, Karl Friedl, Diane Brannon, and James E. Wright. "Self-Reported Use of Anabolic-Androgenic Steroids by Elite Powerlifters." *Physician and Sportsmedicine* 16, no. 12 (1988): 91-100.

Reports, Communications and Other Documents

American Medical Association, Committee on Environment and Public Health. "Resolution 89: Non-Therapeutic Use of Pharmacological Agents by Athletes." In *House of Delegates Proceedings, 121st Annual Convention*. San Francisco, CA: American Medical Association, 1972.

Barland, Bjorn. *Compliance With Commitments Project: Respect by Norway of the Anti-Doping Convention*. Oslo, Norway: Ministry of Cultural Affairs, 1997.

Bonner, Robert C., and Gene R. Haislip. *A Security Outline of the Controlled Substances Act of 1970*. The Federal Drug Enforcement Administration, 1991.

California State Legislature. *Summary Digest of Statutes Enacted and Resolutions (Including Proposed Constitutional Amendments), Volume 1*. Compiled by Bion M. Gregory, Darryl R. White, and James D. Driscoll. Sacramento: California Legislature, 1986.

Canadian Masters Weightlifting Federation. "2019 Masters World Cup." Accessed 2 February 2020: <https://cdnmastersweightlifting.org/wp-content/uploads/2019/10/2019-Masters-World-Cup-Results-Men.pdf>.

Canadian Olympic Association. "Policy on the Use of Banned Substances and Procedures in Sport." *Olympinfo* 35, 1-2.

Chouinard, Yvon. *Origins of Canadian Olympic Weightlifting*. Independent research monograph, 2011.

"Criminal Assizes." Work of the Québec Superior Court, Criminal and Penal Practice Division. Accessed 14 May 2019, http://www.tribunaux.qc.ca/mjq_en/c-superieure-m/fonctionnement-mtl/beauharnois/prat_crim_penale.html.

Donati, Alessandro. "World Traffic in Doping Substances." Accessed 10 August 2019: https://www.wada.ama.org/sites/default/files/resources/files/WADA_Donati_Report_On_Trafficking_2007.pdf.

European Athletics. "European Athletics Championships, Helsinki 1971." Accessed 8 August

2019: <https://www.european-athletics.org/competitions/european-athletics-championships/history/year=1971/results/index.html>.

Federal Bureau of Investigation. "Doctor Who Pleaded Guilty to Health Care Fraud for Giving AIDS and HIV Patients Diluted Medications Sentenced to 15 Months in Federal Prison." FBI Press Release, 22 February 2010.

Government of Canada. "Canadian Olympians: Michel Pietracupa." The Library Archives of Canada, accessed 4 February 2019, http://www.lac-bac.gc.ca/databases/olympians/001064-119.01e.php?&photo_id_nbr=4592&brws_s=1&&PHPSESSID=nlampkqo4oto111cfohibt3342.

Government of Canada. "Canadians and the Olympics." *Government of Canada Library and Digital Archives*. Accessed 5 January 2020: <https://www.bac-lac.gc.ca/eng/discover/sports/canadian-olympians/Pages/canadian-olympians.aspx?wbdisable=true>.

Government of Canada. "Civil and Criminal Cases: Decisions in Criminal Cases." The Government of Canada, Department of Justice. Accessed 5 March 2020: <https://www.justice.gc.ca/eng/csj-sjc/just/08.html>.

Government of Canada. *Commission of Inquiry into the Use of Banned Drugs and Practices Intended to Increase Athletic Performance*. Commissioned by the Honorable Charles Dubin, 16 November 1988 – 19 September 1989. Canadian Government Publishing Center, 1990.

Government of Canada: Fitness and Amateur Sport. *Drug Use and Doping Control in Sport: A Sport Canada Policy Update*. Ottawa, Canada: Minister of State, Fitness and Amateur Sport, 1985.

Government of Canada: Fitness and Amateur Sport. *Drug Use and Doping Control in Sport: A Sport Canada Policy*. Ottawa, Canada: Minister of State, Fitness and Amateur Sport, 1984.

Genentech Press Release. "First Successful Bacterial Production of Human Growth Hormone Announced." Accessed 2 September 2019: <https://www.gene.com/media/press-releases/4161/1979-07-11/first-successful-bacterial-production-of>.

Genentech Press Release. "FDA-Approved Clinical Tests on Humans Begin Today with Human Growth Hormone Made by Recombinant DNA." Accessed 4 September 2019: <https://www.gene.com/media/press-releases/4166/1981-01-12/fda-approved-clinical-tests-on-humans-be>.

Gordon, Daniel. 9.79*. Los Angeles: ESPN Films, 2012.

"IAAF to Rebrand as World Athletics." *The Hindu*, 9 June 2019.

