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The ex-radical who heads air board's key panel

By Lois Henry, Californian columnist

Change may be the only constant in the real world but that doesn't seem to include the Scientific Review Panel.

Don't fret if you've never heard of it. It's one of those obscure governmental "no-see-ums" that do their business in relative anonymity and by the time you figure out you've been stung, you're left swatting at empty air.

It was the Scientific Review Panel that first declared PM2.5 (tiny particulate matter made up of dust and soot) in diesel exhaust a dangerous air contaminant in 1998.

Next thing you know -- ZAP! -- the California Air Resources Board cooked up the truck and bus rules that are costing operators hundreds of thousands of dollars as they're forced to buy expensive filtration equipment or replace their fleets entirely in the next few years.

So, who's running the panel is kind of important.

Which brings us to John Froines, a long time UCLA toxicology professor, now retired.

He is the chairman of the panel and was reappointed a few weeks ago to another three-year term. It will be his 10th term, meaning he's been on this key but very overlooked panel for the past 28 years. He's been the chairman since 1997.

I see a couple problems with this.

First, Froines' near lifetime clamp on this panel blocks out fresh perspectives and diversity of thought.

Second, Froines' own actions and statements over his career show he is an activist driven by political agendas -- not science.

I first wrote about his involvement with this panel last year.

That story chronicled how Froines was briefly booted off the panel following a lawsuit by the conservative Pacific Legal Foundation.

The group sued the state after learning no one had been bothering to at least go through the legally required motions for reappointing Froines and a handful of others to the panel, giving them de facto lifetime positions.

Ultimately, five members of the nine-member panel were replaced in the summer of 2010.

That included Froines -- initially.

Assembly Speaker John Perez had appointed UC Irvine professor Michael Kleinman to replace Froines but later asked him to step down and reappointed Froines to the chair.

I spoke with Kleinman about the turn of events last year, which he characterized as "strange and highly charged."

It's not strange when you learn a little more about Froines.

Froines is an activist. And he makes no bones about the fact that he believes science should be used to improve society.

He didn't return my calls last year and I got the same treatment this year.

But Internet searches paint a pretty good portrait of the man and his agenda.

Froines is a Berkeley and Yale-educated chemist. His biggest claim to fame -- or infamy -- in his early years was being a member of the Chicago 7. For you younger readers, the Chicago 7 was an anti-war group charged with inciting riots at the 1968 Democratic Convention.

Froines and Lee Weiner were the only two defendants acquitted. They had been charged with making "incendiary devices," stink bombs.

One of Froines' co-defendants was Tom Hayden, who later went on to become a powerful and environmentally active California state legislator serving from 1982 to 2000.

Froines' connection to Hayden actually started before the Chicago 7.

After coming to the University of Oregon in 1967 to teach, Froines quickly became the faculty advisor for Students for a Democratic Society, a politically charged group Hayden helped found in the early 1960s, according to a 2003 paper on scientific activism written by University of Oregon student Katie Drueding.

In 1969, Froines took an unpaid leave to deal with the Chicago 7 indictment.

He later implied he'd been told by the university that he would have to remove politics from his work as a scientist and teacher in order to return to the school.

He refused and instead resigned in 1970.

In a lengthy farewell statement, quoted by Drueding, Froines complained that science and society aren't compatible as long as society was "deformed."

So, he apparently went about fixing it.

After the University of Oregon, he left the world of pure research and entered the realm of applied science in public service to "improve lives," Drueding wrote.

Froines became Director of Toxic Substances at the Occupational Safety and Health Administration and then Deputy Director of the National Institute for Occupational Safety and Health.

He recently retired from UCLA but remains director of the university-affiliated Southern California Particle Center, dedicated to studying how particulate matter, such as is found in diesel exhaust, harms human health.

His goal of using science to fix society appears to have remained steadfast over time.

In 1999, a UCLA publication noted that Froines had recently opened his Southern California Particle Center. His hope, according to that article, was that the center's focused science on particulate matter would eventually allow "new environmental standards for air particles, both in terms of public health and far-flung economic consequences."

In a 2007 interview with San Francisco public television station KQED, Froines gave an even clearer explanation of his views on science and 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. So it was about '74 when I decided that that was the path to take."

All of which tells me Froines believes science is a hammer that should be used to pound society into shape.

That's not my view.

But then I don't agree with much about how science, government and money interact these days.

Such as, I think it should be major no-no for anyone on the Scientific Review Panel to get funding from the very boards the panel advises (i.e. the California Air Resources board) to pay for studies that A) support the panel's views and B) fuel more regulation for the very boards that funded the studies.

That's like a conflict of interest times three. But it goes on every day.

In Froines' case, he's taken millions from the California Air Resources board, to fund the start-up of his particle center and for various studies all geared toward bolstering his theories.

That's just not right.

And it's certainly not in keeping with the original intent of the Scientific Review Panel, that it focus purely on science free of politics.

Froines himself has told the world he's unwilling to divorce the two. So why is he still there?