

SF adopts MMJ sanctuary, local MCDs win extension

San Francisco victory affirms support for safe access

By Alex Franco

The medical cannabis community celebrated two important pieces of legislation Feb. 26 that will help protect safe access in San Francisco, and, by extension, California.

The SF Board of Supervisors passed two key resolutions. One re-establishes the city's sanctuary status for medical cannabis, includes landlords who lease to medical cannabis dispensaries (MCDs) in the sanctuary, and asks the Mayor to take action. The other is a non-enforcement resolution allowing MCDs to stay open after the March 1 deadline pending an amendment to the current regulatory ordinance.

While resolutions are merely a statement of opinion and are not laws, they express the City's support for medical cannabis, its outrage at uninvited Federal

intervention in local policy, and its commitment to the dispensary permit process Mayor Gavin Newsom enacted in 2006.

Perhaps more significantly, the board's non-enforcement resolution states that "the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment." This mirrors the language used by the Democratic Central Committee and the SF Green Party in earlier resolutions.

These series of opinions sprouted from a Dec. 7, 2007 statement by Congressman John Conyers Jr., "I am deeply concerned about recent reports that the DEA is threatening private landlords with asset forfeiture and possible imprisonment if they refuse to evict organizations legally dispensing medical marijuana to suffering patients. The Committee already has ques-

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Respected activist draws DEA fire by helping LA patients

Don Duncan caught in gray zone between state and Feds

By William Dolphin

Mild-mannered and unprepossessing, Don Duncan fits the part of a boy from small-town Texas who grew up in a conservative religious family and spent his college days devoted to studying the euphonium, an unusual type of baritone horn. He never even considered smoking marijuana until his senior year in college, when he discovered that his girlfriend and brother had been hiding their cannabis use from him, out of fear of his disapproval.

But Duncan, 36, also has a quick wit, wry sense of humor and talent for extemporaneous speaking, all skills that he has now put to good use as an activist for the reform of cannabis laws.

As the operator of medical cannabis dispensing collectives in Berkeley, West Hollywood, and Los Angeles, Duncan spent the past decade learning to serve the needs of patients. And despite being targeted as part of DEA raids on LA area dispensaries, he's on a mission to spread that knowledge so that others can learn from his success — and losses.

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Duncan took the high road to comply with state and local controls. Photo courtesy of ASA.



International NGO forum takes issue with UN's intolerant drug war tactics

By Deb Harper and Mikki Norris

An international forum to discuss United Nations drug policy, held in Vancouver, BC Canada on Feb. 4 and 5, aired sharp criticism of the current global Drug War.

The second of two "Beyond 2008: North America Regional Consultations" took place to provide the UN drug control bodies, the Commission on Narcotic Drugs (CND) and the UN Office of Drugs and Crime (UNODC), with public input on the effectiveness of international drug strategies over the last decade.

Nearly 100 delegates representing non-governmental organizations (NGOs) from the US and Canada and involved in the health, treatment, prevention, criminal jus-

Students launch new statewide reform effort

By Kris Krane

Director, Students for Sensible Drug Policy

The nation's largest grassroots student organization dedicated to ending the Drug War is coming to California in a big way. Students for Sensible Drug Policy has undergone massive expansion in its ten year history, having grown from a group of students at five campuses into a large national network of student activists, with a full time staff and chapters on over 120 college campuses across North America.

To accommodate the growing number of chapters on the West Coast, SSDP is opening a San Francisco office in March.

SSDP's field director Micah Daigle is relocating to San Francisco to open the organization's first satellite field office. He will focus on expanding SSDP's presence in California and the west coast in order to build a network of campus drug policy activists that rivals SSDP's extensive network in the Northeast and Midwest.

The new west coast office will allow SSDP to focus more time and resources on getting students involved. Student activists can play an important role in forming rapid response teams to respond to raids.

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Springtime offers fresh beginnings for growing cannabis community



West Coast Leaf photo. *Pruning for success*
See page 9

Measure B=bad vs. G=good Crucial Mendocino vote on June ballot

By Dale Gieringer

Director, Ca NORML

Mendocino County activists are fighting a proposed June ballot measure that would overturn the county's landmark *Personal Use of Marijuana Initiative*, Measure G.

Measure B (as in *Bad*) would repeal G and roll back the county medical cannabis cultivation guidelines from 25 plants to six, the lowest number in the state.

Measure G supporters agree that better measures are needed to regulate big gardens, but say Measure B will undercut this. They note that Sheriff Tom Allman, though officially neutral on Measure B, last year warned against a proposed six-plant medical marijuana limit. "This is going to place a burden on law enforcement," he told the *Sonoma Press-Democrat* on March 17, 2007. "If it's lowered to the state minimum, my deputies this summer will not be able to focus on any other public safety issue."

Measure G (as in *Good*) was approved by 58 percent of voters in 2000. It declares county support for decriminalization and directs law enforcement not to arrest personal use growers with 25 plants or fewer.

Measure B was put on the ballot by the *Continued on page 6*

MMJ is low priority for new US Attorney for Northern Cal

The new US Attorney for Northern California hinted there may be fewer raids on medical cannabis dispensaries when he met with reporters Jan. 31 to introduce himself and discuss his priorities.

Joseph Russoniello is against the use of cannabis for medicinal purposes, doubts it can help sick or dying patients, and opposed Prop 215, but he said that government resources may be better spent elsewhere. "We could spend a lifetime closing dispensaries and doing other kinds of things and enforcement actions, bringing cases and prosecuting people, shoveling sand against the tide, it would be terribly unproductive and probably not an efficient use of precious federal resources."

tice, human rights, alternative development, prohibitionist and consumer sectors assembled for the two-day forum at the Morris J. Wosk Centre for Dialogue.

The Forum's agenda was to highlight achievements; review the practice and col-

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Physicians' group calls for better MMJ access

By Chris Conrad

The general membership of the American College of Physicians, the nation's largest organization of doctors of internal medicine at 124,000 members, has urged easing the federal ban on medical cannabis by reclassifying it out of Schedule 1, echoing a position taken 20 years ago by Administrative Law Judge (ALJ) Francis Young.

The ACP took an important step by issuing its February 2008 position paper on medical marijuana. The declaration puts new pressure on Washington lawmakers and agencies who for decades have refused to reclassify cannabis. Position 5 states, "ACP strongly supports exemption from federal criminal prosecution; civil liability; or professional sanctioning, such as loss of licensure or credentialing, for physicians who prescribe or dispense medical marijuana in accordance with state law. Similarly, ACP strongly urges protection from criminal or civil penalties for patients who use medical marijuana as permitted under state laws."

Informed as the paper is, it has a glaring flaw — Position 3 "ACP supports the current process for obtaining federal research-grade cannabis." (acponline.org)

It is quite well known that the federal government has a monopoly on research material and has used it to block important research. ALJ Mary Ellen Bittner issued a non-binding ruling last year in favor of Professor Lyle Craker's application for a license to create the nation's first privately-funded research-grade cannabis production facility at UMass-Amherst. More than a year later, no license has been issued.

WEST COAST LEAF

West Coasterdam Report

West Coast Leaf staff reports

Herer, Lepp and others launch 2008 California hemp initiative



Jack Herer, author of *The Emperor Wears No Clothes*, Eddy Lepp, defendant in a multi-thousand plant federal medical marijuana case in Lake County CA, Michael Jolsen of the Youth Federation and others filed the comprehensive California Cannabis Hemp and Health Initiative. It would restore industrial hemp, expand medical access, set 21 as age of consent for personal use, and regulate cannabis similar to the wine model.

Lepp, left, with Herer at HempFest. West Coast Leaf photo

The campaign needs to collect 750,000 signatures to qualify. Contact CCHHI08, PO Box 6733, Westlake Village CA 91359. For more info, visit www.calhemp08.org.

4/20 events, Global Marijuana Marches light up the West

Hundreds of local events are planned throughout the West Coasterdam region for the side-by-side annual reform holidays of 4/20 (April 20) and the May 3 Global Marijuana March. Dana Beale, who founded the event as International Marijuana Day, said that “So far we have confirmed 209 cities,” including California cities from Arcata to Sacramento (tentatively set for May 17), San Diego and inland. Events are also planned for Vancouver, Seattle, Portland and other cities and dates as listed on the Internet. For updated info, readers should log on to worldwidemarijuanamarch.com.

Marc Emery and the BC Three

Marc Emery, the driving force behind *Cannabis Culture* magazine, the international Marijuana Party, and the transformation of Vancouver BC into “Vansterdam,” is in negotiations with prosecutors to resolve the case of the “BC Three,” Emery, Michelle Rainy (in photo with Emery) and Greg Williams over a cannabis seed bank that allegedly sold and shipped more than a million seeds to the US market.



The charges would carry a short prison term in Canada, but they are not normally enforced there. However, under US law, Emery and his friends face severe penalties of decades in prison. This disparity caused Canada to blanch at deporting the three without ruling out that possibility. Emery said that if he is sentenced, he will use his time behind bars organizing Drug War POWs into a stronger political force for change.



SEATTLE HEMPFEST — There’s no other event like the annual HempFest. Two days on the third weekend of August are coordinated with 1500 volunteers, five stages, scores of speakers, dozens of bands, and 150,000 people at Myrtle Edwards Park. hempfest.org. West Coast Leaf photo.

Hawaii juggling legislation, ordinance and initiative language

Six cannabis bills were introduced as legislation in Hawaii this year, but only one had advanced by press time. Bill HB 2675 raises the medical plant limit to 14 plants per patient as introduced by Representative Joe Bertram of Maui and passed by the Health and Judiciary Committees. The committee on Public Safety and Military Affairs passed it on Feb. 29 with unfavorable amendments. The statewide lowest law enforcement priority bill, HB 2677, did not make it out of committee.

Project Peaceful Sky, seeking to end the CAMP eradication program on the Big Island, has both volunteers and business support, reports Adam Lehmann. A vote last year to reject the funds and cut off the program lacked the teeth to prevent law enforcement from going around the Island’s elected officials and take federal money in a back-door deal. Hopefully a new measure will pass this year that can prevent this from occurring again.

The *Personal Use of Cannabis Initiative* begins signature collection soon.

RIP Oaksterdam News: 2005-2007

California’s cannabis community lost a key voice for reform in 2007 when the *Oaksterdam News* had to cease publication due to a split among the owning partnership. The newspaper spanned three years, and grew from a 5,000 copy print run to over 100,000 copies during that time. Most of the editorial and production staff have joined the *West Coast Leaf* crew to continue providing quality news in a tabloid publication.



Drug convictions can have serious consequences, which include loss of freedom. William S. Kroger has represented individuals charged with minor possession (less than one joint) to those charged with over 35,000 pounds of marijuana. Our goal is to relieve you of the pressure associated with criminal charges, and we strive to do this affordably, ethically and professionally.

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Washington state's cannabis conversation

By Alison Chinn Holcomb, ACLU-WA Marijuana Education Project director

"In Europe, I've seen how more thoughtful approaches to social issues can really work," said travel writer Rick Steves. "We need the understanding to go beyond 'hard' or 'soft' on drugs and find a policy that is 'smart on drugs'."

Steves joins national experts in *Marijuana: It's Time for a Conversation*, a half-hour program aired on Seattle-area TV and available to 670,000 subscribers in western Washington via *Comcast On Demand*. The ACLU of Washington produced the innovative video for network television to spark public discussion about our nation's cannabis policy.

Millions of otherwise law-abiding Americans have been made criminals by our marijuana laws. As a society, we need to ask whether these laws are really working. The ACLU's new show hopes to open dialogue and encourage the long process of bringing common sense to laws that regulate marijuana.

The program chronicles cannabis prohibition and its devastating effects on civil liberties. It features interviews with scholars, doctors, judges, police, medical users, and victims of enforcement. The show highlights little-known facts and includes questions from a studio audience and a panel discussion at KOMO-TV studios, moderated by state resident Rick Steves.

Marijuana: It's Time for a Conversation documents the transition of cannabis from an important agricultural product in colonial times (and the source of paper for drafting the *Declaration of Independence* and *US Constitution*) to a policy of arresting

some 829,000 people for it in 2006 alone.

"Federal marijuana laws are not based on science," said retired Whatcom County Superior Court Judge David Nichols, a member of the panel featured on the show. "It's intentional government ignorance."