- International Movie Database. “Quest for Fire.” Accessed 9 September 2019:
https://www.imdb.com/title/tt0082484/awards?ref=tt_awd.
- International Olympic Committee. *The Official Report of the Organizing Committee for the Games of the XXIth Olympiad Montreal, 1976, Vol. 1*. Prepared by the Montreal 1976 Organizing Committee. Montreal, Canada, 1976.
- International Powerlifting Federation. “World Women’s Powerlifting Championships.” Accessed 8 August 2019:
https://www.powerlifting.sport/fileadmin/ipf/data/results/worlds/worldpowerlifting.info/worldpowerlifting.info/IPF_Powerlifting_Senior_Women_1980-2006.htm.
- International Weightlifting Federation – Masters Weightlifting. “2019 Masters World Championships.” Accessed 2 February 2020:
<https://www.iwfmasters.net/main.php?sec=res&sbres=co&presyr=2019&pressc=IWF>.
- L’Agence Française de Lutte Contre le Dopage. “An Independent Public Authority.” Accessed 5 June 2019, <https://en.afld.fr/>.
- Moriarty, Moriarty, Dennis Fairall, and P.J. Galasso. *Legislation and Litigation Resulting from the Canadian Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance*. Education Resource Information Center, 1991.
- National Academy of Sciences. “The Drug Efficacy Study of the National Research Council’s Division of Medical Sciences, 1966-1969.” Accessed 4 August 2019:
http://www.nasonline.org/about-nas/history/archives/collections/des-1966-1969-1.html#series_3.
- National Institute of Health. “Human Growth Hormone.” *Research Resources Report*, December 1980.
- Pennsylvania Crime Mobilization Conference. “Address by the Honorable John N. Mitchell, Attorney General of the United States.” Camp Hill, Pennsylvania, 3 December 1969.
- Pray, Leslie, and Sally Robinson, *Challenges for the FDA: The Future of Drug Safety, Workshop Summary*. Washington, D.C.: The National Academies Press, 2007.
- Ritchie, Ian and Sophie Yiptong. “Fracas in Caracas: The Social Construction of Canada’s First Anti-Doping Policy.” Proceedings from *Global Fault Lines in Olympic and Paralympic Sport*, edited by M.K. Heiney, R.K. Barney, and L. Misener. London, Canada: International Center for Olympic Studies, 2018, 80-87.
- Roy, Aldo. “Canadian Weightlifting Results, 1960-2002: Canadian Weightlifting Information From a Fan of the Sport.” Accessed 10 January 2020:
<http://slcweightlifting.blogspot.com/2008/05/1984-canadian-senior-championships.html>.

- Russian Anti-Doping Agency. "History." Accessed 18 December 2019:
<http://rusada.ru/en/about/history/>.
- Saris, Patti B., Charles R. Breyer, Dabney L. Friedrich, Rachel E. Barkow, William H. Pryor Jr., Michelle Morales, and J. Patricia Wilson Smoot. *The Use of Federal Rule of Criminal Procedure 35(b)*. Washington, D.C.: United States Sentencing Commission, 2002.
- Snider, Sharon. "Phony Steroid Dealers Receive Real Sentence." *FDA Reports*, July-August, 1990.
- Sport Canada. "The Canadian Policy Against Doping in Sport – 2004." Accessed 3 January 2020:
http://www.waterpolo.ca/admin/docs/clientuploads/About_Us/DopingControlJune04_ENG.pdf.
- Sport Canada. "The Canadian Policy Against Doping in Sport – 2008." Accessed 3 January 2020: <http://www.pch.gc.ca/pgm/sc/pol/dop/index-eng.cfm>.
- Sport Canada. "Canadian Policy Against Doping in Sport – 2011." Accessed 3 January 2020,
<https://www.canada.ca/en/canadian-heritage/services/sport-policies-acts-regulations/policy-against-doping-sport.html>.
- Statistics Canada. "Estimated Population of Canada, 1605 to Present." Accessed 4 February 2020: <https://www150.statcan.gc.ca/n1/pub/98-187-x/4151287-eng.htm>.
- Tucker, Robert A. "The History of the Food and Drug Administration." Accessed 4 November 2019: <https://www.fda.gov/media/81181>.
- United Kingdom Anti-Doping Agency. "What We Do." Accessed 24 July 2019:
<https://www.ukad.org.uk/what-we-do>.
- United States Anti-Doping Agency. "Statement from USADA CEO Travis T. Tygart Regarding the U.S. Postal Service Pro Cycling Team Doping Conspiracy." Accessed 8 December 2018: <http://cyclinginvestigation.usada.org/>.
- United States Bureau of the Census. *Statistical Abstract of the United States: 1988*. Washington, D.C.: United States Government Printing Office, 1987.
- United States Congress. "The Drug Problem: Message from the President." 91st Congress, First Session. Congressional Record 115, pt. 14, 14 July 1984.
- United States Department of Health, Education, and Welfare. *Public Health Reports Vol. 71*. Washington, D.C.: 1956.
- United States Department of Justice, Immigration and Naturalization Service. *Immigration and*

