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## **[LOIS HENRY: UCLA prof. wants more time with his family? I don't buy it](#)**

***By Lois Henry***

**A UCLA professor resigned Monday from a key state environmental panel. Why should you care?**

Well, many of the air regulations we deal with every day that increase our [cost of living](#) and keep us cold on winter nights, can be traced directly back to that panel and the work of this particular professor, John Froines.

But more than that, this is a tale of how Froines has unethically, I believe, used his position to bend society to his views, while hiding behind the facade of an unbiased scientist.

It's also a story of how he's been protected in his efforts by the publicly funded University of California system, which apparently doesn't understand that it does, in fact, serve the public and is bound by our laws. I'll come back to that in a bit.

I've been harping on Froines and his involvement with the Scientific Review Panel for several years now.

The panel is made up of nine people, mostly scientists, and is tasked with reviewing studies to determine whether a substance, such as [diesel exhaust](#) or a particular pesticide, is a threat to human health.

Once the panel puts its "threat!" stamp on something, state agencies start cranking out regulations.

It's an obscure, but vitally important panel.

Froines has been on the panel for nearly 30 years, serving as its chair for much of that time.

Turns out he was serving illegally for a lot of those years, as the state hadn't bothered to follow its own reappointment procedures. So, he and several others were kicked off in the summer of 2010.

Before the new panel's first meeting that fall, however, Froines was baaaaaack.

He'd gone to a lot of political wrangling -- even personally pressuring his replacement to step down -- to get back on the panel and into the chairman's seat.

Last spring, he was reappointed to another three-year term.

Which makes his Monday resignation somewhat curious.

He literally clawed his way back onto the panel. Then he just bails midterm because, in his words, "I want to spend time with my family and travel" and do research?

I don't buy it.

I'm wondering if maybe Froines made himself a political hot potato after it was revealed he was having ongoing cozy relations with anti-pesticide activists while acting as an supposedly impartial judge of the safety of methyl iodide, a soil fumigant.

Froines had been hired in 2009 by the state Department of Pesticide Regulation to gather a group of scientists who would look over all the department's risk assessment on methyl iodide and determine whether it was safe to use under the department's proposed guidelines.

Months before he'd even convened his first meeting on the issue, however, he was entertaining emails from a few key anti-pesticide activists.

The emails asked for his advice with letters to the [Environmental Protection](#) Agency against the very chemical he was supposed to review. They updated him on the activists' political efforts against methyl iodide with then-Gov. Arnold Schwarzenegger. They gave him a heads up on a lawsuit that might be filed if the pesticide were approved. And activists even sent him the Department of Pesticide Regulation's risk assessment, which his panel was supposed to review and discuss in an open hearing months later, with their extensive comments about how bad the chemical was.

Froines, himself, rarely responded. Or, at least only a few responses were included in the packet from UCLA, procured through a public records request.

Froines' assistant did respond, however, at one point telling activists that while Froines agreed with and encouraged their lobbying efforts, he had to "remain behind the scenes at the moment. John has to protect his position as chair of the review committee for the time being."

If that doesn't scream collusion, I don't know what does.

In the end, Froines' committee came out with a scathing report against methyl iodide and he called it "the most toxic chemical on Earth."

Whether methyl iodide is truly that dangerous, isn't the issue here.

The real issue is that Froines is clearly not an impartial scientist.

If you don't believe me, Froines himself has told the world that he believes science should be used to alter society.

"I kept having to figure out whether I was a social activist or I was a scientist. And getting into environmental issues was a way to deal with that schizophrenia," he told KQED, a San Francisco public television station, in 2007.

He's an activist.

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But lets come back to why I say the UC acted improperly in all this mess.

UCLA never coughed up all of the Froines-activist emails that were requested.

Very few of Froines' "sent" emails were included in what the school did provide, and there's a months-long gap in the email string from Sept. 2009 to Feb. 2010.

When challenged on those issues, UC's Chancellor of Legal Affairs Kevin Reed, and UCLA campus attorney L. Amy Blum used myriad lame excuses for UCLA's refusal to give up the records.

First, Reed said, he personally had asked Froines for his sent emails. Big surprise -- Froines claimed not to have any. Reed added that UCLA doesn't have a duty to search its backup system for the emails because that's only for disaster recovery, so anything on them wouldn't be public record.

Oh brother. If it was public at some point, it's public even on a backup system.

Blum chimed in, saying emails that don't relate to university business are not subject to public disclosure.

Wrong. This is a publicly funded system. All the emails are inherently public (with some limited exceptions such as emails discussing personnel matters.)

Blum then has the audacity to claim the First Amendment protects faculty emails from public disclosure in the interest of academic freedom.

I thought that was rather ludicrous, and so did state Sen. Jean Fuller, R-Bakersfield, who sent a letter with state Sen. Bob Huff, R-Diamond Bar, in April to UCLA demanding better answers.

Reed finally wrote back to them on June 11 and again claimed academic freedom protects the emails.

Even if you were to accept the notion that academic freedom should shield some "scholarly communications," (which I do not) it doesn't hold water in this case.

Froines was under contract by a separate state agency to conduct a public review of a pesticide that had huge public interest.

From the emails that were released, it's clear the communications were political in nature, certainly not scholarly give-and-take about his studies into the effects of methyl iodide.

Oh, and Reed admitted in his letter that UCLA did pick and choose which Froines/activists emails to release and which to hold back.

Meaning, there are more emails and possibly more to the story.

Stay tuned.

*Opinions expressed in this column are those of Lois Henry, not The Bakersfield Californian. Her column appears Wednesdays and Sundays. Comment at [www.bakersfield.com](http://www.bakersfield.com), call her at (661) 395-7373 or email [lhenry@bakersfield.com](mailto:lhenry@bakersfield.com).*

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- [Fuller letter to UCLA](#)
- [UCLA response to Fuller](#)
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