That explains how cannabis gradually became illegal in the 1930s, as a way for law enforcement to spend public resources after Alcohol Prohibition. It shows how former assistant prohibition commissioner Harry J. Anslinger manipulated the media and plied prejudice against immigrants, Hispanics and blacks to fan public hysteria against a plant. In 1937, Congress passed the *Marihuana Tax Act* banning the plant without solid research or valid reasons.

The show includes an interview with Richard Bonnie, who served on President Richard Nixon's *National Commission on Marihuana and Drug Abuse*. The commission was meant to provide a rationale to ramp up arrests and prosecutions of drug users. Instead, it said that cannabis was relatively harmless and advocated its decriminalization. Nixon buried its findings and declared a "war on drugs" anyway.

The show presents some striking information. For example, use of cigarettes – a legal product – kills about 438,000 people each year in the US; alcohol is responsible for 21,000 deaths. How many die from cannabis use? Zero.

Accompanying the TV broadcasts will be www.MarijuanaConversation.org with extended interviews of experts featured on the show and a booklet with additional information about cannabis policy. For broadcast dates, or to request a free booklet or order an inexpensive DVD, visit online.

Travel writer Rick Steves hosts *Marijuana: It's Time for a Conversation*



CA court to state cops: Return marijuana – despite Fed laws

Recent rulings favorable to patients, may face High Court

By Eric D. Shevin, Esq.

Shevin is an LA-area defense attorney

Since the passage of Prop 215, commonly referred to as the *Compassionate Use Act* (CUA), more than 10 years ago, the laws protecting qualified medical patients and their primary caregivers have evolved dramatically.

In 2003, the Legislature enacted SB 420, the *Medical Marijuana Program* (MMP), to promote the fair and orderly implementation of the CUA. The MMP added protections which included immunity from prosecution for a number of marijuana-related offenses that had not been specified in the CUA, among them transporting cannabis and the right of patients and caregivers to avoid prosecution when associating cooperatively or collectively. While the CUA and MMP provide the framework within which the medical marijuana laws operate, the Court of Appeal carves out the evolution of patients' rights on a daily basis through their rulings in specific cases.

Three cases decided since November 2007 provide the strongest judicial support for patients rights since the Ca Supreme Court, in *People v. Mower*, reinforced the right to limited immunity from prosecution for qualified medical patients and their primary caregivers.

In the case of *People v. Kha* (November 2007), a qualified medical user was entitled to the return of his seized cannabis after his case was dismissed in court. The City of Garden Grove had refused to return Mr. Kha's cannabis even after a judge ordered that they comply. The Court ruled that if the city could not punish the user under State criminal law for possession of marijuana, they could not indirectly punish him by destroying his cannabis once the case was dismissed. The Court noted that continued official retention of a qualified patient's cannabis simply cannot be squared with notions of fundamental fairness and therefore due process required returning Mr. Kha's medicine.

Prior to the Kha decision, it was commonplace for courts to deny patients the return of their cannabis claiming it would be a violation of federal law to distribute the marijuana back to the patient.

In ordering the return of Mr. Kha's medicine, the court provided perhaps its most thorough analysis for upholding the rights of medical patients in the face of conflicting federal laws, stating, "Ca courts long ago recognized that State courts do not enforce the federal criminal statutes. 'The State tribunals have no power to punish crimes against the laws of the United States. The same act may, in some instances, be an offense against the laws of

both, and it is only as an offense against the State laws that it can be punished by the State, in any event.' [*People v. Kelly* (1869) 38 Cal. 145, 150]; "Our federalist system, properly understood, allows Ca and a growing number of States [that have authorized the use of medical marijuana] to decide for themselves how to safeguard the health and welfare of their citizens. The structure and limitations of federalism allow the States great latitude under their police powers to legislate as to the protection of the lives, limbs, health, comfort, and quiet of all persons".

In December 2007, in the case of *People v. Chakos*, the Court of Appeal reversed a conviction for possession for sale of cannabis where the prosecutor's expert had limited knowledge of the CUA. The Court failed to find any substantial evidence that the officer had any expertise in differentiating citizens who possess cannabis lawfully for their own consumption, as distinct from possessing unlawfully with intent to sell. As with most possession for sales cases, the prosecutor's expert stressed the quantity of cannabis found, the presence of a scale and the individual packaging to support his opinion that the marijuana was for sale. Without expertise in the use and storage patterns of lawful users, the court ruled that the officer's opinion was insufficient to support a conviction.

The Chakos Court noted that people who may lawfully possess cannabis under State law for medicinal purposes will have patterns of purchase and holding that will reflect the practical difficulties in obtaining the drug. Those practical difficulties could also explain the presence of a scale; anyone with the lawful right to possess cannabis will need to take precautions not just to insure that he or she does not get "ripped off" by a dealer, but that he or she does not possess more than the eight ounces threshold in the Act. Practical difficulties of obtaining cannabis also explain why a patient entitled to possess it under State law might want to keep an extra supply on hand within the legal amount, since supplies would not be reliable.

Chakos affirms what we've known all along; namely that law enforcement is out of touch with the true nature of medical possession, transportation and use. From here on, prosecutors will need more than a hired gun to support a conviction for possession for sale when the defendant is a qualified patient or a primary caregiver.

In January of this year, the Court in *People v. Hua* reversed a conviction to the benefit of all cannabis users, medical and otherwise. The court held that officers could not enter a home even after they observed cannabis being smoked within. The general rule is that a residence cannot *Please turn to page 12*

Oregon struggles with rules, dispensary models

By Leland R. Berger * with Stoney Girl

In Oregon, the legislature normally meets every other year, in odd numbered years. Occasionally, they have a special session in even numbered years. For medical cannabis patients, the past two sessions saw an attack on the ability of patients to work.

In the 2007 session, Senate Bill 465 would have allowed employers to fire employees if the employee tested positive for cannabis use, even if the employee was a registry identification cardholder. Construction and insurance companies claimed they needed to be able to enforce a drug-free workplace for their workers' safety. The bill passed the Senate 25-5, but died in the House.

The bill was re-filed in the 2008 special session. A work group including two friendly legislators (Peter Buckley, D-Ashland and Diane Rosenbaum, D-SE Portland), a representative of the Speaker's office, union and ACLU lobbyists, along with activist Laird Funk from Williams, and Leland Berger worked up a compromise bill that only applied to dangerous construction jobs. All the Oregon cannabis reform groups rallied to testify against the bill; Mothers Against Misuse and Abuse, Voter Power, Oregon NORML and Willamette Valley NORML and Oregon Green Free were all there. Ultimately, the compromise legislation died. Activists expect this will resurface as a part of a full on attack on the Oregon Medical Marijuana Act (OMMA) in the 2009 session.

Unlike California, there are no dispensaries in Oregon. Instead, the OMMA is predicated on patients sharing excess medicine produced in home gardens. As a consequence, there is an ongoing crisis in the distribution of medical cannabis. Patient activist groups distribute some for free, but patients lack safe, reliable access and, at any given time, some patients are without.

The 2007 session also saw two proposals to revise the distribution of cannabis. One, proposed by Madeline Martinez, Alicia Williamson and Melodie Silverwolf (all from Oregon NORML) would have created a state-run garden with distribution to patients. The other, proposed by John Sajo and Voter Power, would have created licensed and regulated dispensaries. Senator Bill Morrisette (D-Springfield) introduced a bill on the state garden proposal which died when the Attorney General's Office advised that enacting this legislation would result in protracted litigation. Towards the end of the 2007 session, the Stormy Ray Foundation (SRF) tried (unsuccessfully) to gut and stuff this bill with their 'HUB' proposal, which would enable patients and their providers with excess to notify the Department of Human Services (which supervises the registry and the program) who would, in turn, connect them with patients in need.

The SRF is meeting with law enforcement and some proposal from this group to amend the OMMA (including the HUB) is expected in the 2009 legislature.

Another attempt to resolve the distribution problem has its genesis in the 2004 initiative to reform the OMMA in a variety of patient friendly ways. The centerpiece of the proposal was the creation of licensed and regulated dispensaries.

As of this writing, it seems likely that the dispensary proposal will be on the ballot in 2010. It may be joined at that election by a tax and regulate proposal filed by Oregon NORML's Madeline Martinez, and the THC-Foundation's D. Paul Stanford.

*Leland R. Berger is an attorney who practices statewide in Oregon representing patients and their providers. He serves on the Board of Legal Advisors for Americans for Safe Access, is a member of the NORML Legal Committee, and Legal Counsel to Voter Power.

Editorials and Commentary

Governor should stand up for 'leaf'

When California Governor Arnold Schwarzenegger came to Sacramento, he promised to fix the economy, stand up to the prison guards and think outside the box. He was the perfect guy to stand up to Reefer Madness: a Republican with a tough guy image who doesn't have to worry about being labeled a wimp. A man with personal experience who knows that all the anti-cannabis laws amount to little more than political hysteria. Asked about his own cannabis use as a world champion body builder, he said, "that's not a drug, it's a leaf!"

To which we reply that cannabis is much, much more than that; it's a multi-faceted economic powerhouse for California, and already the state's number one cash crop. At a time when the state is struggling financially, the estimated \$100 million in sales tax revenue generated by medical cannabis dispensaries (MCDs) also represents a strong fiscal incentive that should compel the Governor to act. As a medicinal plant, cannabis already saves the state health care costs as it eases human suffering. As a controlled adult market akin to the wine industry, marijuana will indeed generate local economic opportunity and communities can zone and regulate it to enforce a reasonable age of consent for its purchase.

Schwarzenegger supposedly has some cache in DC. He's known for his business savvy and a recently discovered green streak. As a non-psychoactive industrial feedstock that has a myriad of uses for farms and manufacturing, hemp can reduce the state's water usage and increase its agricultural output at the same time. Its high carbon intake could be developed into a 'carbon sink' for greenhouse gases. Its potential for earthquake resistant housing is uniquely suited to California. He can call in some favors and get some licenses issued to grow hemp out here. So what has he done to date?

The governor has vetoed two hemp bills and one medical marijuana bill since taking office. With all the talk of prison overcrowding and after four cities and a county adopted the policy of treating cannabis as the lowest law enforcement priority (LLEP), he has failed to restrain CAMP, criticize the DEA or endorse cannabis reform. Rather hypocritical over a leaf.

Marijuana laws have put hundreds of thousands of Californians behind bars as fodder for the prison industrial complex over the years. Since voters passed Prop 215 legalizing medical marijuana, the West Coast region has become a haven of tolerance, where reason often prevails and public sentiment favors responsible use and regulated access.

Changing our approach toward this leaf will cut law enforcement costs and bring in new revenues, while restoring respect for police and the rule of law. Even as the California Narcotics Officers Association posts lies on its website ("marijuana is *not* a medicine," in other words, *feel free to ignore state law — we do!*), many individual law enforcement officers have asked us "when are you going to get pot legalized so we can stop wasting our time on it?"

Good question. Being termed out from running again for Governor, Schwarzenegger is in a historic position to which he is uniquely suited to transform the cannabis culture back as an over-the-counter culture. He has the bigger than life, heroic personality that it will take to pull it off, and since it has been his veto that has slowed the process, chances are he would find a very friendly legislature were he to make the overture.

The time is ripe for the action hero governor to live up to his own hype.

Landlord threats spur delivery services

As cities and counties around the state attempt to bring medical cannabis distribution under clear controls with regulations and zoning ordinances, the federal government is doing its best to prop up the illicit market. Its threats and raids keep dispensaries from serving the community and frighten local governments out of serving their constituents.

The letters sent to dispensary landlords threatening to take their property under federal forfeiture may have a basis in federal law, but not in morality, decency or democracy. Unfortunately, as the High Court wrote in the *Raich* decision, "whether it is wise" or not, the Drug War is an "exercise of federal power." It is also an abuse of power and agency discretion. The courts and Congress fail the American people by allowing renegade bureaucrats — the DEA, DOJ and FDA in this case — to trample the rights of the People.

The rule of unintended consequences prevails, however. The net effect of federal abuse of power has been to sustain street dealers on the one hand and to mobilize the future of cannabis commerce on the other. Rather than open dispensaries, many patient collectives are now looking toward another legal option in California: Cannabis delivery services.

