

Supreme Court: State cannabis laws stand

US High Court refuses to hear San Diego County lawsuit

By Kris Hermes Americans for Safe Access

Medical marijuana advocates celebrated on May 18, 2009 as the US Supreme Court refused to hear a landmark case brought by San Diego County. The High Court's decision removes one of the final obstacles to full implementation of California laws and, by extension, to those of other states.

The lawsuit filed by San Diego in 2006 challenged the state mandate to implement an identification card program for patients based on the argument that state law is preempted by federal law. However, both the San Diego Superior Court and the Fourth District Court of Appeals rejected that argument, which was followed by the California Supreme Court's refusal to review the case in 2008. Despite this failure in the state courts, San Diego Supervisors voted to appeal to the US Supreme Court.

"No longer will local officials be able to hide behind federal law and resist upholding medical marijuana law," said Joe Elford, Chief Counsel with Americans for Safe Access (ASA), a national medical marijuana advocacy group, which represented patients in the San Diego lawsuit.

"The courts have made clear that federal law does not preempt California's medical marijuana law and that local officials must comply with that law."

After the State Supreme Court denied review of *County of San Diego v. California* in October 2008, ASA filed a January lawsuit

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Schwarzenegger, economic crisis boost legalization

By Stephen Gutwillig Drug Policy Alliance

"It's time for a debate," said Governor Arnold Schwarzenegger. With that simple declaration, the Governor became the highest-profile US elected official to publicly question the nation's failed marijuana policies. His comments confirm the seismic shift taking place among Americans across the political spectrum. More people than ever are suggesting that pot prohibition is doing more harm than good and that all options — including taxation and regulation — must be on the table.

In the last few months alone, Schwarzenegger was preceded by a host of prominent truth-tellers. The Attorney General of Arizona, the El Paso city council, and Congresswoman Loretta Sanchez have all publicly discussed the need for alternatives to our punitive and wasteful

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National Commission may review criminal justice system

By Charmie Gholson LEAP staff

The US is the number one incarcerator in the world, with one out of every 100 American adults behind bars. Sadly, the lion's share of this population is fueled by our drug policy. Incarcerated drug offenders have soared 1200 percent since 1980.

Recently on Capitol Hill, US Sen. Jim Webb (D-VA) introduced bipartisan legislation to create a blue ribbon commission to hold a comprehensive review of America's criminal justice and drug policies.

The *National Criminal Justice Commission Act of 2009*, S.714, is the result of decades of Senate investigation and more than two years of intensive fact-finding.

Should the bill pass, the commission will spend 18 months studying all aspects of the criminal justice system, report its findings to Congress and offer tangible recommendations for reform, including, possibly, an end to drug laws that are overfilling prisons.

The introduction of this bill is exactly what retired police officer Howard Wooldridge has been advocating as the Education Specialist for Law Enforcement Against Prohibition (LEAP). He's spent the last three years asking every single member of congress to take a thorough look at the failure of our drug laws, and worn out two sets of boot leathers in the process.

LEAP is a tax-exempt, international, nonprofit educational entity that was modeled on Vietnam Veterans Against the War. LEAP speakers give presentations in the US and abroad to civic, professional, educational, and religious organizations, as well as public forums. They relay their personal law enforcement experiences and how they intersect with the "war on drugs." While Wooldridge is the only speaker working full time to educate Congress, the LEAP message is the same — a call for government to legalize and regulate all drugs. Ask him why and he'll give you two, rapid-fire answers. "No more drug dealers and it'll cut crime in half." Please turn to page 21

New drug chief calls for end to 'Drug War' as US policy

By Tony Newman Drug Policy Alliance

White House drug czar Gil Kerlikowske called for an "end to the war on drugs," and said the drug problem in this country should be a public health issue, not a criminal justice issue. His comments came during an interview with Gary Fields, published in the May 14 *Wall Street Journal*.

"Regardless of how you try to explain to people it's a 'war on drugs' or a 'war on a product,' people see a war as a war on them and we are not at war with people in this country," Kerlikowske told the *Journal*. He also said that the Obama Administration is likely to treat drugs as a public health issue and favor treatment over incarceration to reduce illicit drug use.

"We are cautiously optimistic" said Drug Policy Alliance executive director Ethan Nadelmann. "Kerlikowske appears

to be in line with President Obama's call for a paradigm shift to public health and he



New 'Drug Czar' Gil Kerlikowske is changing the tone of federal drug policy. File photo

along with the Justice Department support the range of drug policy reforms to which Obama had pledged as a candidate."

As a presidential candidate, then-Senator Obama said the "war on drugs is an utter failure," and that he believes in "shifting the paradigm, shifting the model, so that we focus more on a public health approach." He also called for eliminating the crack/powder cocaine sentencing disparity, repealing the ban on federal funding for syringe exchange programs to reduce HIV/AIDS, and stopping the US Justice Department from undermining state medical cannabis laws.

Kerlikowske confirmed he supports needle exchange programs as a "part of a complete public-health model for dealing with addiction" and that he plans to work with Congress and other agencies to alter current policies.

Recently the Justice Department came out against the crack/powder disparity, and the attorney general said the administration will no longer raid cannabis dispensaries that comply with state laws.

Advocates pledge to hold Kerlikowske and the administration to their words and make sure their actions meet their rhetoric.

"There were a couple of marijuana dispensaries raided since the Justice Department pledged to end the raids.

"The recent budget that was introduced still included a federal ban on funding clean syringes despite calling for an end to the ban," Nadelmann noted.

"The proof will be in the pudding. We need to make sure the deeds match the words."

Mexico decrimis very small drug amounts

By Omar Figueroa Attorney at Law

The Mexican Congress approved legislation April 30 to decriminalize possession of small amounts of drugs for personal use. The reforms, part of broader *narcomenudeo* or narco-retailing laws proposed by President Felipe Calderon last October, would focus on harm reduction and voluntary treatment instead of incarceration. President Calderon is expected to sign the legislation to decriminalize small personal amounts of various substances:

Substance	Amount Decriminalized
Cannabis	5 grams
LSD	150 micrograms
Opium	2 grams
Amphetamine/Meth	40 milligrams
Cocaine	500 mg (1/2 gram)
Heroin	50 mg

While decriminalizing personal possession of tiny quantities, the *narcomenudeo* law would encourage state and municipal police forces to aggressively pursue small-scale drug dealers (currently the exclusive bailiwick of federal authorities in Mexico) Please turn to page 17

Polls shift toward tax and regulation

By F. Aaron Smith MPP California policy director

Two highly respected opinion polls found this spring that the majority of the public favors allowing cannabis to be sold in a legal, taxed and regulated system.