- Naturalization Service Reporter*. Washington D.C.: United States Department of Justice, 1981.
- United States Food and Drug Administration. *Approved Prescription Drug Products with Therapeutic Equivalent Evaluations 3rd Edition*. Washington, D.C.: The United States Department of Health and Human Services, 1982.
- United States Food and Drug Administration. “FDA’s Evolving Regulatory Powers Part III: Drugs and Foods Under the 1938 Act and its Amendments.” Accessed 10 August 2019: <https://www.fda.gov/about-fda/fdas-evolving-regulatory-powers/part-iii-drugs-and-foods-under-1938-act-and-its-amendments>.
- United States General Services Administration. “Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing.” *Federal Register* 48, no. 12 (18 January 1983): 2115-2312.
- United States General Services Administration. “Certain Anabolic Steroids; Drug Efficacy Study Implementation; Revocation of Exemption; Opportunity for Hearing.” *Federal Register* 48, no. 94 (13 May 1983): 20891-21108.
- United States General Services Administration. “Drugs for Human Use; Certain Anabolic Steroids; Withdrawal of Approval.” *Federal Register* 50, no. 240 (13 December 1985): 50891-51234.
- United States General Services Administration. “Drugs for Human Use: Certain Anabolic Steroids; Drug Efficacy Study Implementation.” *Federal Register* 35, no. 122 (24 June 1970): 10263-10348.
- University of California Irvine School of Medicine. “UCI School of Medicine Historical Timeline.” Accessed 3 December 2018: <https://som.uci.edu/historicalTimeline.asp>.
- World Athletics. “Athlete Profiles – Bill Green.” Accessed 16 May 2020, <https://www.worldathletics.org/athletes/united-states/bill-green-186156>.
- World Athletics. “Athlete Profiles – David Jenkins.” Accessed 4 August 2019: <https://www.iaaf.org/athletes/great-britain-ni/david-jenkins-9770>.
- World Anti-Doping Agency. “Diuretics and Masking Agents.” Accessed 13 November 2019: <https://www.wada-ama.org/en/content/what-is-prohibited/prohibited-at-all-times/diuretics-and-masking-agents>.
- World Anti-Doping Agency. “Human Growth Hormone (HGH) Testing.” Accessed 4 September 2019: <https://www.wada-ama.org/en/questions-answers/human-growth-hormone-hgh-testing#item-641>.
- World Anti-Doping Agency. *The World Anti-Doping Code*. Montreal, Québec: World

Anti-Doping Agency, 2003.

World Medical Association. *Declaration of Lisbon on the Rights of the Patient*. Adopted by the 34th World Medical Assembly, Lisbon, Portugal, September/October 1981.

Zimmerman, Joseph F. *Horizontal Federalism: Interstate Relations*. Albany, NY: State University of New York Press, 2011.

Legal Documents

David M. Harney in letter to Robert Kerr, 22 February 1985. Accessed in the Personal Collection of Jan and Terry Todd, Austin, Texas.

Glen Maur v. Robert Kerr, Superior Court of California Los Angeles, case no. 39878, 20 July 1984. Accessed in the Personal Collection of Jan and Terry Todd, Austin, Texas.

Hospital record of William Lumas, no. 92445634-001. Memorial Medical Center, Long Beach, CA, 20 October 1984. Accessed in the personal collection of Jan and Terry Todd, Austin, Texas.

John Doe M.D., and Steve Roe v. The United States of America, Grand Jury Proceedings. United States Court of Appeals for the Ninth Circuit, 801 F.2d 1164, 1986.

Marshall Morris and Nancy Morris v. Robert Kerr. "Statement of Claim." Superior Court of California, Los Angeles, 20 July 1983. Accessed in the personal collection of Jan and Terry Todd, Austin, Texas.

Richard Wolfe in notice of representation letter to Robert Kerr, 22 February 1985. Accessed in the personal collection of Jan and Terry Todd, Austin, Texas.

United States of America v. David Jenkins, Juan Javier Macklis, Daniel Duchaine, William P. Dillon, James M. Insko, Robert Wantz Jr., David Grigus, Leonard T. Swirda, Toivol Mansen, Michael MacDonald, Michael Marzella, Lon Zeigler, Jeffrey Golini, Normand Bergland, John Sleconich, Mark Depew, Steven Henneberry, Patrick Jacobs, Jeffrey Jarrison, Thomas Binns, Gerald Jones, Steven Marx, Steven Hein, Dennis J. Motte, Garry de Paepe, Vito Elefante, Gil R. Thompson, Rafael Lepe-Duenas, Samuel Martinez-Moreno, Jose Zapata, Marco Macklis, Culberto Lopez, Fito Alvarez, United Pharmaceuticals, Laboratorios Milano de Mexico. United States District Court Southern District of California, Criminal Case no. 87-0491-JLI, 20 May 1987.

United States of America v. Walter F. Jekot, M.D. 47 F.3d 1176. United States Court of Appeals for the 9th Circuit, 24 February 1995.

William Lumas v. Robert Kerr. "Deposition of Robert Kerr." Superior Court of California Los

Angeles, 22 April 1985. Accessed in the personal collection of Jan and Terry Todd, Austin, Texas.