No business license needed, just your doctor's note and a collective route to follow for deliveries. Since the Health and Safety Code HS 11362.775 allows qualified patients to transport up to eight ounces of bud with immunity, the DEA has created yet another new, albeit small scale entrepreneurial opportunity for the patient community. Sadly, such a system is fraught with its own shortcomings; MCDs offer isolated patients product variety, moral support and a community of like-minded people.

However, if the DEA insists, California patients will take to the road in large numbers to keep patients supplied, just as the underground railroad once upended slavery by challenging federal law. It's not civil disobedience: it's a moral imperative.



WAITING FOR A HERO — California voters may have thought they were getting an action hero when they elected Arnold Schwarzenegger governor, but so far he has been as timid as a 90-pound weakling when it comes to standing up for medical marijuana rights. Likewise, our federal Senators Feinstein and Boxer and House Speaker Nancy Pelosi have failed to represent the will of the voters who put them in office. Photo courtesy of Americans for Safe Access.

Fed tactics, patient responses shifted after *Raich*

Kris Hermes

Americans for Safe Access

The federal government has launched yet another war on the more than 200,000 patients residing in California in the wake of the June 2005 US Supreme Court decision *Gonzales v. Raich* that granted federal agencies authority to arrest and prosecute cannabis patients and providers. The federal government has the discretion to forgo such enforcement, but the DEA began con-

tances or rely on the illicit market.

The federal government has recently adopted a cynical new tactic in its war on compassion. Last July, the DEA began sending letters to property owners, threatening criminal prosecution and asset forfeiture if they continue to lease to dispensing collectives. So far, more than 300 letters have been sent to landlords across CA, intimidating dozens of landlords into seeking eviction. Hence, the federal government has been able to shut down more facilities, many of which are even located in places that strongly support medical cannabis, such as San Francisco and other parts of northern California.

While it's clear that these actions harm tens of thousands of patients and undermine a law that was passed more than 10 years ago by a majority of CA voters, they also have met considerable resistance from activists and policymakers. Immediately after the 2007 Los Angeles raids, Republican City Councilmember and former LAPD officer Dennis Zine condemned the federal interference in the implementation of local and state law. Zine wrote a letter to then-DEA Administrator Karen Tandy, as well as Governor Schwarzenegger, calling for an end to the tactic. Fellow Republican Orange County Supervisor Chris Norby also made public statements denouncing the threats against landlords.

Shortly afterward, an *ad-hoc* coalition of advocates came together to develop a plan to secure even more support from elected officials. By the end of 2007, US House Judiciary Chair John Conyers had publicly expressed deep concern over DEA tactics and his intention to "sharply question" the DEA tactics in oversight hearings. This was followed by other supportive statements, including one by Oakland Mayor Ronald Dellums who decried federal interference and encouraged Conyers to hold hearings in Congress, and by resolutions of the City Councils of Oakland, Berkeley and Santa Cruz and the SF Board of Supervisors, calling for hearings in Congress and an end to these tactics in CA. Berkeley and SF established themselves as medical sanctuary cities to protect patients, providers and landlords and were the latest to join the growing number of cities with resolutions prohibiting local police from cooperating with DEA enforcement efforts against medical cannabis.

These latest signs are promising for advocates, and provide much-needed encouragement to continue resisting interference by the federal government. Patients and advocates must pressure Governor Schwarzenegger to defend California's laws and the patients they protect.



ducting raids with tremendous fervor. No less than nineteen DEA raids occurred in 2005, followed by 20 raids the next year.

The DEA has chosen to focus its attacks primarily on dispensaries, the distribution facilities on which patients rely, though it still makes its paramilitary-style raids on the homes of state patients. More than doubling its effort during the previous two years, the DEA raided more than 50 dispensing collectives in 2007. Many of these were licensed facilities controlled by local regulations, and all are required to collect and pay sales tax according to the State Board of Equalization.

Armed with automatic weapons, wearing black ski masks and flak jackets, DEA agents smashed doors down, seized money, cannabis, computers, patient records and other property, with complete disregard to local and state law. In July 2007, DEA raids were conducted in Los Angeles the very day its City Council voted to draft an ordinance regulating the same dispensing collectives that were being raided. The DEA has conducted raids in more than 10 counties, wiping out safe access to cannabis in some regions. As a result of sweeping DEA raids in Kern, San Diego, San Mateo and Stanislaus Counties, patients have no access to their medicine and are forced to travel long dis-

WEST COAST LEAF

The *West Coast Leaf* is a free speech publication owned and operated by Creative Xpressions. This newspaper promotes the community by providing photos, news, directories, features, and regional information for our readers and inviting submissions to engage readers in the dialogue. We support tolerance and believe that cannabis sales and cultivation should and will be legal for adult consumption.

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ACROSS THE UNIVERSE — Thick glass keeps cannabis offenders away from their families and visitors and behind bars with hardened and often dangerous criminals. The POW Mail Service hopes to bridge the gap and bring comfort to medical marijuana prisoners.



Writing my way into jail...

By Vanessa Nelson

Everyday except Sundays, my outgoing mail slot holds letters destined for a variety of correctional facilities. And everyday except Sundays, my mailbox gets filled with letters written by ordinary people who have been locked up for medical marijuana. I get voluminous correspondence from prisons all over the country, but my mailman doesn't bat an eyelash — he's too busy trying to keep up with me.

At the post office, however, I have more of a reputation. I'm friendly with the clerks and other regulars, one of whom I infected with my passion. After I chatted with him about the plight of a certain inmate, he went home and promptly wrote a note for the guy in jail. Before I knew it, the budding penpals had forged a connection — both were veterans of foreign wars, born during the Great Depression, who appear to tirelessly enjoy exchanging stories about their grandkids. It was a charming match.

But that's just the touchy-feely side. The need for prison outreach arises from a much darker reality: the United States is a zealous incarcerator, and the cultural and political roots of this trend go deep. The process relies heavily on the social stigmatization of inmates — that's part of the purpose, and thus part of the power, of a correctional facility. For those inside, the result is shame and helplessness, disconnection from the family members and friends who shun them, and crippling isolation. It's a situation that's especially tragic for medical marijuana prisoners, who are frequently ill and almost always innocent. These people followed the medical marijuana laws of their state, only to get caught in a federal system that goes by its own rules.

Those who went to trial found out the hard way that evidence about medical use and state law can be kept from a jury.

Others took plea deals for lesser prison time in order to avoid the long sentences of seemingly inevitable guilty verdicts. The rest are inmates who simply couldn't make bail while awaiting trial, and their situation is especially dire. With the trauma of their arrest still fresh, they are forced to adjust to life in county jail facilities that have notoriously poor health and housing standards.

These jails are not designed for long-term incarceration, but many medical marijuana defendants go years between arrest and trial. It's a degrading and appalling existence, as well as an incredibly lonely one. Sometimes just an uplifting word from the outside, a reminder of human kindness, can provide the morale boost that makes suffering bearable rather than utterly debilitating.

This is why I helped set up the POW Mail Service at medicalmarijuanaofamerica.com. It's a free program that allows users to see the stories and pictures of medical marijuana inmates, read prisoner essays, and send electronic messages that are forwarded through postal mail. It's as simple as typing an email, and it doesn't cost a cent. The rewards, however, are beyond measure. Of course, there's no need to devote the amount of time and energy that I do. Really, I'm an extreme

example of a prisoner penpal. But the reason for my enthusiasm isn't compulsion or morbid fascination or even charity.

I often tell people that I'm just as enriched by these connections as the prisoners. And it's true too. In fact, Sunday is my least favorite day.

Council unanimously approved sanctuary resolution

Berkeley was first to stand up for MCD landlords

By Becky DeKeuster

Berkeley City Council unanimously passed a Jan. 29 resolution declaring the city a sanctuary for "medical marijuana patients, providers, and their landlords," that was co-sponsored by Councilmembers Kriss Worthington and Darryl Moore, each of whose districts houses one of the city's dispensing collectives.

Although San Francisco has been a cannabis sanctuary city since 2001, Berkeley was first to specifically extend protection to dispensary landlords. Berkeley's resolution was the fruition of a coalition of city officials, dispensary operators, Americans for Safe Access, and other activists in response to the DEA attack of 2007. One raid was at LA's California Patients Group (CPG), sister to the Berkeley Patients Group (BPG). After the DEA staged a SWAT-style invasion of CPG July 25, both MCD's bank accounts were seized by US Marshals — mostly state sales tax collected from patients and due at month's end.

At the same time, the DEA's "landlord threat letters" appeared in Los Angeles and a few months later letters arrived in the Bay Area, but the ripple effect was already there. California landlords who heard of the LA letters became skittish about renting space to dispensaries, no matter how sympathetic they were. Rather than wait for state-level officials to oppose the DEA, Berkeley dispensary operators and activists turned to their local elected officials for help and to encourage state officials to defend of state law.

At a City Hall rally the day after BPG's bank accounts were seized, four Berkeley Councilmembers publicly denounced the DEA actions. Moore convened a meeting between BPG and ASA representatives with the Mayor, City Manager, and Police Chief to discuss crafting a sanctuary city. The original draft resolution said that in the event of federal closures, "the City shall coordinate an emergency distribution program to ensure a continuum of access to medical marijuana".

City staff feared this would force them to become *de facto* dispensary operators, a role they were unwilling to take on, so it was revised to "the City itself shall seek to ensure a continuum of access" to medical cannabis.

Some patients and activists felt the resolution did not go far enough in defining specific actions. However, it provides a great deal of leeway for operators/patients to work together with city officials to determine the best course of action, be that providing a temporary distribution site on city property or helping affected collectives to relocate.

The SF Supervisors passed by 7-2 an updated sanctuary resolution Feb. 25, also extending protection to landlords but worded even more strongly than Berkeley's.

California NORML report

A year of waiting to get out of the Bushes

By Dale Gieringer

Director of California NORML

Staggering into the final year of the Bush administration, it is hard not to look ahead to 2009, when a whiff of relief seems likely. In the meantime, it is safe to predict that cannabis will *not* be federally legalized in 2008, medically or otherwise. Instead, this will be a year of defensive consolidation for the marijuana movement in California. Lawmakers have little reason to take on cannabis reform until they know how federal policy will change under the next administration.

There is some hope that two good bills will be introduced in Congress this year: a "state's rights medical marijuana" bill and a federal decriminalization bill. Unfortunately, neither has a chance of advancing, as the Democratic leadership has decided to

block social issues legislation for now.

One bright light in Congress is House Judiciary Committee Chairman John Conyers' announcement that he will question the DEA about its threatening letters to dispensary landlords.

California NORML has been closely monitoring forfeiture abuses, especially in the Eastern District, where small-scale growers have been hit with forfeiture of their homes. We intend to publicize abuses of federal law enforcement — such as the impending sentencing of Dr. Mollie Fry and Dale Schaffer to potential five-year mandatory minimums — to help build pressure for needed federal reform.

Meanwhile, in Sacramento, prospects for serious reform are frustrated by legislative indifference and the likelihood of a gubernatorial veto. Perhaps the most important bill this year is Assemblyman Mark Leno's bill AB 2779 to protect workers who use medical marijuana from drug testing. With the assistance of NORML's able policy analyst, Paul Armentano, we will use this opportunity to educate the legislature and public about the myths and fallacies of drug testing. Cal NORML will be following this and other bills online at canorml.org, where supporters can write to their legislators.

In the longer term, nothing could be more useful for consolidating the gains of Prop 215 than a bill to legitimize state medical cannabis dispensaries (MCDs). Cal NORML has sought to publicize the benefits of a legally regulated medical cannabis market, which we estimate at \$100 million per year in sales taxes alone. The DEA has seized over \$1 million in sales tax payments due the state in its MCD raids. Sen. Carole Migden has picked up on this by sponsoring a resolution to condemn the DEA raids, SJR 20, as well as a bill to encourage clubs to pay sales tax, SB 1098. However, a fundamental fix to the problem will require a bill to legitimize MCDs, which is off the table at least until next year's regime change in Washington.