One of California's most established polling firms, Field Poll, released data indicating that 56 percent of registered voters in the state support legalizing and taxing cannabis as a partial solution to the state's financial crisis. The poll tested voter support on a dozen tax proposals that are currently being considered in Sacramento.

The poll showed that voters are not warm to the idea of new taxes, but legalizing and taxing cannabis was among the most popular proposals offered. More voters support legally taxing cannabis than support an Internet sales tax, a carbon tax, or an oil severance tax. In fact, support for cannabis taxation and regulation is twice what it is for expansion of the sales tax or increased gas taxes.

Voters were also asked about various budget-cutting proposals and the only one with significant support was reducing prison spending, at 59 percent.

The Field poll results prompted a reporter to ask Gov. Schwarzenegger whether or not he supported cannabis legalization. While he made it clear

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Bipartisan industrial hemp bill in Congress

By Adam Eidinger VoteHemp.com

A federal bill was introduced April 2 to remove restrictions on the cultivation of non-psychoactive industrial hemp. Chief sponsors of *The Industrial Hemp Farming Act of 2009*, HR 1866, Reps. Barney Frank (D-MA) and Ron Paul (R-TX), were joined by nine other House members, split equally between Republicans and Democrats.

"It is unfortunate that the federal government has stood in the way of American

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WEST COAST LEAF

West Coasterdam Report

Canada's 'Prince of Pot' takes deal; sentencing ahead

Marc Emery, a hero to the cannabis movement who has been fighting for the past four years against his extradition from Canada to the US, has taken a plea deal of one count of marijuana distribution in exchange for the dismissal of all the other charges against him. Emery was originally facing decades in prison for shipping millions of cannabis seeds to the US in an attempt to "overgrow the government." The US federal government considered him one of the top 50 drug traffickers in the world as they claim his seeds have grown \$2.2 billion worth of marijuana. US Attorneys are recommending a five- to eight-year sentence for Emery. His two Emery Seeds employees and co-defendants, Michele Rainey and Greg Williams, also agreed to enter a plea for which US attorneys are recommending two years probation. Rainey and Williams will be sentenced on July 17.

Cannabis patients enjoy another legislative win in Oregon

Marijuana patients in Oregon helped defeat Senate Bill 388, which would have damaged the Oregon Medical Marijuana Program (OMMP) by reducing limits for medicine and giving law enforcement permission to perform mandatory inspections of grow sites. After consulting with the other members of the Senate Human Services Committee, Chairman Morrisette decided not to move SB 388 out of committee, effectively killing the bill for this session. This news comes after eight attempts to amend the bill, which had the support of powerful police and prison lobbyists. Patients sent letters and postcards, made phone calls and traveled to Salem to protest or give testimony. However, Anna Diaz of OR-NORML warns that SB 388 could be back as soon as February 2010 in some other form.

Cal judge issues injunction against drug testing some students

Claiming that the drug testing of students involved in choir, band, chess club, drama, and other extracurricular activities may be a violation of privacy and protection from unreasonable searches guaranteed in California's Constitution, Shasta County Superior Court Judge Monica Marlow issued a preliminary injunction in May against Shasta Union High School District to end the practice. The ACLU of Northern California filed the lawsuit in behalf of Redding senior Brittany Dalton, who refused to take a drug test in order to participate in a state flute competition. The injunction does not prevent drug testing athletes for performance-enhancing drugs, however.

Ventura County DA treating simple possession as an infraction

In an attempt to reduce the case load and the overcrowding of local jails, Ventura County's District Attorney's office has issued a policy to downgrade the charges of possession of less than an ounce (28.5 grams), driving without a license, minor drinking in public, driving with a suspended license, and a few other offenses from misdemeanors to infractions. This policy change gives more flexibility in the charging phase and requires law enforcement to file charges directly to the court rather than to the DA's office.

"It's not every case," a spokesperson from the DA's office said. "We look at the cases. We look if the person has a prior record. We look at the circumstances, so it's not a blanket policy. The prosecutors just have a lot of discretion." People charged with infractions are not entitled to jury trials, only fines.

Cannabis Culture magazine ends print run, takes it online only

Publisher-activist Marc Emery has stopped printing the long-running *Cannabis Culture* magazine, citing its unsustainable costs. In a message published March 25 on CannabisCulture.com, Emery said he and his staff will "continue to devote our time to changing the world and ending the war on drugs through the Cannabis Culture and Pot-TV websites, the CCHQ retail store, BC Marijuana Party, and CC's online mail order." In a letter, Emery offered readers a look at the magazine's troubles and also noted that the bimonthly magazine format was no longer meeting the needs of the audience, given "the modern-day demand for immediate news and material."



GLOBAL CANNABIS DAY — The Blusetta Band rocked San Francisco city hall May 2 in one of the world's most cannabis-friendly cities to support cannabis freedom. The event coincided with hundreds of other events all around the world. Richard Eastman (right) came to the SF event to promote the Medical Marijuana Expo, scheduled for Sept. 19 in West Hollywood Park. See calendar listing this issue. West Coast Leaf photos

Drug 'field tests' for cannabis get 75% false positives

By Adam Eidinger and Ryan Fletcher

A new report issued March 3 entitled *False Positives Equal False Justice* reveals that the most widely used field test for identifying marijuana and other drugs test positive on non-illegal substances.

The report exposes faulty drug tests used by law enforcement in the U.S. and Canada. The study reveals that the NIK NarcoPouch 908/Duquenois-Levine Reagent field test kit, the most widely used field test for identifying marijuana, as well as the majority of other drug test kits used as the basis for arrest and prosecution by law enforcement, have an unacceptably high rate of false positives. Read the report at mpp.org.

Rob Kampia, Executive Director of the Marijuana Policy Project, explained that through research, experimentation and the stories of those directly impacted, the report proves that these faulty tests resulted in unjust arrests, imprisonment and prosecution of innocent citizens. Kampia said, "Natural soap, chocolate and newspaper, among other household items, all will test positive for marijuana and other drugs such as GHB in these drug tests, yet these kits continue to be used in both arrests and prosecutions nationwide."

Dr. Omar Bagasra, director of the South Carolina Center for Biotechnology at Claflin University, commented on the experiments he conducted for the report.

"While testing the specificity of the KN Reagent test kits with 42 non-marijuana substances, I observed that 75 percent of these tests rendered a false positive."

The report documents that law enforcement officials, forensic drug analysts, and prosecutors knowingly employ the flawed tests to wrongfully prosecute and convict millions of individuals for anti-marijuana law violations. These wrongful prosecutions and convictions violate the Supreme Court rulings *Jackson v. Virginia* and *Daubert v. Dow Merrell Pharmaceuticals, Inc.*, which prohibit the use of inaccurate, non-specific tests and/or conclusory reports because they do not prove the presence of marijuana in a seized substance.

