

My name is Rhoda Cargill. I represent GRASSP, GrassRoots Alliance for Sensible Science Policy. Our Group consists of Scientists, Professors, Washington D.C policy analysts and individuals. My background is biology, specifically fisheries. Unlike others, I receive no pay to be here.

We are against the passage of HB 615: a "crimes against nature" SWAT team. It is doomed to abuse the citizens of Montana, the very citizens the government has sworn to represent and liberties to protect. It is predictable, it is human nature; it is the nature of the beast of bureaucracy. Second, the "science" that supports many of the Laws pertaining to the environment, is so *flawed*, it meets the criteria of pathological science.

- A 68 year old man from Michigan is given a 10 year prison sentence and a \$1,000,000 fine. His crime? He filled in a wetland, or so it was deemed by the County. The land had been used for agriculture for over 100 years. It was tilled farm land. Tilled farm land and wetlands cannot exist in the same spatial and temporal association. The prosecutors (crimes against nature SWAT team) stood before the Judge and asked for this sentence. The judge was flabbergasted. He looked at the prosecutor and stated, "Two hours earlier, I presided over a defendant charged with dealing drugs. He was found guilty. The harshest sentence I could issue was three months. Given that, you are asking me to put this man in prison for ten years!" The Judge threw it out. The prosecutors found a "friendlier" Judge, and the man was sentenced to 10 years in prison and fined.
- A Michigan man was hiking with his two daughters in the woods. They surprised an "endangered" rattle snake. He clubbed it to death. A woman saw him do this and reported him. He was sentenced to prison for "taking" an endangered species without a permit.
- A Vermont woman built a small boardwalk over a "wetlands" to access her property. Someone saw this and reported her "crime against nature". She was sentenced to prison and heavily fined.

The wetland "criminals" were sentenced even though in 2001, the U.S. Supreme Court ruled that the Federal Government *does not* have jurisdiction over isolated wetlands.

We are witnessing the dawn of a technological dark age, an age where science and reason will not exist. (1)

"Consensus and precautionary science, in combination, fit the description of "Pathological Science." (2) Pathological science was first discussed in 1953 by Irving Langmuir, a Nobel Prize winner in Physics. He examined a number of documented cases in which good scientists had apparently reported wrong results, and continued to believe in unsubstantiable data. Precautionary science; "A beautiful solution is better than an ugly one." When data can't be found to support an idea, it is filled with fear of potential; it could happen!

The late Philip Handler, former president of the National Academy of Sciences, said the "Scientists best serve public policy by living within the ethics of science, not those of politics. If the scientific community will not unfrock the charlatans, the public will not discern the difference - science and the nation will suffer." Many biologists employed by environmental groups are statues looking for a pedestal to stand on; where adulation and belief are more weighted than fact. "Save Nature!" has become the battle cry of the integrity-challenged environmental biologist, to the detriment of us all. They have become snake oil sales men, for this approach to investigation is NOT an approach of science; it is the way products are sold. Poor science is pushed by environmental groups into Law. The law is then used to imprison citizens whose only crime was trying to use their property.

3/10/2005

Dr. Thomas Gold, an emeritus professor of astrophysics, at Cornell University, told Omni magazine: "Most men... can seldom accept even the simplest and most obvious truth if it obliges them to admit the falsity of conclusions which they have delighted in explaining to colleagues, which they have proudly taught to others, and which they have woven thread by thread into the fabric of their life."

Environmental science, as practiced today, is a mental disorder. (3)

"It is clear that environmental groups were, for many years (and still are), able to capture the interest and support of the media for claims about the findings of scientists that were simply inaccurate. There were many reasons for this, but the end result was that bad science out pointed good science for some time because ideology triumphed over evidence." (4) Pseudo – science and pathological science has been used by organizations to make us believe the sky is falling; it is not. *The king has no clothes!*

"No wonder most Americans can't distinguish between science and pseudoscience: their science teachers have never given them any rational grounds for doing so." (5)

The cost of this Bill, by fiscal note, is \$1,800. This figure will prove to be drastically low. As with any bureaucratic agency, funding is life. It will be a vacuum that demands to be filled. A woman buys a larger purse, the other is too small. Within a few months, the larger purse is fully occupied; she needs more room!

There are reams of papers, volumes of books, multitudes of ethical scientists, that support the statements made in this paper. The three cases of "crimes against nature" is a sampling; thousands of cases could have been listed. If this bill passes it *will* be used to abuse the very citizens you represent. Some citizen will be prosecuted for filling in a geologically transient event, i.e., wetland.

Wisdom has been defined as learning from *other* peoples mistakes; it spares a person from having to touch the stove. GRASSP is asking the Chairman and Committee members to show wisdom and not pass HB 615. If passed, Montana will start its own collection of "crimes against nature" abuses.

- (1). *The Flight from Science and Reason*, Paul R. Gross, Norman Levitt, Martin W. Lewis, 1996.
- (2). *Pathological, Precautionary and Consensus Science – a Death Knell for the Scientific method?*, Jasper McKee, P.Phys., Editor, *Physics in Canada*.
- (3). *Invasion Biology: Critique of a Pseudoscience*, David I. Theodoropoulos, 2003
- (4) *The Flight from Science and reason*, Paul R. Gross, Norman Levitt, Martin W. Lewis, 1996.
- (5) *Fashionable Nonsense: Postmodern Intellectuals' Abuse of Science*, Alan Sokal, Jean Bricmont, 1998

Rhoda Cargill, 14776 Bull Lake Rd, Troy, MT, 59935, 406-295-4052