Given the state prison crisis, it's disgraceful that the legislature has failed to contemplate decriminalization legislation to reduce the number of non-violent cannabis and drug prisoners. Petitioners are now circulating the NORA (Non-violent Offenders Rehabilitation Act) initiative, which includes a provision, long sought by NORML, to downgrade cannabis possession from a misdemeanor to an infraction. Let us hope that the voters succeed where the legislature has failed.

Meanwhile, reform faces a serious challenge in Mendocino County, where the Supervisors placed the terrible Measure B on the June ballot (see front page story).

Ultimately, cannabis reform will require changing international treaties that oblige the world's nations to keep cannabis illegal. NORML was delighted to have the unprecedented opportunity to participate in the first-ever UN NGO consultation open to drug reformers this February in Vancouver. We were proud to represent responsible cannabis consumers with proposals for revising treaties, and will continue until the problem is fixed (canorml.org/news/UN-Vancouver%20Relse.htm).

Meanwhile, we look forward to the impending end of the Bush Error. With only a few months left in office, hopefully US attorneys will be reluctant to launch ambitious new cases against MCDs. Both Democratic nominees have promised to halt the DEA raids, and at one point Sen. Obama said he favored decriminalization. In light of past experience, it would be rash to expect changes, but it will be nice if this hope is realized.

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Mild-mannered activist caught in maelstrom

Continued from page 1

Duncan’s background goes back to 1999, when he helped open a small dispensary in Berkeley — in part as a way to fight back against federal raids in the area — without city permits or proper zoning. After a zoning problem arose, the landlord quickly evicted them. It was an experience that Duncan says taught him the only way to make a dispensary work is to do it by the book.

The following year Duncan, CAN founder and activist Debby Goldsberry, and former chief financial officer of the Oakland Cannabis Buyer’s Coop Jim McClelland, himself a master medical grower, opened Berkeley Patients Group with the full blessing of the city.

“We wanted to make medical marijuana a statewide California issue. As goes LA, so goes CA. And so goes the world.”

It didn’t take long to figure out that the degree of access patients in Northern Cal had come to expect was not the norm in the rest of the state, particularly Southern Cal. “As recently as 2004, we had patients driving from San Diego, Riverside and Los Angeles,” Duncan says, “We realized that there wasn’t access down there.”

Another reason was strategically political. Duncan felt that as long as the movement was concentrated in Northern Cal, it ran the risk of being marginalized, dismissed as part of a *laissez-faire* culture of aging hippies. But LA, the entertainment capital of the world, was different. “We wanted to make medical marijuana a statewide California issue. As goes LA, so goes CA. And so goes the world.”

With that in mind, in 2004 Duncan pulled up a decade’s worth of Bay Area roots and relocated to Los Angeles, where he opened LA Patients and Caregivers Group, the third dispensary in West Hollywood, and only the fourth in the greater LA area. That move, coupled with Duncan’s outreach to the medical cannabis community, helped to launch a movement in Southern Cal, where people had till then been worried about opening dispensing collectives.

First other operators from Northern Cal opened outposts, then native Angelenos, who were perhaps both envious and empowered, followed suit. At the end of the first year, there were seven dispensing collectives serving patients in the area. The next year, another 100 had opened their doors. Within two years, estimates put the number of dispensing collectives in Greater LA at between 200 and 300 – about as many as there are coffee shops in Amsterdam, more than the number of Starbucks in LA.

With that growth came scrutiny and a need for respon-

sible behavior on the part of dispensary operators. When Duncan arrived in LA, one of the first things he did was to help establish an alliance of operators in West Hollywood, much like the one he’d been part of in Berkeley.

“There was no cooperation or communication when I got here,” Duncan remembers. “Everyone saw each other as competition. They didn’t realize that they could be stronger and safer by working together.”

Today, Duncan is part of the Greater LA Caregivers Alliance, an organization of dispensaries that can speak to the city with one voice, a factor that was crucial last July in the days following another series of coordinated raids in LA, this time coinciding with the City Council decision to establish regulations for the operating dispensaries.

“We saw a Renaissance of support,” says Duncan. “It was amazing to see Councilmembers standing up to out do each other in support of medical cannabis and to condemn the DEA – councilmembers like Dennis Zine, a Republican and former LA police officer.”

At the end of the day, the City Council voted unanimously to send a letter condemning the DEA actions and passed a resolution endorsing the then-soon-to-be-voted-on Hinchey-Rohrbacher amendment that would have cut off funds for federal medical marijuana prosecutions in states where it’s legal.

Today, Duncan is focused on ensuring patient access. His “personal mission” is running what he describes as an “open-source” operation, showing anyone who is interested how he runs his dispensing collectives so they can do it right. “I’m glad to help people avoid mistakes,” he says.

He’s also taking on a more public role as a patient advocate, although his work as an activist goes back more than a decade, to the campaign for Prop 215. As a co-founder, board member and long-time donor, Duncan has played a critical role in the Oakland-based national advocacy group Americans for Safe Access. He’s now also ASA’s California Director, a role that has him working with the governor’s office, testifying before policymakers and speaking to the media on behalf of safe access.

“We’ve taken some terrible hits in 2007,” says Duncan. “But overall, we’re achieving our goal.”

Mendo Meas. B=bad news

Continued from page 1

county board of supervisors after public about marijuana growers. The backlash has fed on a string of press stories accusing illegal commercial growers of encroaching on residential neighborhoods, attracting crime, trashing the environment, annoying neighbors, not paying taxes, and abusing Prop. 215 for profit. Although most county residents benefit from the cannabis economy directly or indirectly, resentment of out-of-control growers is strong.


Powerful forces lined up behind Measure B, including a majority of county supervisors and city councilmembers of Ukiah, Willits and Fort Bragg. The *Ukiah Daily Journal* endorsed Measure B, reversing its previous tolerant stance. “We do this because we believe that Measure G is in large part the reason marijuana growing in this county has gone from a tolerated underground business for people living in the hills to massive commercial operations for hundreds of people living not only in the hills, but in our residential neighborhoods,” the paper editorialized Dec. 13.

Opponents argue that Measure B does nothing to solve the problems, because it targets small-scale growers and patients. “There is broad agreement that the problems associated with marijuana growing in the county involve large-scale commercial operations” said former Congressman and Measure G co-sponsor Dan Hamburg. “Measure G does not allow such operations; in fact, it specifically forbids them. Why are we to believe that the repeal of Measure G will stop activities that it already disallows?”

Measure B could also undercut Sheriff Allman’s recently announced “zip-tie” program, in which legal patients are allotted 25 coded plastic zip-ties to designate plants and hoping to charge a fee for the zip-ties beginning next year to recoup the program’s costs; but Measure B would slash any revenues by limiting patients to six plants each. “Sheriff Allman’s program has not yet been given a chance to succeed,” argues Hamburg, “Instead, we have been diverted by an effort to overturn Measure G.

The *No on B* campaign committee includes advocates from Measure G, Mendocino MMJ Advisory Board, Cal NORML, MPP, and others. Donations are needed at: No on Measure B, 705 N. State St #115, Ukiah CA 95482. To get involved or donate online, visit www.nomeasureb.org.

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Lawmakers considering new protections after *Raging Wire*

Court ruling draws new employment bill aimed to protect cannabis patients

By William Dolphin

California medical cannabis patients may soon enjoy new protections, as state lawmakers joined Oregon and Hawaii in considering legislation to shield cannabis patients from employment discrimination.

Legislation was introduced in the Assembly Feb. 20 to reverse a January court ruling, *Ross v. Raging Wire*, that said qualified patients may be fired for no reason other than following the medical treatment recommended by their doctors. The employment rights bill leaves intact existing state law prohibiting medical use at the workplace and protects employers from liability by allowing exceptions for jobs where physical safety could be a concern.

"The California Supreme Court decision said that an employer may fire someone solely because they use medical marijuana outside the workplace," said Assembly-member Mark Leno (D-San Francisco), author of the bill. "AB 2279 is merely an affirmation of the intent of the voters and the legislature that medical marijuana patients need not be unemployed to benefit from their medicine."

Co-authors of AB 2279 are Patty Berg (D-Eureka), Loni Hancock (D-Berkeley) and Lori Saldaña (D-San Diego). The bill is backed by Oakland-based Americans for Safe Access. It is designed to resolve employment problems created for patients by a 5-2 decision of the CA Supreme Court in *Raging Wire*, after ASA Chief Counsel Joe Elford, argued that the Prop. 215 *Compassionate Use Act* (CUA) and subsequent SB420 *Medical Marijuana Program Act* (MMPA) should prevent employment discrimination against Californians on the basis of their medical treatments.

All the MMPA authors filed an *amicus* brief with the court to that effect, saying the intent of the law was to guarantee civil protections for qualified Californians who use cannabis, and that the Fair Employment and Housing Act "generally requires accommodation of medical cannabis use by disabled persons with medical conditions."

The court held that the state legislature had not adequately clarified employment rights of qualified patients, despite the brief. In the dissenting opinion, Justice Joyce L. Kennard said the Court's action "has seriously compromised the [CUA], denying to those who must work for a living its promised benefits."

At issue was a lower court ruling that a qualified patient could be fired based on a cannabis-positive drug test or personal status as a patient. The plaintiff in the case, 46-year old disabled veteran Gary Ross, lost his job as a systems engineer in 2001 after testing positive for cannabis. His employer, Raging Wire Telecommunications, would not make an exception for medical use, although Ross did

International Drug Policy Conference in New Orleans







LARGEST DRUG POLICY REFORM CONFERENCE YET — The Drug Policy Alliance (DPA) had record attendance Dec. 6-9 with 1200 people at its biennial conference in New Orleans.

Photos clockwise from top: ARO, the Alliance of Reform Organizations

Right: *AlterNet* and Alan Bock of the (CA) *Orange County Register* received the Edward Brecher Award for Achievement in the Field of

Journalism. DPA Director Ethan Nadelman is in the background.

Bottom: A hurricane Katrina survivor spoke with attendees who took a bus tour of Ninth Ward devastation.

Left: Cliff Thornton (CT) of *Efficacy* received the Robert Randall Award for Achievement in the Field of Citizen Action. West Coast Leaf photos.

not use cannabis on the job and was treating injuries sustained during his military service.

"I was not fired for poor work performance, but for an antiquated policy," said Ross. "If the court is going to ignore the need for protection, then it's up to the legislature to ensure that productive workers like me are free from discrimination."

Since 2005, ASA has received hundreds of reports of employment discrimination from all across California. Employers that have either fired patients from their job, threatened them with termination, or denied them employment because of patient status or because of a positive test for cannabis, include Costco Wholesale, UPS, Foster Farms Dairy, DirecTV, the San Joaquin Courier, Power Auto Group, as well as several construction companies, hospitals, and various trade union employers.

"We welcome and strongly endorse this clarification

from the legislature," said ASA spokesperson Kris Hermes. "Despite the ill-conceived ruling by the California Supreme Court, the intent of state legislatures has been to recognize the civil rights of patients and to offer them reasonable protections."

MPP is working to improve the lives of California's medical marijuana patients.

To find out how you can help change the laws in Sacramento and Washington D.C., contact our California Organizer at (866) 287-6792 or asmith@mpp.org.

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Classes Begin at Oaksterdam University

By Danielle Schumacher

Oaksterdam University (OU) is giving “higher education” an entirely new meaning. America’s first cannabis college, OU is offering quality training for the cannabis industry. Inspired by Amsterdam’s cannabis college, the trade school was launched in November 2007. After students take Politics and Legal Issues 101, they can enroll in Horticulture (lecture and lab), Cooking/Concentrates, Budtending,

Packaging/Management, and Starting a Dispensary. Because of the overwhelming demand for seats, OU has been adding night classes to support the weekend seminars. Recent additions include advanced grow consultations with Ed Rosenthal and Legal 102, a role-playing workshop that simulates police encounters.

While it is overall an extremely historic and cutting edge program, perhaps the most impressive part of the school is its faculty. OU is proud to have recognized experts with many years of experience in the cannabis industry teaching classes. Politics 101 is often taught by Chris Conrad, author and court-qualified cannabis expert, and walks students through the history of cannabis prohibition and government studies as well as the current state of local and federal laws. Legal Issues 101 instructors are Lawrence Lichter, Omar Figueroa, or another lawyer from Pier 5 Law Offices in San Francisco.