Forensics expert and author of the report John Kelly writes in the Executive Summary: "*False Positives Equal False Justice* is a siren alerting policy makers at all levels of government to end the use of field drug tests which have been proven to be unreliable. The former law enforcement officials, researchers, organizations and businesses that made this report possible must not have uncovered the truth in vain. It is imperative that law enforcement agencies take notice and voluntarily end the use of these flawed drug tests."

"The essential need of protecting the innocent must outweigh the convenience of a field drug test that only gives accurate information some of the time."

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U Washington report: Marijuana prohibition not meeting its goals

By Alison Holcomb ACLU of Washington Drug Policy Director

A report by two University of Washington researchers finds that laws criminalizing cannabis are not achieving their goals. The report concludes that arresting, prosecuting, incarcerating, and seizing the property of people who commit marijuana-related offenses doesn't reduce use. And lessening or removing penalties doesn't increase it.

Finding the "war on marijuana" costly in financial and human terms, and a failed strategy for reducing use, the report adds important academic support to the growing call for reconsideration of laws and policies on cannabis.

"The Consequences and Costs of Marijuana Prohibition," issued in March, was produced by Katherine Beckett and Steve Herbert, associate professors in the University's Law, Societies, and Justice Program. Beckett and Herbert analyzed data and conducted in-depth interviews to compare the fiscal, public safety, and human costs of current policy against marijuana's price, potency, availability and use. The report, commissioned by the ACLU of Washington, is posted online at aclu-wa.org.

It found that enforcing cannabis laws consumes major

portions of government budgets. The domestic law enforcement component of the federal drug control budget more than doubled from 1991 to 2002, to \$9.5 billion. Marijuana arrests accounted for nearly all of the increase in drug arrests during that time. Furthermore, 28,000 people are serving time in federal or state prison for cannabis offenses. Researchers estimate that their incarceration costs over \$600 million a year, a figure that does not include the costs of detaining offenders in county jails or supervising their release. The authors note that Harvard economist Jeffrey Miron concluded that legal cannabis would save \$7.7 billion per year in government spending that could be redirected to combatting violent and property crimes.

The researchers also found that cannabis arrests in the US have increased dramatically over the past 15 years, now constituting nearly half of the almost 2 million annual drug arrests. Yet increased enforcement has not produced the government's desired results:

- The price of cannabis has dropped;
- Average potency has increased;
- It has become more readily available; and



HEMPFEST — Seattle hosts the world's largest Hempfest (see calendar or visit hemp.net). Some 1500 volunteers are already preparing for the Aug. 15-16 event. West Coast Leaf photo

- Use rates have often increased during times of escalating enforcement.

On the other hand, states and localities that have decriminalized possession, passed medical laws, or adopted measures making cannabis use the lowest law enforcement priority have been able to redirect law enforcement resources to other public safety issues without experiencing any corresponding increase in cannabis use.

Moreover, the authors found marijuana prohibition carries serious human costs, and these are disproportionately imposed on African Americans. The researchers interviewed individuals in the Puget Sound area who were arrested for cannabis-related offenses. Besides the financial burdens of attorneys' fees, court fines, lost income, and seized assets, they also suffered emotional stress and family tensions, and lost faith in a legal system that imposes the long-term stigma of a criminal conviction for an act engaged in by over 40 percent of the American population.

Evergreen State patients work together in fight for justice

By Martin Martinez Lifeline

Some latitude is granted medical cannabis patients in Seattle, particularly since a raid on the Lifeline group sparked a new set of guidelines for police conduct in the Emerald City last year. Tolerance has been noted in at least one recent incident where an inner-city garden was not raided following police detection.

Half of the state's population resides in Seattle's King County. Even in neighboring counties, all is not well for cannabis patients caught in the web of the war on pot. One lawful pair, John Reed and Karen Mower, have been denied the affirmative defense in Mason County.


A Stevens County trial is scheduled later this year for patient Tom Blake. Snohomish County, just north of Seattle, is home to a number of unjust cases that have been prosecuted. The worst example involves the son of Tim Garon, a patient who died after the raid on his garden.

At the same time, Seattle-area activists have witnessed a number of dismissals in Kitsap County, due largely to the presence of press and public pressure in and on the courthouse in the Bruce Olsen case.

At least five other cases have been dismissed across the state this year, underscoring the value of mobilizing support for all cannabis patients facing the difficulties of criminal litigation for simply following state law.

Medical cannabis patient Mark Spohn was robbed at gunpoint recently by three men claiming to be FBI agents. He reported the robbery to police while it was in progress. Police showed up after the armed robbers had left, and proceeded to raid his home, taking all but 15 of his

cannabis plants, taking his usable medical cannabis, impounding his car, and taping off his Wallingford home.



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10-Year federal sentence upheld for Chico medical cannabis provider

Federal panel review included "torture memos" Judge Bybee

By Dale Gieringer CA-NORML

A panel of the US Ninth Circuit Court of Appeals reaffirmed the 10-year mandatory minimum sentence of medical marijuana defendant Bryan Epis on conspiracy charges. Epis's attorney, Brenda Grantland, immediately announced plans to appeal for an *en banc* rehearing of the unpublished ruling by the full Ninth Circuit.

The highly conservative three-judge panel included the infamous Judge Jay Bybee, recently indicted as an international war criminal by Spain for having co-authored the DOJ torture memos. President Bush appointed Bybee before knowledge of his advocacy of illegal conduct by government agents became public. A petition to impeach Judge Bybee is being circulated by MoveOn.org.

Epis was the first California patient prosecuted on federal charges. He was arrested in 1997, soon after passage of Prop 215, while growing for a Chico patients' group, tried and sentenced to 10 years for conspiring to grow over 1,000 plants — many of them never actually planted — in his Chico home. Epis already has served 25 months in federal prison, but is presently out on bail.

Epis appealed his sentence to the Ninth Circuit on various grounds, including egregious prosecutorial misconduct, improper

cross-examination, improper denial of safety-valve relief from the mandatory minimum, and the lack of clarity in the law at the time of his arrest. The panel did not hold an oral hearing; it simply issued an 11-page ruling denying the appeal.



Epis and daughter

"This is a very politicized case," said Grantland, "tainted completely with prosecutorial misconduct." At trial, prosecutors had blindsided the defense with a spreadsheet purporting that Epis planned to grow for hundreds of thousands of members of an imaginary medical cannabis dispensary in San Jose. "The spreadsheet had nothing to do with his Chico grow, but was part of a rough, draft proposal that Bryan had abandoned," said Grantland.