Dennis Peron, a living legend, established the first dispensary in California in the early 90s in San Francisco. He is especially well-known in the Bay Area’s large LGBT community, and relates his inspiring story to young, eager students. One of the cooking class’s instructors demonstrates how his family has been making ganja butter the same way for generations. Chad Gilmore of the Oakland Cannabis Buyers’ Cooperative leads the Concentrates class with a mock hash-making demonstration.

Many Oaksterdam University students hope to be employed at a dispensary upon graduation, so Budtending class is important to them. Packaging and Management classes were also developed with dispensary employment in mind.

All classes are accompanied by a syllabus, class hand-outs, Powerpoint slides, and required textbooks. In order to receive a graduation certificate (and therefore an OU reference and other support during a job search), students must pass a final test.

Check out www.oaksterdamuniversity.com for course descriptions and dates, instructor bios and links, job listings, and a downloadable enrollment form.



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DEA non-cooperation bill in legislature

By Aaron Smith, MPP California Organizer

This is proving to be an exciting year for medical marijuana politics. California’s legislature will decide on four cannabis-related bills during the 2008 session — more than ever before in a single year.

To help shore up support for medical marijuana legislation in the capitol, Marijuana Policy Project (MPP) retained a well-known lobbying firm, Governmental Advocates, inc., last December. They are working with other state reform groups to pass Senator Carole Migden’s (D-SF) resolution condemning the recent DEA attacks on our state law and the patients who rely on it (SJR 20), her dispensary tax relief bill (SB 1098), and Assemblyman Mark Leno’s (D-SF) medical marijuana employment bill (AB 2279).

Meanwhile, Assemblywoman Lori Saldaña (D-San Diego) introduced AB 2743, a landmark bill to prohibit local and state law enforcement from cooperating with DEA raids on patients and providers. Since the DEA is a relatively small law enforcement agency, it relies on the assistance of local agencies to carry out its enforcement activities.

Patients residing in and around Saldaña’s district are well aware of what can happen when local law enforcement works with the DEA in their war on the sick. In December 2005, the DEA, San Diego Police and the County Sheriff raided 13 dispensing collectives, pushing legal patients into the street to obtain medicine.

Saldaña stepped up to defend seriously ill patients. AB 2743 would limit the DEA’s ability to carry out raids on patients, dispensaries, and gardens, and ensure that local resources are not used to undermine state law. It would also prevent local district attorneys from turning cases over to federal jurisdiction — an increasingly common method of subverting state law.

Local cooperation with the DEA has created a difficult obstacle to safe access and is not limited to conservative regions of the state; it also exists in cities that have vowed to protect patients from arrest.

Patient and caregiver Stephanie Landa’s garden was raided in 2002 by SF Police Dept and DEA agents. She is now serving more than three years in federal prison after being prosecuted under federal law. Despite California’s long-standing laws to protect people like Landa, and San Francisco’s status as a medical marijuana sanctuary city, local police assisted in her arrest and prosecution. AB 2743 would tell officers across the state that this sort of collaboration is no longer acceptable.

Passage of this bill will rely on patients and activists calling their state representatives, writing letters to the editor and taking local actions in support of patients’ rights. To get involved in efforts in Sacramento, please call MPP at 866-287-6792 or visit mpp.org/subscribe to sign up for our legislative alert system.

Tips for cannabis consumers

- Don’t smoke in a car; that can get you busted.
- Under California’s SB420 HS11362.77(a) immunity threshold, patients may have 6 plants and 8 ounces of bud on hand at any given time (unless your county allows more).
- Locate MCDs through canorml.org

Source of OCBC cards:

Patient ID Center gets new name, new offices in LA

By Chris Conrad

Probably the best known name in patient ID card issuance and verification, the OCBC is making big changes to better serve the public, according to its director, ID-card pioneer Jeff Jones.

The Patient ID Center (PIDC), formerly known as Oakland Cannabis Buyers’ Cooperative, has outgrown its name and is opening a new center in Los Angeles. Jones operates both locations with the support of a friendly and capable patient staff. Since 1996, the Center has provided seriously ill patients with a safe, reliable source of cannabis information and patient support for safe medical access. It broke ground by issuing reputable patient ID cards to reduce problems with police.

The PIDC oversees a confidential program allowing qualified patients and caregivers access to providers across the state. The card allows the bearer to be easily identified by law enforcement and others as needed via a website printed on the card face. Using a unique identification number no personal information is on the card. The two locations are 1733 Broadway, Oakland 94612, 510-832-5346, and 470 S. San Vicente Blvd., LA 90048, 323-852-1039.

The PIDC Center is known for its advocacy for patients and services such as cultivation classes and referrals to patient collectives. A hemp store and well-informed staff provide on-site education for patients regarding laws and guidelines as well as healthy-alternative modes of administering cannabis. They carry a variety of items including vaporizers, hash extraction kits, books, and hemp clothing. PIDC members get a five percent discount on store items.

Alameda County Patient Services is the agency designated to implement the State’s voluntary Medical Marijuana Identification Card Program (MMICP) under contract with the Alameda County Dept of Public Health. As written in SB420, if available in your county, the State card is the best level of legal protection in the State.

Medical candy heads to federal court

By Vanessa Nelson

Medical Marijuana of America reporter

Four defendants charged with manufacturing cannabis-laced edibles were finally arraigned in federal court Feb 26, after nearly half a year. They pled not guilty; but their next step may well be sentencing.

The defendants are former employees of Tainted Inc., now called Compassion Medicinal Edibles, which manufactured a wide variety of cannabis-infused foods. The list included everything from barbecue sauce to energy drinks, but the company was best known for cannabis-laced chocolates that were at one time packaged in wrappers that parodied those of mainstream candy bars.

Although the business may have been legal under California law, government agents saw Tainted, Inc. as violating the federal ban on marijuana. After a two-year investigation, the Feds took action: multiple raids were conducted by the DEA and FDA on Sept. 26, 2007, with assistance from local police departments.

When it came time to face the press, the DEA was ready with soundbites. “Tainting candy and other products with marijuana is not sweet – it is criminal,” declared Special Agent Javier F. Pena.

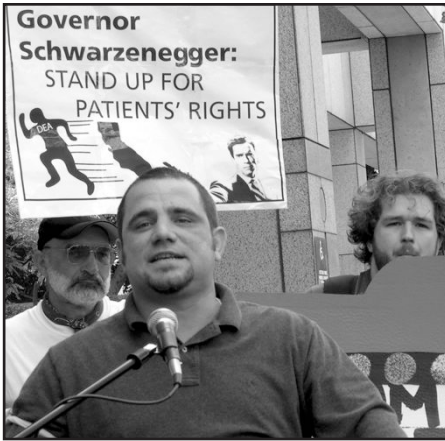
Tainted Inc. founder Michael “Mickey” Martin also got his side of the story out. He staged a series of press conferences in front of the courthouse. At his side were his wife Elinor and their two little sons, and in front of him stood crowds of activists. Martin kept them entertained, showing up to a December press conference in a Santa Claus suit and singing Christmas carols.

By the time he made it in front of Magistrate Judge Wayne Brazil, five months had elapsed since the raids. The arraignment divided the co-defendants into two types: those charged with felonies and those facing only misdemeanors. The latter group consisted of Michael Anderson and Diallo McLinn, employees that Martin described as “the dishwasher and delivery guy” for Tainted Inc. These two cases will stay before the magistrate judge, and with the forthcoming plea deals, the chance of incarceration is slight.

Things are more serious for Martin and Jessica Sanders, who have been assigned to District Judge Claudia Wilken for future hearings. Sanders is charged with the felony of using a telephone to facilitate distribution, with a maximum of four years in prison and a \$250,000 fine. “She took orders to the kitchen staff,” Martin said of Sanders. “Given her small role in this, it’s heartbreaking.”

For his part, Martin plans to plead to a charge of maintaining a facility for the manufacture of a controlled substance, as this charge carries no mandatory minimum prison term. In turn, Martin says, the prosecutor will recommend the low end of the sentencing range, bringing it to under three years...and possibly lower if he qualifies for a downward departure.

That decision is up to Judge Wilken, who will give it careful consideration.



HUNGRY FOR COMPASSION — Mickey Martin, a pioneer in high-quality, edible medicals for the patient community, feels abandoned by politicians who don’t support the law and scientists who claim to support the use of non-smoked cannabis medications.
— Photo courtesy of Americans for Safe Access

Famed attorney J. Tony Serra, who is part of the defense team, has praised Wilken for having a “very powerful intellect.”

“We hope for an Ed Rosenthal decision,” Martin revealed. “One day, time served.” As he chatted with supporters after the arraignment, his three year-old son Tyler walked over and looked expectant. It was an unusually sunny day, and it seemed likely the little boy would be eager to go play in the park. Instead, he summoned a giant grin and asked, “Daddy, can we go get some chocolate now?”

“Yeah, let’s go get some chocolate,” Martin said, beaming down at his son.

For a day that began with a felony arraignment, it was probably the sweetest ending that could be expected.

Martin and Sanders are scheduled for a change of plea on March 26 at 2:30pm in front of Judge Wilken at 1301 Clay St. in Oakland. Anderson and McLinn are scheduled for change of plea and judgment on April 7, at 10am, in front of Magistrate Judge Brazil at 1301 Clay St. in Oakland.

Students for reform

Continued from page 1

The SSDP has already begun coordinating with Americans for Safe Access in hope of using students to increase the size of ASA’s response teams.

SSDP also plans its campus campaign to pressure university administrations to adopt formal policies protecting medical cannabis patients from campus sanctions for drug possession. Too often students with medical exemptions are still punished for possessing cannabis on campus, even when doing so legally under state law. SSDP chapters across the country have succeeded at convincing universities to adopt more sensible drug policies, like ceasing dorm evictions for first time cannabis possession, lowering draconian drug possession penalties, and enacting life-saving good Samaritan policies.

Students interested in starting an SSDP chapter on the West Coast should contact SSDP field director Micah Daigle, at micah@ssdp.org.

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Free report looks at nearly 200 scientific studies on cannabis and physiology

By Allen St. Pierre, Director of NORML

Clinical and preclinical research on the therapeutic use of cannabis indicates that cannabinoids may curb the progression of various life-threatening diseases, according to an updated report published Jan. 24 by the NORML Foundation.

Emerging Clinical Applications for Cannabis & Cannabinoids: A Review of the Recent Scientific Literature, 2006–2008 reviews nearly 200 scientific trials assessing cannabinoids for the treatment of 17 specific disease indications: Alzheimer’s disease, diabetes mellitus, dystonia, Amyotrophic Lateral Sclerosis (ALS), fibromyalgia, gastrointestinal disorders, gliomas, hepatitis C, human immunodeficiency virus (HIV), hypertension, incontinence, multiple sclerosis, osteoporosis, pruritis, rheumatoid arthritis, sleep apnea, and Tourette’s.

Report author and NORML Deputy Director Paul Armentano said, “Despite continued political debates regarding the legality of medicinal marijuana, clinical investigations into the cannabinoids are now more prevalent than at any time in history. A search of the National Library of Medicine’s website quantifies this fact. A search using the keywords ‘cannabinoids, 1996’ reveals just 258 scientific journal articles published on the subject for that year. If one performs this same search for the year 2007, one will find over 3,400 published scientific studies.”

Recently published studies indicate that cannabinoids may provide long-term relief from symptoms associated with degenerative diseases, said Armentano.

“Conditions such as multiple sclerosis are chronic, degenerative diseases; their

symptoms become more severe over time,” he said. “The fact that patients typically do not increase their use of cannabis over time indicates that patients are not becoming tolerant to the drug’s therapeutic effects. This result may also be evidence that cannabinoids are moderating the progression of some of these debilitating diseases.”

Preclinical studies published this past year indicate that cannabinoids possess significant anti-cancer properties and can limit the spread of various types of malignant cell lines – including breast cancer, lung cancer, brain cancer, cervical cancer, and pancreatic carcinoma. The full text of the report is posted at norml.org.

MMJ makes MI ballot

A state elections panel certified on March 3 that Michigan Coalition for Compassionate Care had the signatures needed to put an initiative before voters in November to allow patients with a doctor's note to grow 12 plants and possess up to 2.5 ounces.