Collective volunteer arrested, strip-searched by Pomona PD and held on \$1 million bail

By Lanny Swerdlow, RN, BS, LNC

When Candace Walsh, a Dean's List Honor student at CalState University Long Beach, opted to volunteer at the newly opened Alternative Medicinal Cannabis Collective of Pomona (AMCCP), she never imagined in her worst nightmare that within one week she would be arrested, strip-searched and held on one million dollars bail. Meet the Pomona Police Department.

Pomona Police raided AMCCP without a warrant May 1 and again on May 2, confiscating medicine, arresting volunteers and harassing patients. Organizing to fight this illegal raid, collective members began handing out informational flyers on the raid plus information on other sources of medicinal cannabis. Police entered the essentially empty AMCCP premises again May 6 and even though there was no cannabis on the premises arrested collective members and volunteers. They were taken to jail where they were strip searched and held until bail was posted. Only Ms. Walsh's bail was set at one million dollars and consequently the money to have her freed could not be raised.

Walsh remained in jail for two days and was finally released late in the afternoon onto Pomona's notoriously seedy Mission Blvd. with no phone, no money for a phone call and a "detention" slip informing her that she had not been arrested — only detained for 48 hours.

Her case and that of other collective members is being handled by Attorney J. David Nick.



IN THE BELLY OF THE BEAST — Confronting the San Bernardino Board of Supervisors the day after the US Supreme Court rejected the appeal of their lawsuit to invalidate Prop. 215, forty-five medical cannabis patients and advocates took up an hour of the Board's time demanding that it immediately start issuing the ID card and direct its law enforcement officers to stop arresting and prosecuting patients. Photo by Victor Michel

San Diego patients fighting DA and police fraud

By Dale Gieringer CA-NORML

Medical marijuana advocates are fighting against the prohibitionist tide in San Diego County, where officials have sought to ban dispensing collectives and prosecute delivery services.

The County launched a major counter-offensive against Prop 215 in 2005, when it filed a lawsuit against San Diego NORML challenging the validity of the state's cannabis ID card program. After losing in state and federal courts, the suit was finally killed May 18 by the US Supreme Court's refusal to grant it a hearing.

On another front, District Attorney Bonnie Dumanis shut down what had been a flourishing medical cannabis scene, closing over 15 dispensaries in 2005-06. Patients responded with a proliferation of delivery services to meet the demand.

In response this February, San Diego police in cooperation with federal authorities launched a massive sting against the delivery services. Undercover agents with valid recommendations called for medical cannabis to be delivered to a Pacific Beach house belonging to the US Navy.

Authorities announced 33 arrests, along with the seizure of methamphetamine, cocaine, heroin, ecstasy, as well as six pounds of cannabis and 400 plants. The operation, dubbed *Green Harvest*, was portrayed as a clean-up of drug dealing around military bases.

In fact, the operation was originally dubbed *Green Rx* and targeted medical marijuana. "They lied about dangerous drug felons preying on military housing," says Donna Lambert, a patient arrested in the operation. "The truth was they had rented a house in a normal looking neighborhood that happened to be in Pacific Beach and lured us there one by one. At the same time they also found and set up ten or

so meth, ecstasy, etc. dealers around Pacific Beach and lured them there."

One arrestee was Joseph Malone, who says that he originally informed the S.D. Board of Equalization and business license office of his intent to provide medical marijuana. He says a BOE agent told him, "San Diego is no longer policing medical marijuana." He was later arrested for selling one-half ounce to an undercover officer with a valid doctor's recommendation.

Another patient, Eugene Davidovich, was arrested at his home by an armed narcotics squad and held on \$65,000 bail after providing seven grams to an undercover officer who presented him with a valid recommendation at the Pacific Beach house.

By staging the operation on Navy property, San Diego police were able to work with federal agencies — in particular, the Naval Criminal Investigative Service and Bureau of Alcohol, Tobacco, Firearms and Explosives, though not the DEA. In the end, their take was paltry enough that the cases were taken to state, not federal, court.

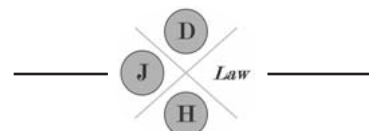
Patient advocates hope that acquittal of the Green Harvest defendants may send a message to the San Diego DA's office.

The leverage of San Diego patients has been substantially boosted by the Supreme Court's rejection of the county's lawsuit against Prop 215 and SB 420.

In addition to forcing the county to establish an ID card system, the decision may compel local officials to recognize some cooperatives and collectives. To this end, advocates seek to re-establish San Diego city's medical cannabis advisory committee, which promoted implementation of Prop 215 before the county lawsuit.

In the meantime, many San Diegans are not waiting. Some 17 collectives are said to be operating furtively in the city.

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Lepp hit with 10-year mandatory term



Rev. Eddy Lepp with his new wife, Linda, at the San Francisco Cannabis Freedom Day rally. West Coast Leaf photo

By Vanessa Nelson MedicalMarijuanaofAmerica.com

Things aren't looking good for the man at the center of the world's largest medical marijuana bust. Reverend Charles "Eddy" Lepp stood in front of a courtroom packed with supporters May 18 and received a sentence of ten years in federal prison.

Judge Patel commented on Lepp's speech with speculation. "Maybe you want to be a martyr for the cause," she said.

"I think that amount of time is excessive, but that's not up to me to legislate – that's up to Congress," said US District Judge Marilyn Hall Patel.

Federal law dictates mandatory minimum sentences for certain types of crimes. Since Lepp's charges involved more than 1000 plants, Judge Patel was required to impose at least ten years.

In fact, the case against Lepp involved far more than a thousand plants. In August 2004, the Drug Enforcement Administra-

tion reportedly seized 32,524 cannabis plants from his land in Upper Lake, California.

Although Lepp maintained that the cannabis was grown for patients under California's Compassionate Use Act, he was unable to use this defense because federal courts do not recognize state laws permitting the medical use of cannabis.

Even more troubling to Lepp was the denial of his religious defense. His Rasta ministry uses cannabis as a sacrament, but Judge Patel decided that the quantity of plants created such a high risk of diversion that the government's interest in eradicating it was a higher priority than the group's free exercise of religion.

Lepp came closest to pre-trial victory in 2006, when the search warrant in his case was ruled invalid. Nonetheless, the plants remained in evidence. They could be seized without a warrant because they were in plain view from a public highway.

His actions were brazen, Lepp said, because he believed they were legal. Nonetheless, he steadfastly denied any direct involvement in the grow. At trial last fall, he explained the cultivation by saying that he opened up his land to his church members and they used it to grow cannabis. It was a claim his prosecutor ridiculed as the 'it wasn't me' defense.