CANNABIS ACTION NETWORK — Tabling with hemp products at NORML. West Coast Leaf photo

Congress should address hemp issue, says judge

Farmers battling in Courts, U-ND wants research license

By Adam Eidinger, Votehemp.com

While California and Oregon farmers have seen prospects for industrial hemp farming diminish as legislative efforts in 2007 and 2006 failed to be signed into law, the fight to bring back the versatile food and fiber crop has shifted to the courts.

Two North Dakota farmers, whose federal lawsuit to end the Drug Enforcement Admin. (DEA) ban on state-licensed and regulated commercial hemp farming in the US was dismissed Nov. 28, 2007, recently appealed to the US Court of Appeals for the Eighth Circuit (see VoteHemp.com/legal_cases_ND.html).

So what’s it all about? Unlike the west coast where no state has made hemp farming legal, North Dakota has allowed hemp farming since 1999. However, no ND farmer has grown the crop out of fear the DEA would prosecute it as marijuana.

Lawyers working on behalf of the ND farmers, State Representative David Monson and certified seed grower Wayne Hauge are appealing federal Judge Daniel

Hovland’s inexplicable ruling that hemp and marijuana are the “same,” as the DEA contended. In his decision, Hovland wrote that the problem facing state-licensed farmers needs to be addressed by Congress if they hope to ever grow the versatile crop.

The ruling failed to duly consider the Commerce Clause argument — that Congress cannot interfere with ND’s state-regulated hemp program. Indeed, the lower court itself recognized in the decision under appeal that “the stalk, fiber, sterilized seed, and oil of the industrial hemp plant, and their derivatives, are legal under federal law, and those parts of the plant are expressly excluded from the definition of ‘marijuana’ under the [Controlled Substances Act].”

“This appeal asks the US Court of Appeals how state-regulated non-drug industrial hemp farming that produces federally-exempt, perfectly legal hemp fiber and seed commodities can itself be controlled federally under the CSA,” says Vote Hemp President Eric Steenstra.

Scientific evidence clearly shows that industrial hemp, which includes the oilseed and fiber varieties of Cannabis that would be grown pursuant to ND law, is genetically distinct from the drug varieties of Cannabis and has absolutely no use as a recreational drug.

If the suit is ultimately successful, states across the nation will be free to implement their own regulated hemp farming programs without fear of federal interference. Vote Hemp, the nation’s leading industrial hemp advocacy group, and its supporters are providing financial assistance for the lawsuit. More online info is at: VoteHemp.com/legal_cases_ND.html.

San Francisco sanctuary and support activities inspire other localities

Continued from page 1

tioned the DEA about its efforts to undermine California state law on this subject, and we intend to sharply question this specific tactic as part of our oversight efforts.”

This statement was made two days after the *SF Chronicle* broke the story of DEA plans to send letters warning landlords that, by leasing to medical cannabis dispensing collectives, “[They] are further advised that violations of federal laws relating to marijuana may result in criminal prosecution, imprisonment, fines and forfeiture of assets.” Several months earlier, the DEA had attempted the same letter writing campaign in Los Angeles, where a regulatory ordinance is also in the works. After seeing the closure of a large number of dispensaries in LA after landlords there received letters in June, the DEA turned its

attention to the Bay Area, sending 80 letters to various landlords.

The statewide result is an artificial state of emergency which draws attention from the legitimacy of the dispensary permit process. In LA, roughly 300 dispensaries operated in the area. Currently, there are 183 dispensaries that have registered for a permit with the county, and 47 of those have had various problems fulfilling the documentation requirements. “Its remarkable that this many collectives have been able to persevere in the mist of the longest and broadest attack on patients’ access in the history of Prop 215” said Don Duncan of Americans for Safe Access. So far, says Duncan, not a single dispensary has been given a permit to operate.

Likewise, SF has its own problems with implementing its ordinance. Over two

years after the ordinance became law, only one cannabis delivery service has been issued a permit under local authority. The storefronts have yet to see one of their peers receive a permit. This became increasingly problematic as the regulations required all dispensaries to have a permit by March 1.

Larry Kessler, Senior inspector for the SF Public Health Department, issued letters to 21 dispensing collectives effectively extending the deadline until July 1 upon the fulfillment of several requirements. However, this would still constitute a breach in local law, as the deadline under local law would remain March 1.

To prevent this conflict in local law, activists from ASA, SF, the Compassionate Care Council, Drug Policy Alliance, and the Marijuana Policy Project worked with SF Supervisor Chris Daly to introduce both the non-enforcement resolution and an ordinance amendment. The resolution was passed unanimously at Supervisors hearing. In spite of his earlier efforts, Kessler said, “Whatever the board passes we will try to implement.”

However, the Supervisors did not vote uniformly on both resolutions. The sanctuary resolution passed by a 7-2 vote with Supervisors Eslbernd and Chu dissenting. This legislation was introduced by Chris Daly, drafted by attorney Patrick Goggin, and worked on by activists from Harvey Milk Democratic Club and Axis of Love SF.

In SF, LA, and the dozens of other cities throughout CA going through similar permitting processes, it is crucial that the City Administrators of all relevant departments work together to permit dispensing collectives in a timely manner. For this to happen, the various factions of patient advocacy and drug policy organizations must learn to work together. Only then will we be able to move forward as a community.

Courts help patients

Continued from page 3

be searched without a warrant unless some fact (exigency) exists which makes getting a warrant impractical. Observing a crime taking place in the officers’ presence has long justified warrantless entry into a residence; that is until now. The Hua court distinguished cannabis from all other cases in the law due to the charge of possessing or giving away less than an ounce being a non-jailable offense.

The Hua court observed that CA has chosen to treat the possession of less than 28.5 grams of cannabis as a minor offense that is non-jailable even for repeat offenders. It is established authority that an arrest for a minor offense cannot create an exigency sufficient to do away with the Fourth Amendment’s search warrant requirement. One consequence is to preclude officers who see a minor offense being committed from entering a home without a warrant or consent to seize the offender or the contraband, even if to prevent the imminent destruction of evidence.

“It is axiomatic that the ‘physical entry of the home is the chief evil against which the wording of the Fourth Amendment is directed.’ And a principal protection against unnecessary intrusions into private dwellings is the warrant requirement imposed by the Amendment on agents of the government who seek to enter the home for purposes of search or arrest.

It is clear that California’s medical marijuana laws are alive and well and State courts are not shying away from protecting the rights of individuals within the framework of the CUA and MMP. Conflicting federal laws criminalizing all cannabis use still remain, however and they continue to pose a serious threat to the freedom and liberty we enjoy and that many of us take for granted each day.

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- Studied implementation of Proposition 36 at Boalt Hall as part of Berkeley-Harvard Exchange Program
- Profiled in The Los Angeles Times and the Los Angeles Daily Journal in 2006
- A member as an attorney /Counselor for the Supreme Court of The United States of America
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Bruce Margolin's Credentials...

- Represented the late Dr. Timothy Leary
- Candidate for California Governor in 03
- Former Chair of Ethics Committee for the NACDL (National Association Criminal Defense Lawyers)
- LA NORML Director (National Org for the Reform of Marijuana Laws) since 1973
- Certificate of Appreciation from the A.C.L.U. (American Civil Liberties Union)
- Former chair for 2006 Prop Z (making marijuana offenses law-enforcement lowest priority)

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National and International Reports

NGO forum takes issue with UN drug war

Continued from page 1

laboration of NGOs, governments and UN agencies; and adopt a series of principles to serve as a guide for future deliberations on drug policy. The slogan adopted as the 1998 UN General Assembly Special Session (UNGASS), "A Drug Free World — We can do it!" in 2008 was noticeably absent, replaced with "the achievement of 'significant and measurable results'."

Delegates reviewed The 1961 *Single Convention Treaty*, the 1971 *Convention on Psychotropic Substances*, and the 1988 *Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* as background for discussion in the sessions and to learn about the system of global drug control and regulation. Overwhelming, the vast majority of participants expressed dissatisfaction with these treaties by raising issues and giving examples of the failure and destructiveness of current drug policies. Speakers called for the need for harm reduction, public health, evidence-based approaches and adherence to principles of human rights to determine drug strategy.

Taking it a step further, Craig Jones of the John Howard Society of Canada called for the renunciation of the UN drug conventions and denounced current prohibition-based drug policy as "the cure that is worse than the disease." Craig claimed, "It's a dysfunctional and destructive form of harm maximization that benefits only organized crime and police agencies."

Former undercover narcotics officer Jack Cole, executive director of Law Enforcement Against Prohibition, couldn't agree more. Cole garnered much media attention in Canada, including a front-page article in the conservative paper, *The Province*. Under the headline, "The War On Drugs Is A Dismal Failure," Cole stated, "Despite all the lives we have destroyed and all the money so ill-spent, today illicit drugs are cheaper, more potent and easier to get than they were 35 years ago and more people are dying in the streets at the hands of drug barons. Right now, criminals are telling us what drugs are going to be supplied, how those drugs will be cut, what they will cost and who's going to be selling to 10-year-olds. We need to treat drug addiction as a health problem... We have to at least get legalization and regulation of drugs on the agenda," he said.

This was a far cry from the first North American Regional Consultation, pushed by Drug Free America Foundation and Supporting UN Drug Initiatives and Legislation (SUNDIAL) in St. Petersburg, Florida in January. During the forum, Dale Gieringer of Cal NORML expressed dissatisfaction with having to travel to another country to have his voice heard because the first conference was only open to prohibitionists. Gillian Maxwell of Keeping the Door Open: Dialogues on Drug Use, a local community coalition that cosponsored the forum with The Centre for Addictions Research of BC, wanted to make sure this was not the case in Vancouver.

Former Mayor Philip Owen, pioneer of Vancouver's famed four-pillar approach to drug policy (prevention, treatment, harm reduction, and law enforcement), reinforced the need for a new approach to drugs. For the early risers, Maxwell gave a tour of North America's only onsite safe injection facility, InSite.

UNODC Chief of Policy Analysis and Research Sandeep Chawla represented the UN and reminded attendees that the voices the UN hears are from national delegates who attend the meetings and suggested that if people want to change treaties, they have to change the governments that represent them.

The next step is to combine reports from the regional consultations held around the world for a final NGO meeting in Vienna in July, "Beyond 2008 — A Global Forum on the 1998-2008 Review of the UNGASS on Illicit Drugs." Participation will be limited to 300 delegates. The final meeting to consider future directions for international drug control policy will take place in March 2009.

On the social side, Vancouver's Mayor Sam Sullivan hosted a reception, and Vancouver activists David Malmo-Levine, Rielle Capler, Kirk Tousaw, Rene Boje, Michelle Rainey, Dana Larsen, and Marc Emery extended their hospitality with parties and informal get togethers at the Herb Museum, the new Shakti Lounge, Vancouver Seed Bank and Vapor Lounge, and the BCMP Vapor Lounge.

See vngoc.org for online information on this topic. Deb Harper was a delegate for the Cannabis Coalition of Canada, cannabiscoalition.ca; Mikki Norris for Human Rights and the Drug War, hr95.org.

Cannabis LLEP gains ground in Denver

By Anne Catto

Denver recently adopted an ordinance designating cannabis possession its lowest law enforcement priority (LLEP) and has formed a panel to ensure it is implemented.

The new law is the result of a successful 2007 ballot initiative that received 57 percent of the vote. Approximately 54 percent voted in 2005 to remove all penalties for



Lt. Tony Ryan (ret.) of the Denver Police Dept. speaks in favor of SAFER's lowest law enforcement priority initiative.

adult cannabis possession, but city officials refused to implement the measure and continued arresting and citing adults under the state law. An effort to change that statute garnered about 41 percent of the vote statewide, and a solid majority (about 56 percent) in Denver.

"Over the past three years voters have been hearing more and more about marijuana, so it makes sense that more and more of them are rejecting our nation's irrational marijuana laws," said Mason Tvert, executive director of SAFER (Safer Alternative For Enjoyable Recreation), the group behind the initiatives. "As people come to realize that cannabis is actually far less harmful than alcohol, they begin to question the logic in punishing adults just for making the safer choice."

At the end of last year Denver Mayor John Hickenlooper appointed the *Marijuana Policy Review Panel* created by the initiative, made up of a city council member, representatives from the city attorney's

office and the police department, three criminal defense attorneys, a drug and alcohol abuse prevention counselor, two cannabis policy reform advocates, and a domestic violence prevention advocate.

The Denver DA's office was to be represented on the panel, but it has refused to comply with the law and will not take part.

The extent to which the new law is being implemented and the city is making cannabis possession its lowest enforcement priority is not clear. But SAFER, along with its ally organization Sensible Colorado, recently released statistics showing that possession arrests and citations were at an all-time high in Denver.

In fact, it was the increase in arrests/citations in the year after the Denver legalization vote, that motivated SAFER to pursue LLEP. About 1,600 adults were arrested/cited in 2007, an increase of some 18 percent from 2006, 36 percent above 2005, and 50 percent over 2004.

Meanwhile, Seattle, with a larger population, handled only 125 possession cases in 2006 (about one-thirteenth as many as Denver). Seattle adopted a LLEP law in 2003, which reform advocates and city officials hail as successful. Seven California cities have also adopted LLEP measures, as has Missoula, MT.

As the Denver Review Panel studies the issue and develops recommendations, it will be looking to the situation in Missoula, where the county attorney announced an official change in policy, directing police to no longer issue citations for adult possession and prosecutors to treat cases as their absolute lowest priority.

"It is unfortunate city officials are dragging their heels on this," Tvert said. "We are digging in for the long haul and will be doing everything we can to change the way people think about marijuana. Find out more at SaferChoice.org.

The Lab Bench: Recent developments in the science of cannabis

By Jahan Marcu

In 2007, several thousand articles on cannabis and cannabinoid research were published. The studies mentioned here represent some of the more promising and interesting research that may be applicable to medical cannabis patients.

Compound from Cannabis kills breast cancer cells.

According to a publication from the *California Pacific Medical Center Research Institute*, CBD lowers the levels of a key protein in breast cancer cells resulting in the decreased aggressiveness and apoptosis (death) of breast cancer cells. Cannabidiol (CBD) is the second most abundant cannabinoid on the cannabis plant. This key protein in breast cancer cell aggressiveness called is ID-1, and CBD is the first nontoxic compound shown to decrease it. The protein could become a target for treating a wide range of aggressive cancers. The authors state that it is unlikely that someone could get enough CBD from smoking. (However, smoked cannabis has not been studied to treat cancer, so there simply is not enough data to evaluate smoked/vaporized cannabis or CBD for killing cancer cells.) Source: Mcallister et al. Cannabidiol as a novel inhibitor of Id-1 gene expression in aggressive breast cancer cells. *Molecular Cancer Therapeutics* 2007; 6(11):2921-7.) For more info and videos of THC killing cancer cells visit www.sethgroup.org

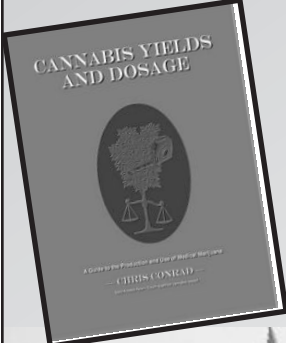
Smoked cannabis relieves chronic pain from HIV-associated sensory neuropathy.

In a clinical study with 50 patients conducted at the San Francisco General Hospital under the supervision of Dr. Donald Abrams, smoked cannabis relieved daily pain by 34% vs. 17% in the placebo group. In this five-day prospective randomized placebo-controlled trial, patients were assigned to smoke either Cannabis (3.56% THC) or placebo cigarettes with the cannabinoids extracted. The pain relieving effect was measured using heat stimulation and capsaicin (the main ingredient in chili peppers). 52% of the patients found a greater than 30% pain reduction versus 24% in the placebo group. Patients in each group smoked a 'joint' three times a day. The authors also state that, "the first cannabis cigarette reduced chronic pain by a median of 72% vs. 15% with placebo." The effectiveness of smoked cannabis was comparable to oral drugs for neuropathy. Source: Abrams DI, Jay C, Shade S, Vizoso H, Reda H, Press S, Kelly ME, Rowbotham, Petersen K. Cannabis in painful HIV-associated sensory neuropathy: a randomized, placebo-controlled trial. *Neurology* 68:515-521, 2007.

Dr. Abrams will deliver the opening statements at the April 4-5 Patients Out of Time conference in Pacific Grove, as well as presenting research on cannabis and pain.

The Science behind Cannabis Tea; brewing the perfect cup.

Dr. Arno Hazekamp and researchers at the university of Leiden, the Netherlands, investigated cannabis tea. They found that the tea should be boiled for at least 10 minutes or longer in order to dissolve the cannabinoids. Boiling it for 30 minutes did not result in the formation of degradation products. The addition of a solublizer, i.e. coffee creamer or cyclodextrins, stabilized the concentration of THC and THC acid in the tea for at least five days. Source: Hazekamp et al., Cannabis Tea Revisited : A systematic evaluation of the cannabinoid composition of cannabis tea, *Journal of Ethnopharmacology* (2007). Hazekamp will present his research at the upcoming Patients Out of Time conference April 4-5 in Pacific Grove. The study is a free download at cannabis-med.org/english/nav/home-jcant.htm.



CANNABIS YIELDS AND DOSAGE

By Chris Conrad

A guide to the science of medical marijuana use and yields, drawn from the federal government's own studies and research. *Cannabis Yields and Dosage* untangles many key therapeutic and legal issues facing patients today, and provides information that is vital to gauging both medical needs and legal risks.

*Price includes shipping and sales tax

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Calendar and Community Directory

Upcoming Events

April 3-5: Fifth National Clinical Conference on Cannabis Therapeutics.

Patients Out of Time hosts accredited conference of replicated, science-based research, clinicians, patients, legislators, press and the public at the *Asilomar Conference Center*, Pacific Grove. medicalcannabis.com

May 3: Global Cannabis Freedom Day

Dana Beale: "We have confirmed 209 cities," including West Coasterdam from Vancouver, Seattle, San Francisco to San Diego and inland. globalmarijuanamarch.com

May 3: San Fran Cannabis Freedom Day

Civic Center Plaza, noon-6 PM. See ad p. 7 or myspace.com/SFCannabisAwarenessDay2008

June 6-7: NORML Aspen Legal Seminar

CLE credit for lawyers. Non-lawyers welcome, great learning opp. See norml.org for details.

June 12: MPP Playboy Mansion benefit

Support reform and hobnob at the Playboy mansion. Tickets and info at mpp.org

Aug 16-17: Seattle HempFest

Two days, five stages, 1500 volunteers, 150,000 folks, Myrtle Edwards Park. Seattle HempFest is third weekend every August. hempfest.org

Monthly Meetings

Local ASA chapters: See box on this page

Oakland Cannabis Regulation and Revenue Oversight Committee meets third Thurs each month, 6 PM, in City Council Chambers in City Hall to discuss the future adult cannabis club rules. Every meeting has time for public comment. Pre-meetings at Bulldog Coffeshop.

Coachella Valley Marijuana Anti-Prohibition Project meets first Sat each month, 3 PM, Copykatz showroom, downtown Palm Springs at 200 S. Palm Canyon at Arenas. (Temporary). Lanny 760-799-2055.

Orange County NORML meets third Thursday each month, Giovanni's Pizza 922 W Williams, Fullerton 92832. www.ocnorml.org

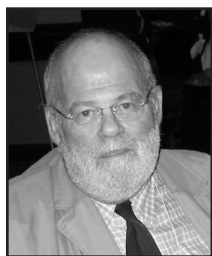
Santa Barbara UCSB NORML meets every Wed night at 7 PM in South Hall 1431, UCSB.

Patient Support and Services

For an online listing of dispensing collectives that serve qualified patients and caregivers in California, as well as for a list of physicians specializing in cannabis evaluations, please visit www.canorml.org.

Time Passages: In loving remembrance of our colleagues

Dr. John Morgan



Dr. John Morgan, who died unexpectedly on Feb. 15, 2008, was a critical scientist who kept other scientists and reports honest by monitoring and commenting on emerging research. He co-authored the landmark

book, *Marijuana Myths, Marijuana Facts* with Lynn Zimmer. Morgan also authored a *Merck Manual* passage on cannabis, and his research led him to become one of the leading physician spokespersons for the cannabis reform movement. He was also a music lover and a good friend of the movement who spoke at many NORML conferences throughout the years.

IND patient Corrine Millet

Corrine Millet, a recipient of federal cannabis via the Investigational New Drug (IND) program and outspoken advocate of medical use, passed on Dec. 13, 2007. She became known as "Patient Number 4" in a study of IND dosages and effects published in the *Journal of Cannabis Therapeutics*. There are four remaining patients in the IND program, which was closed to new participants in 1992 when it was determined that cannabis benefited AIDS patients and tens of thousands of patients were eligible.

Dr. Claudia Jensen, M.D.

Physician Dr. Claudia Jensen died Sept. 15, 2007 of breast cancer. Jensen was a fearless advocate for her CA patients and told a 2004 Congressional subcommittee, "I have a total of 23 years working as a pediatrician.... Congressman Souder has asked me to discuss my practice of recommending marijuana for use by dozens of patients, including children with ADD." Her office continues to serve patients.

"Bike Mike" Sutherland

The industrial hemp community lost one of its seminal members Aug. 26, 2007 with the death of hemp entrepreneur Michael John "Bike Mike" Sutherland in a boating accident on the Pan Nan Jiang River. A member of the Hemp Industries Association who believed in hemp diversity to benefit humanity and ecology, Mike gained hands-on experience by visiting diverse ethnic minority hemp cultures in China, who welcomed him in their traditional communities.

Dr. Tod Mikuriya, M.D.

Dr. Tod Mikuriya, Sept. 20, 1933 to May 20, 2007, was widely regarded as the physician who revived medical marijuana science. Working on the federal staff of the 1972 Nixon-appointed Shafer Commission, Mikuriya compiled pub-

lished medical reports into a landmark compendium, *Marijuana Medical Papers, 1842-1972* and suggested cannabis to treat alcoholism. His early research led to a life-long quest for justice. He penned the phrase "or any other illness for which marijuana provides relief" in Prop 215, and protection for doctors who approve its use. He was first and foremost among doctors to issue recommendations; US Drug Czar Barry McCaffrey targeted him on national television in 1996 for recommending it.



Virginia Resner

Virginia Resner was a familiar face at many national and California reform events until her passing on July 18, 2007. As state coordinator for Families Against Mandatory Minimums and later with Green Aid Foundation, Resner was a determined worker for Drug War POWs and their families. She collaborated with Mikki Norris and Chris Conrad in the Human Rights and the Drug War exhibit project and as co-author of the book *Shattered Lives, Portraits From America's Drug War*.

Judge Gerald LeDain

Gerald LeDain, who sat on the Supreme Court of Canada from 1984 to 1988 and led a well-regarded but little-heeded commission on the non-medical use of drugs, died Dec. 18, 2007 at age 83. LeDain chaired the federal inquiry into drug use from 1969 to 1973. Its four reports included industrial hemp and softened North American attitudes about cannabis.

A year earlier, Dec. 15 2006, Gov. Raymond Shafer, 89, died; he was chairman of the 1972 US Presidential Commission on Marijuana and Drug Abuse that recommended decriminalization. Still the federal government has not taken a single step to reduce cannabis penalties.

William F. Buckley

William F. Buckley Jr., 1925 – Feb. 27, 2008, was a columnist, novelist, debater, TV talk show star of "Firing Line," harpsichordist, transoceanic sailor and tireless intellectual who founded the modern conservative movement and was its articulate voice for nearly six decades. Buckley founded the *National Review* magazine in 1955. He was a rare conservative voice who spoke out against prohibition and admitted to have smoked cannabis on his yacht outside the US territorial limits to avoid breaking federal law.



GOVERNMENT GRASS — Three patients who receive federal medical marijuana in the IND (Investigational New Drug) program addressed the *National Clinical Conference on Cannabis Therapeutics* in 2006: Irvin Rosenfeld, Elvy Musikka, and George McMahon shown here with Mary Lynn Mathre, RN (second from right) of the sponsoring Patients Out of Time. They are expected to attend the next NCCCT in April at Asilomar. See Calendar. West Coast Leaf photo.