Unfortunately for Lepp, the jurors weren't swayed by his testimony. After a few hours of deliberation, they returned guilty verdicts for both charges: a count for cultivation and a count for conspiracy to distribute cannabis.

Lepp was left with one last shot at avoiding the mandatory minimum sentence: a legal mechanism called the safety valve. However, the prosecutor would not recommend this course of action unless Lepp recanted his trial testimony.

Ultimately, Lepp was unwilling to take back his words.

"I don't want to go to prison, but I would rather do the ten years and be able to look myself in the eye," he said tearfully.

Judge Patel commented on Lepp's speech with speculation. "Maybe you want

to be a martyr for the cause," she said to him. Whether desired or not, martyrdom may be inevitable. Lepp is undertaking appeals, but it's unlikely that any remedy will come soon enough to spare him from incarceration. He has been ordered to self-surrender on July 6.



Lavonne Victor, her husband Marty, and his mother were all victims of a San Bernardino County medical marijuana raid that appeared to be timed to derail a court hearing. Photo by Lanny Swerdlow

Suspicious timing in arrest, prosecution of collective operator

By Victor Michel MAPP

Marty Victor and his wife Lavonne have been members of a small collective, with the collective's outdoor garden in their backyard. This garden was well known to local police, as Marty and LaVonne had been arrested in 2001 for growing medicinal cannabis. Their case was eventually dismissed and in the intervening seven years they experienced no problems.

However, armed Riverside County Sheriff officers accompanied by Temecula police officers raided the Victor home Sept. 19, and for the next eight hours literally terrorized Victor, his wife and his 81-year-old mother. Marty was arrested, taken to jail and held on \$50,000 bail.

The timing of the arrest was suspicious, as one of the members of their collective was Lanny Swerdlow, director of the Marijuana Anti-Prohibition Project, an Inland Empire cannabis patient support group and law reform organization. Swerdlow had been falsely accused by Paul Chabot, founder of an Inland Empire prohibitionist group that specifically targeted medical marijuana, of pushing him at a meeting and was on trial for battery. Victor was going to testify that he was at the meeting and saw that Swerdlow never even touched Chabot, let alone push him.

Marty's trial testimony was scheduled for Sep. 22 and many people believe that the timing of the arrest and Marty's subsequent imprisonment and high bail were the result of the San Bernardino Sheriff's Dept. asking Riverside County Sheriffs to take him out so he would not be able to testify the following Monday.

Fortunately bail was raised; Marty was

released and able to testify. Swerdlow was found not guilty by the jury two days later.

Marty's collective was completely compliant with all laws, even to the point that every member of the collective had the state ID card, so it was not surprising that over the next eight months, no charges were filed.

On March 17, 2009 Victor and seven members of the collective filed a tort claim against the city of Temecula and the county of Riverside for loss of their crop. On April 28, the Riverside County DA's office formally charged Marty with cultivation and cultivation for sale – nine months after the initial arrest and 33 days after Victor filed his tort claim.

According to Victor's attorney Zenia Gilg, "Everything about this case raises questions of vindictive prosecution."

"It is very disappointing for Riverside County law enforcement to pursue prosecution of a person who is so clearly abiding by state law."

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TLC collective director seeks LA Council seat

By Degé Coutee Patient Advocacy Network

Long-time Los Angeles resident, businessperson, property manager, charitable contributor — and medical cannabis patient collective director — Frank Sheftel is running for a Los Angeles City Council seat in the Sept. 22 special election.

Sheftel is a North Hollywood resident of over 40 years. His family has owned and operated *The Candy Factory* there for nearly 20 years. “I’ve lived in the district my entire life,” said Sheftel. “I attended public school in the district, I attended college in the district and have worked in the candy business since I was a teenager here.”

He is a homegrown candidate, proud of his San Fernando Valley roots. He contributes time to a variety of local charitable causes from homelessness to mental health research to the performing arts.

“When the collective I went to closed, I decided to start a collective close to home and serve an area that wasn’t being served: Toluca Lake.”

— Frank Sheftel

Sheftel feels that his experiences are an asset to the district’s constituents. “I have knowledge and experience to contribute to my community and I can help the people of this diverse district by being accessible and by being their eyes, ears and mouthpiece in City Hall. First and most important to me is making sure people are heard.”

LA Council District 2 covers roughly half of the San Fernando Valley, including areas such as Sunland, Van Nuys and Studio City. At this time, at least eight potential candidates have surfaced, but Sheftel is confident he can rally good support in the special election.

In 2006, he became ill and got involved with medical cannabis. He explains, “I was hospitalized with stomach ulcers. I lost 70 pounds in three months. I was on severe medications and continued losing weight.”

A friend suggested Sheftel learn about medical cannabis and soon he was visiting area dispensaries. “It helped by stimulating my appetite and dealing with my



HIGH ASPIRATIONS — Frank Sheftel With LA Mayor Antonio Villaraigosa, April 2009.

pain.” He was uncomfortable at some dispensaries. “When the collective I went to closed, I decided to start a collective close to home and serve an area that wasn’t being served: Toluca Lake.” Toluca Lake Collective was born and the group has been not-for-profit “from day one,” following all state laws and local rules.

As a potential LA City Council member, Sheftel could help establish and enforce future rules for the City’s 450+ dispensaries. “I hope to be the voice of reason and knowledge. The City has truly dropped the ball on this issue. We have the opportunity to set an example for the rest of the country.”

For now Sheftel is meeting with community members and anticipates becoming an official candidate. Sheftel can be contacted through TolucaLakeCollective.com or Facebook.

Cannabis physicians organize to improve quality of practice

By Sarah Armstrong

A group of cannabis practitioners announced the formation of the American Academy of Cannabinoid Medicine (AACM) April 20 to establish standards of practice and certify physicians who follow its protocols so as to ensure high-quality care among cannabis specialists. Its board comprises physicians and researchers active in the field of medical cannabis who are concerned about doctors making cannabis recommendations to patients using minimalist medicine methods that AACM credentialing expert Dr. David Bearman described as “inappropriate.” The Academy has developed practice standards for board certification, and guidelines for physicians who recommend the medicinal use of cannabis.

“We realized there is a need to provide people with accurate, timely information about research in this important new field, so our organization will focus on this as well,” said Bearman. Physicians governing AACM bring diverse experiences in clinical practice, clinical research and policy-making.

The board includes specialists in rehabilitative medicine, neurology, internal medicine, psychiatry, public health, family practice, addiction medicine and medical geography.

No conviction in Mendo trial of So Cal suppliers

By Pebbles Trippet MMMA Secretary

The landmark trial of Luke Strauss and Joe Maligno ended April 3 with a jury hung 7-5 in favor of the defendants, emblematic of the divided Mendocino County community. The Redwood Valley residents were members of a large patient collective, growing for a storefront dispensary in Southern California.