Local and regional Americans for Safe Access meetings

East Bay ASA meets fourth Wed each month at ASA headquarters in Oakland. Contact Rebecca, Rebecca@americansforsafeaccess.org.

Fresno ASA meets second Mon / month at location to be announced (TBA) Contact Diana, fresnocagal@sbcglobal.net

Humboldt County ASA meets third Thurs / mo. LindaAnne asa-humboldt@sbcglobal.net

LA ASA third Sat / month. Contact Don Duncan, Don@AmericansforSafeAccess.org

Mendocino ASA second Sat / month. Time and location TBA. suzeking111@yahoo.com

Orange County ASA second Wed / month. Contact Bill at: OCLawyer@aol.com

Sacramento ASA first Tues / month and ASA affiliate, Compassionate Coalition third Tues /

month at Crusaders Hall 320 Harris Ave # H Sacramento, from 7–8pm. ASA contact Lanette 916-924-3455 or cannacare@earthlink.net.

Compassionate Coalition contact Nathan at Nathan@compassionatecoalition.org

San Diego ASA second Thurs / month. Location TBA. Dion at 4cccp@cox.net.

San Francisco ASA second & fourth Tues 7:30-9pm, Bowers Pizza on 11th St, SF, subject to change. Contact Alex: aaaFranco@yahoo.com

Sonoma ASA first Thursday / month, 5-7pm at Dept of Public Health, South City View Room 625. Fifth St (Between Mendocino Ave & Humboldt St.) Santa Rosa. Note DPH is closed after 5pm; meet in classroom facing the sidewalk, knock on glass door if it is not already open. Contact sarah@safeaccessnow.org

Reform organizations of interest

AMERICANS FOR SAFE ACCESS
www.safeaccessnow.org/ A patient support network. 510-251-1856

AXIS OF LOVE SF/ Activist Resource Center Patients organizing for their rights and access 223 A 9th St, SF, 415-240-5247

CALIFORNIA NORML
www.canorml.org/ California NORML 510-540-1066 canorml@igc.org

CANNABIS ACTION NETWORK
1605 Ashby Ave, Berkeley. 510-486-8083

CANNABIS CONSUMERS CAMPAIGN
www.cannabisconsumers.org/ Come out of the closet to stand up for equal rights.

DRCNET
www.stopthedrugwar.org/ Drug Reform Coordination Network global support network for drug policy reformers with weekly analysis

DRUG POLICY ALLIANCE
drugpolicy.org/ DPA works on drug policies based on science, compassion, health, human rights and a just society free from prohibition.

DRUG POLICY FORUM OF CA
Listserve for Cal cannabis / drug war issues. To sign up: drugsense.org/dpfca/list.htm

DRUG SENSE
www.drugsense.org/ A daily compilation of drug-related news excerpts.

DRUG WAR FACTS
www.drugwarfacts.org/ Just the facts.

FAMILIES AGAINST MANDATORY MINIMUMS
www.famm.org/ Advocates an end to harsh, unjust sentencing laws and prisoners/families affected by them

FAMILY COUNCIL ON DRUG AWARENESS
www.fcda.org/ Accurate information on effects of various drugs and drug policies. Downloadable PDFs to print and hand out.

GREEN AID
www.green-aid.com/ Marijuana Legal Defense and Education Fund, Inc.

HARM REDUCTION COALITION
www.harmreduction.org/ HRC works to reduce drug-related harm by programs such as clean needle exchange.

HEMP INDUSTRIES ASSOCIATION
www.hempindustries.org/ The HIA is a non-profit trade group representing hemp companies, researchers and supporters.

HUMAN RIGHTS AND THE DRUG WAR
www.hr95.org/ This project puts the drug war

into the perspective of preserving and respecting human rights for all.

LAW ENFORCEMENT AGAINST PROHIBITION
www.leap.cc/ Current and former members of law enforcement who support drug regulation rather than prohibition.

LEGAL SVICES FOR PRISONERS W/ CHILDREN
www.prisonerswithchildren.org/ Advocates for the human rights and empowerment of incarcerated parents, children, family members and people at risk for incarceration.

MARIJUANA POLICY PROJECT MPP
www.mpp.org/ national membership org. focuses on removing criminal penalties for cannabis through initiatives and legislation

MEDIA AWARENESS PROJECT
mapinc.org/ Have your voice heard; MAP has helped generate millions of letters to the editor. Help gather news for their clearing house.

MARIJUANA ANTI-PROHIBITION PROJECT
lanny@marijuananeews.org

MAPS
www.maps.org/ Multidisciplinary Association on Psychedelic Studies, 10424 Love Creek Rd., Ben Lomond, CA 95005, 831-336-4325, a 501(c)3 group that facilitates studies on cannabis and psychedelics.

NORML
www.norml.org/ National Organization for the Reform of Marijuana Laws. The original membership activist group; info, legal referrals and annual convention. 202-483-5500

NOVEMBER COALITION
www.november.org/ National support group for Drug War POWs. Publish *The Razor Wire*.

OREGON NORML
www.ornorml.org

SAFER
www.saferchoice.org/ Safer Alternative For Enjoyable Recreation. PO Box 40332, Denver CO 80204, mason@saferchoice.org

STUDENTS FOR A SENSIBLE DRUG POLICY
www.ssd.org/ Students seeking to reduce the harms caused by drug abuse and drug policies.

VOTEHEMP
www.votehemp.com/ Lobby for industrial and horticultural hemp.

VOTER POWER (OREGON)
www.voterpower.org 503-224-3051, Portland. 541-245-6634, Medford

To get your information added, please send an email to info@WestCoastLeaf.com

Hash Marihuana Hemp Museum in Amsterdam — a sweet Dutch treat for all cannabis lovers

'History, present and future of the cannabis plant'

Oudezijds Achterburgwal 148, 1012 DV Amsterdam
www.hashmuseum.com/ tel. +31 (0)20 – 6235961

Tramstop Dam, or a 15-minute walk from Central Station. Open weekdays 11 am to 10 pm

By Linda Lindquist

Since the 1985 opening of the *Hash Marihuana Hemp Museum*, almost a million people have visited this permanent exhibition. The museum is completely dedicated to the cannabis plant and its many uses. Each year, some 75,000 people from all parts of the world come to this exceptional cultural and knowledge center in the heart of the Red-Light District. The Hash Marihuana Hemp Museum is unique in the world; a voyage of discovery that fits perfectly into a tourist visit to Amsterdam.

The fragrance of live cannabis plants welcomes the visitor into the museum. Inside, all aspects of hash and marihuana are fully explained. A photo collection shows how hashish is made in the traditional fashion in Afghanistan and in the Middle East, where hash has been used for centuries. There is a large collection of traditional pipes from all over the world, and a collection of photos, posters, and magazines on cannabis culture, ranging from the 19th century to the era of jazz and up to contemporary pop culture.

The Museum was redesigned in 1993 by Chris Conrad, and offers visitors extensive documentation and historical facts about today's use of the cannabis plant as well as its medicinal, religious and cultural applications. In addition, attention is given to the importance of cannabis to the environment, agriculture and industry. The museum shows that hemp has evolved to become one of Man's most valuable raw

materials used in farming.

The Museum is planning an expansion of its exhibition for the end of this year. The museum hopes to feature many valuable artifacts collected over the years. The bigger part of the collection has been kept in storage due to lack of space, such as hand tools used through the centuries to make hemp into rope, paper and fabrics.

The vast collection also contains works by David Teniers the Younger, Cornelis Decker and Adriaen van Ostade, and modern canvases by Piet Mondrian, Chris Conrad and others.

Cannabis lovers can enjoy the museum to their hearts' content. The souvenir shop offers a wide variety of articles, such as tee shirts made of hemp. Of course, there are all conceivable kinds of paraphernalia for sale that can be used to enjoy cannabis. Cannabis plants in their different stages of development can be admired in an indoor garden, and people who want to grow for themselves can get all requisites and expert advice at the seed shop.

The Museum aims to provide an objective picture of cannabis, even as scientists discover many more uses for this remarkable plant. Museum visitors gain a deep insight into all of this, because each visit brings a wealth of information. In the *Hash Marihuana Hemp Museum*, the past, present and future of cannabis all come together.

Five Favorite Websites

- equalrights4all.org
- cannabisconsumers.org
- drugsense.org
- veryimportantpotheads.com
- letfreedomgrow.org



Cannabis Consumers Campaign

Cannabis consumers come from all walks of life. We are responsible, productive, contributing members of society — *not* criminals. We deserve equal treatment before the law with people who use alcohol and tobacco.

Arbitrary laws target pot smokers to deprive us of our freedom, jobs, homes, children, licenses, education, benefits, opportunities and human and civil rights. Biased propaganda campaigns attack our character and reputation. Drug testing is job-based discrimination. Judge a person by their actions, not their urine!

It's time to stand up and challenge the negative myths and stereotypes that perpetuate marijuana prohibition. Let's change our public image to reflect the upstanding people that we are! ***We deserve equal rights!***

Visit our web site and fill out the survey at
www.cannabisconsumers.org



The *Cannabis Consumers Campaign* wishes to congratulate *West Coast Leaf* on its premier issue and wishes it much success for many years to come.



County, contact number, and filing fee for CA statewide cannabis ID card program

Alameda (510) 444-6111 \$103 • Amador (209) 223-6407 \$113 • Butte (530) 538-7700 \$111.15 • Calaveras (209) 754-6460 \$45 • Contra Costa (925) 313-6740 \$128 • Del Norte (707) 464-3191 \$68/123** • El Dorado (530) 621-6500 \$114 • Glen (530) 934-6588 \$174 • Humboldt (866) 597-1574 \$141 • Imperial (760) 482-4438 \$111 • Inyo (760) 872-4245 \$100 • Kern (661) 868-1220 \$153 • Lake (707) 263-1090 \$123 • Lassen (530) 251-8183 \$150 • Los Angeles (866) 621-2204 \$153 • Marin (415) 499-3288 \$113 • Mendocino (707) 472-2784 \$123 • Merced (209) 381-1015 \$225 • Monterey (831) 755-5013 x 24 \$116 • Napa (707) 253-4506 \$116.74 • Orange (714) 480-6717 \$150 • Placer 530-886-1870 \$125 • Plumas (530) 283-

6330 \$110 • Riverside (888) 358-7932 \$153 • San Benito (831) 636-4011 \$93 • San Francisco (415) 206-5555 \$103 • San Luis Obispo (808) 781-4811 \$131 • San Mateo (650) 573-2371 \$98 • Santa Barbara (805) 681-5150 \$161 • Santa Clara (408) 423-0745 \$113 • Shasta (530) 245-6426 \$106 • Sierra (530) 993-6701 \$106 • Sonoma (707) 565-4442 \$133 • Tehama (530) 527-8491 \$125.75 • Trinity (530) 623-8209 \$110 • Tuolumne (209) 533-7401 \$126 • Tulare (559) 733-6123 x217 \$344 • Yolo (530) 666-8645 \$134

** MediCal recipients only need to pay for half of listed fee / ** Del Norte: \$68 patient/ \$123 caregiver

If your county is not listed, please contact the Marijuana Policy Project at 866-287-6792 or asmith@mpp.org to find out how you can help bring this important program to your area.





Hash Marihuana & Hemp Museum

A M S T E R D A M

A PERMANENT EXHIBITION
ABOUT THE HISTORY
AND USE OF CANNABIS
AROUND THE WORLD.

Hash Marihuana & Hemp Museum
Oudezijds Achterburgwal 148 Amsterdam.
Next to the 'Sensi Seed Bank'.
Open all week from 10.00 until 22.00 hours.
www.hashmuseum.com

MEDICAL MARIJUANA EVALUATIONS NORCAL HEALTHCARE SYSTEM

OAKLAND BRANCH
1504 Franklin St. - Ste 101
Oakland, CA 94612
(510) 839-0723

ARCATA BRANCH
4677 Valley West Blvd.
Arcata, CA 95521
(707) 822-5244

BAKERSFIELD BRANCH
2808 F St. - Ste D
Bakersfield, CA 93301
(661) 322-4258

UKIAH BRANCH
527 South State St.
Ukiah, CA 95482
(707) 468-7400

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562 S. San Vicente Blvd.
Los Angeles, CA 90048
(323) 944-0467

PLEASE CALL FOR AN APPOINTMENT