Strauss was stopped by police in 2007 with five pounds of medical marijuana in a vehicle. This led to a search of his home, where agents discovered an indoor garden in flower, a recently harvested greenhouse, and 300 to 400 pounds of bud destined for patients at the West Hollywood Center for Compassionate Healing (WHCCH).

During the trial, attorneys J. David Nick & Edie Lerman argued that Strauss and Maligno were in compliance with state law on collectives. The evidence showed that their collective had won the support of local government officials.

“The law is clear,” Lerman told the West Coast Leaf. “It allows patients to associate and collectively cultivate, to get paid for labor and services, and be reimbursed for expenses.” Since there are no limits on the number of members allowed in each collective or cooperative, she said, there is likewise no cap on the amount of medicine legally allowed, as long as it is reasonable and the patients are qualified by a doctor’s approval. Prosecutors refuse to obey State



THUMBS UP TO MEDICAL MARIJUANA

— Mendocino businesses are starting to display this new decal in shop windows to show solidarity with legal medical cannabis growers, providers, patients, workers and suppliers who help sustain local economic prosperity. Consumers will be able to make informed decisions about where to spend their hard-earned money.

law on collectives and cooperatives.

The jury, however, did follow the law and did not convict. Prosecutors showed no evidence that the growers were operating illegally. They simply relied on the accusation that it was “too much marijuana,” hoping that bias against patients would prevail. Given the contentious climate surrounding passage of anti-marijuana Measure B last year, it seemed it might work. Ultimately government witnesses provided key evidence showing that both defendants were making every effort to obey the law. In this way, the prosecution helped make the case for the defense.

Defense witnesses included WHCCH President Andrew Kramer and Jeff Jones, founder of the Patient ID Center, who administers Alameda County’s patient verification database. Dr. William Courtney explained the baseline or average dosage schedule for cannabis patients. Cannabis expert Chris Conrad testified on how quantity is reasonably related to a large collective, and how collectives are supplied. Attorney Keith Faulder was called to refute the claim that law enforcement routinely walks away from “medical grows.”

After many years of peaceful coexistence, a hostile district attorney and a media-stoked voter backlash against nuisance growers has split the Mendocino community. Nonetheless, despite acrimony, complex legal constructs, and many setbacks, a jury who believed the defendants were innocent affirmed the defense.

The Strauss-Maligno defense was built on the SB 420 Medical Marijuana Program Act and the Attorney General’s non-binding Medical Marijuana Guidelines, considered the best authority for the legal elements of the “closed circuit membership” model that explains how to lawfully cultivate collectively or cooperatively.

For an in-depth look at the turbulent Mendocino county situation, see Pebbles Trippet’s article at westcoastleaf.com

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GRADUATION DAY —
Three class sessions held graduation ceremonies at the OU Oakland campus May 16. After the diplomas and tassels were awarded, there was a party at the Student Union. West Coast Leaf photo

Oaksterdam University summer, autumn classes offered

By Dale S. Clare Oaksterdam U, Exec Chancellor

Class begins on time, with an earnest request for any undercover law enforcement officers to please identify themselves. The uncomfortable silence is broken only by the restless students shifting in their seats as they look around for the narc.

As the situation sinks in, you can almost see the thought cross their faces: “I am actually sitting in a room with over fifty other people to learn about pot.”

No self-identified cop stands up and class seems to continue with an increased sense of awareness. The school asks the question to remind students that you do not really know whom you are talking to, during school, at lunch or in life.

Cannabis horticulture is the staple for most of the current courses.

Since it was founded in 2007, Oaksterdam University has welcomed over 3000 students looking to change careers or simply brush up on horticulture skills. At its Oakland and Los Angeles campuses, OU has attracted business owners who want to train their current staff, folks who want to open their own business, and patients trying to understand their rights.

Required study includes legal, politics and history classes to understand the background to the current political landscape,

and moves on to courses on medical applications, ingestion methods, cooking, concentrates and extracts. The Basic 101 Course covers core issues on how to help patients by providing better knowledge about cannabis, along with working as a “buddtender.” Cannabis horticulture is the staple for most of the current courses.

The Advanced 102 Course focuses on starting or running a business in the cannabis industry, or Cannabusiness, and knowing your rights during law enforcement encounters.

The Los Angeles Campus has added a Delivery 102 course that explores the three Cs of mobile caregiving: convenience, consistency and confidentiality. A 13-week semester course delves deeper into the subject matter and requires students to do homework and take exams. About 1500 students have received diplomas from America’s first cannabis college.

OU has established partnerships with several peace officers who see the opportunity for officer development and improved relationships with the community at large, and is about to kick off Law Enforcement Sensitivity Training to help cops identify qualified patients.

Aside from the Oakland and LA campuses, OU will be offering courses in Sebastopol CA, Michigan and, hopefully, Rhode Island.

See info at oaksterdamuniversity.com.

Cal DMV improves its cannabis policy

Patients no longer subject to arbitrary license revocation

By Kris Hermes Americans for Safe Access

The Americans for Save Access legal team saw the fruits of another big victory for patients in March, when the California Department of Motor Vehicles (DMV) issued a new policy on drivers’ licenses that ends discrimination against state medical marijuana patients.

As of March 2, the DMV Driver Safety Procedure Manual says that “use of medicinal cannabis approved by a physician should be handled in the same manner as any other prescription medication which may affect safe driving.” The change means that medical cannabis use now “does not, in itself, constitute grounds for a license withdrawal action,” as it had in the past.

The change in DMV policy stems from a lawsuit filed by ASA on behalf of Rose

addiction to, or habitual use of, [a] drug.” Their evidence? Her doctor’s recommendation for medical marijuana.

ASA filed suit on Johnson’s behalf in November, and DMV announced their new policy in January, before her case was heard. Johnson was given a driving test, which she passed, and DMV reinstated her license.

“The new DMV policy is a significant



“Drivers will no longer have their licenses suspended or revoked simply because of their status as medical marijuana patients.”

— ASA Chief Counsel Joe Elford

Johnson, 53, whose driving license was revoked because she uses medical cannabis on the advice of her doctor. Despite having driven for 37 years without an accident or a ticket, the DMV revoked Johnson’s license last July. According to the DMV, Johnson was no longer able to safely operate a motor vehicle “because of...[an]

change,” said ASA Chief Counsel Joe Elford, who handled the action. “Drivers will no longer have their licenses suspended or revoked simply because of their status as medical marijuana patients.”

ASA had reports that the DMV had targeted medical cannabis patients in at least eight California counties, including Alameda, Butte, Contra Costa, Glenn, Merced, Placer, Sacramento, and Sonoma. License suspensions and revocations by the DMV were done under cover of calling the drivers “drug abusers,” though they were based on nothing more than the person’s status as a state-qualified medical cannabis patient.

“This DMV policy change represents a victory for patients, which puts us closer to full implementation of California’s medical marijuana law,” said Elford.

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Berkeley's BPG members have a lot in common

By Amanda Reiman, Ph.D.

As the federal government continues to interfere with the cultivation and distribution of cannabis in all the medical states, California has been a popular target due to its large cannabis cultivation potential and the fact that it has a system of dispensaries in place to administer medicine to patients.

Berkeley Patients Group (BPG) in California is one of the oldest dispensaries in the country. The support they have received from both the community and local legislators has allowed the dispensary to expand over the years and to offer social services such as counseling, medical services such as acupuncture and a community-center room for patients to medicate.

BPG discovered that 70% of its patients have chronic conditions.

To describe the BPG patients and better understand how the group functions as a community and social service center, data were collected via a self-administered survey (n=350). The survey inquired about patient demographics, health status, cannabis use patterns, alcohol and drug use/treatment, satisfaction with BPG services and service utilization.

Survey results show that patients are mostly male (68 percent), white (66 percent), single (54 percent) and have a mean age of 39. Although three quarters of the sample reported having health insurance (73 percent), health insurance does not cover medical cannabis. Thirty-four percent of the sample reported making less than \$20,000 per year. Participants had been coming to BPG for an average of 2.5 years and almost all patients visit BPG

between a couple of days per week and 1-2 times per month.

Seventy percent of participants reported having a chronic medical condition. Chronic pain was the most commonly reported physical reason for medical cannabis use (52 percent) and 75 percent of the sample reported using medical cannabis for a mental health related condition. Sixty-three percent reported needing additional treatments for their condition besides cannabis, 85 percent reported that cannabis had fewer side negative side effects than that treatment, and 88 percent reported that cannabis made their symptoms much better. Joints were the preferred method of ingestion (33 percent) and most patients reported using cannabis 2-3 times per day (46 percent).

Thirty-five percent reported using 3-5 grams per week and 69 percent had no change in their use over the last 6 months. Fifty-three percent are current drinkers, 25 percent use tobacco, and 11 percent had used a drug other than cannabis in the past 30 days. Forty percent have used cannabis as a substitute for alcohol, 26 percent as a substitute for illicit drugs and 66 percent as a substitute for prescription drugs.

The most common reasons for cannabis substitution were fewer adverse side effects and better symptom management.

The most common reasons for choosing BPG were the staff and a feeling of comfort and security. Forty-three percent reported visiting BPG and not purchasing cannabis, and patients reported spending more time at BPG when they do not purchase cannabis than when they do (0.83 hours vs. 0.73 hours). The most popular service was free food and drink, which has been used more than once by 22 percent of patients.

Santa Barbara oversight committee finds overall compliance

By Brendan Hamme SB Oversight Committee

Santa Barbara's Measure P Oversight Committee has been working hard in recent months to monitor compliance with the city's "lowest law enforcement priority" for cannabis offenses. Unfortunately, it has often been stymied by spotty attendance at its meetings.

The committee uncovered only one violation of the LLEP program.

The committee is nearing completion of both its Semi-Annual Report to the City Council on the implementation of Measure P and a grievance-intake procedure to manage reports of potential violations of the law from the public. Once finalized, the grievance report form, as well as the report, will be made available on the City's Web page under the Measure P Committee. All that remains in both cases is a committee vote for final approval.

While still regularly holding informal meetings, the committee has struggled

lately to achieve a quorum, especially since it has several vacant positions. Without a minimum of four members, the Committee cannot conduct any official business, including final approval of its report.

The City is looking for applicants to fill the positions of criminal defense attorney, city resident, civil liberties advocate, and, as of July 1, medical cannabis patient. Interested persons are urged to contact the Santa Barbara City Clerk's Office as soon as possible due to time constraints.

However, despite the low attendance, the committee has still been unofficially reviewing case reports to ensure police compliance. To date it has found only one violation of Measure P, committed by a rookie officer. Captain Alex Altavilla, the police department's liaison, believed this incident "to be a matter of training" and he has graciously volunteered to speak to the individual.

While it may be tempting to let oversight lapse in such an environment, as the phrase goes, "Eternal vigilance is the price of liberty."

West Coast conference mobilizes students

By Jon Perri SSDP

Over 100 students convened at the University of California, Berkeley for SSDP's West Coast Regional Conference April 25-26. The conference was SSDP's first on the West Coast and Berkeley was a perfect location for the weekend.

Students from throughout California attended, with members of SSDP chapters from Salt Lake City, Utah and El Paso,



SSDP — Participanta in the Students for Sensible Drug Policy regional conference came from out-of-state as well as from UC Berkeley and other California schools. West Coast Leaf photo.

Texas. Nubia Legarda, President of the University of Texas at El Paso SSDP chapter, said, "The conference was life-changing for our chapter. We can't wait to go home and change El Paso!"

Recently-formed Bay Area chapters networked and attended educational panels and workshops offering information and tools for effective activism on their campuses and beyond. "The conference was inspiring and our chapter is excited to work with San Francisco State, San Jose State, and UC Berkeley next semester," said Yolanda Tasso, founder and President of the City College of San Francisco chapter, which brought 10 members to the event.

A highlight was a keynote presentation from Ella Baker Center for Human Rights Assoc. Director Kris Lev-Twombly. A former prisoner of the federal War on Drugs, Lev-Twombly urged students to do more in their communities and see the drug war for what it really is, "a war on people."

Americans for Safe Access held their Strategy Summit in conjunction with the conference, providing a unique opportunity for California SSDP chapters to develop relationships with ASA chapters and learn some of the basics of California's medical cannabis laws. ASA's George Pappas and Don Duncan ran the strategy sessions and was on the conference's opening panel, "The Future of Medical Marijuana," which also featured WAMM's Vallerie Corral, CANORML's Dale Gieringer and UC-Berkeley Professor Amanda Reinman.

Not all of the weekend was spent in the classroom. After a long day of learning, students blew off some steam on Saturday evening with a historical tour of Oaksterdam followed by a party with Dr. Frank Lucido's office at

the Oaksterdam University Student Union. With live music, great food and important networking opportunities, the evening was a hit. On Sunday night, a benefit party for SSDP was held at Blake's on Telegraph and included a performance from Sellassie, a rising San Francisco hip-hop artist who writes socially conscious music inspiring young people to fight for positive change.

The conference came at an important time in the movement to reform our nation's drug policies and it was inspiring to see many new faces joining SSDP. The future is bright for SSDP's growing presence in the Bay Area and in California.

For info, see www.ssdp.org.

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Vaporizer use found to be easier on the lungs

By Mitch Earleywine Ph.D.

Vaporizer fans now have more evidence of the benefits of this novel way to administer the cannabis plant.

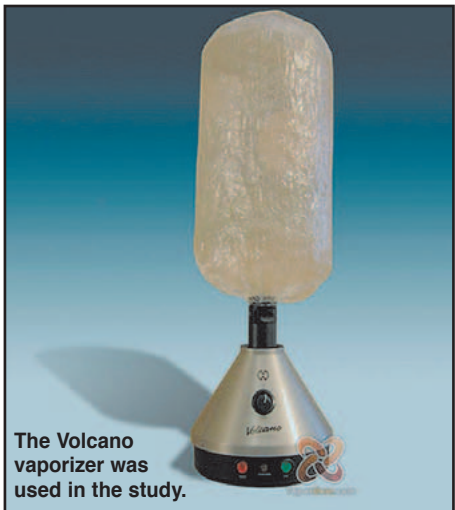
As *West Coast Leaf* readers may know, a vaporizer heats cannabis but never actually ignites it, releasing active cannabinoids in a mist that contains virtually none of the irritants present in smoke. Although the link between cannabis use and lung cancer is weak, regular smokers, even those who stay away from the dreaded cigarette, sometimes report respiratory symptoms like wheezing and shortness of breath. Prohibitionists often cite lung problems as a negative consequence of use, as if people deserve jail time to protect them from a cough. This argument is even weaker thanks to a series of papers that have appeared in the last few years.

Seminal work on the vaporizer by Dale Gieringer of Cal NORML, et al., appeared in *The Journal of Cannabis Therapeutics* (maps.org/mmj/Gieringer-vaporizer.pdf) in 2004. Marijuana Policy Project (MPP), NORML Foundation, the Multidisciplinary Assn for Psychedelic Studies (MAPS), and a vaporizer company helped fund the project. This initial experiment showed that vaporized cannabis contained ample active ingredients, including THC, cannabidiol, and cannabinol, and little else.

Troublesome substances that appeared in smoke were essentially absent from the vapor. In 2006, Arno Hazekamp and his team at Leiden University, the Netherlands showed comparable results in a paper in *Journal of Pharmaceutical Science*. The following year, Don Abrams of UCSF and his team published an experiment that actually used the vaporizer with real live humans. Much to the surprise of many, this research was funded by the National Institute of Health.

Compared to smoking a joint, the vaporizer created comparable levels of THC in the blood but dramatically less carbon monoxide in the lungs. Researchers at an SUNY-Albany lab published the results of a large survey funded by MPP revealing that vaporizer users reported significantly

fewer respiratory symptoms than folks who smoked comparable amounts of cannabis (harmreductionjournal.com/content/4/1/11). These results didn't prove that the vaporizer actually decreased symptoms; the users might have had fewer symptoms for some other reason. Nevertheless, they looked promising.



The next step was to give people vaporizers to see if their lungs improved. Researchers did just that for a new paper, "Case Studies in Cannabis Vaporization," that will appear later this year in *Addiction Research and Theory*. Thanks to a grant from MPP, people with respiratory symptoms received vaporizers. Although this preliminary work focused on only four participants, a month of vaporizer use decreased respiratory symptoms at least 25 percent. In addition, two measures of lung function also improved. The total amount of air that these participants could hold in their lungs increased between two and seven percent. The amount of air they could expel in one second, another good measure of lung health, increased between seven and 10 percent. These are some of the most promising results to date in support of cannabis vaporizers, and they confirm what readers already know: Adults can use the plant with a low risk of negative consequences.

* Earleywine is Associate Professor of Psychology at the University at Albany, State University of New York and the author of "Understanding Marijuana" and "The Parents' Guide to Marijuana"

POW updates: Hayes home, Foster fights on

By Mikki Norris West Coast Leaf

Thanks to the hard work and support of activists and organizations like Sonoma Alliance for Medical Marijuana and Americans for Safe Access, the Sonoma County DA has dropped all charges against Will Foster related to his arrest for his medical marijuana cultivation. However, he is still being held in County jail, where he's been for over a year.

Foster is a medical marijuana patient who was originally sentenced to 93 years in Oklahoma for a small marijuana grow. Due to strong public support, his sentence was reduced to 20 years, and he got out on parole after four and a half. Following his 2001 release, Foster moved to California, where he completed and was released from state supervision. However, Oklahoma issued a warrant to get him back to serve more time for a supposed mistake they made calculating the length of his parole.

The issue of whether Oklahoma can

extradite him back to finish his parole is still pending. Foster once again needs letters of support written to OK Gov. Henry and CA Gov. Schwarzenegger urging them to commute his sentence and free him. For info, see medicalmarijuanaofamerica.com.

Ken Hayes, pictured below at the May 2 San Francisco Cannabis Freedom Day POW exhibit, returned to Northern Cal after negotiating a plea agreement with federal prosecutors. He was charged in the Ed Rosenthal medical marijuana case and expatriated for several years.



Activity of internal receptors sparks new understanding of how medi-cannabis works

The Lab Bench

By Jahan Marcu West Coast Leaf

Marijuana has been considered medicine for centuries. Today there is a fast-growing interest in developing ingredients from the plant into new, marketable, medicines. However, single ingredients cannabinoids from the plant itself activate the Cannabinoid Type 1 Receptor (CB1R) and Type 2 Receptor (CB2R), are just starting to be explored in clinical research [1]. Researchers are using various ways to exploit these receptors through the development of: agonists, things that activate CB1 antagonists, things that block the receptor, drugs that target CB1 receptors in specific parts of the body, and combination therapies.

Brief history of cannabinoid receptor agonists

A synthetic version of THC, Cesamet, was licensed in 1981 for treating symptoms of chemotherapy. It activates both the CB1R and CB2R. Synthetic plant Δ9-THC is also licensed as a medicine under Marinol or dronabinol. Marinol first began as an anti-emetic and was later re-introduced as an appetite stimulant. Sativex was marketed in 2005 for the symptomatic relief of multiple sclerosis and cancer in adults. It is an extract containing equal amounts of THC and CBD--Cannabidiol. CBD prevents side effects from THC activating the CB1R and CB2R. Interesting to note is that it is cur-

rently unknown what receptor CBD uses.

The only CB1R antagonist to have been licensed is the drug Rimonabant, but it was recently pulled from the European market due to safety concerns. Apparently, it causes the opposite effects of THC. Specifically, it increased cases of depression and suicidal thoughts in patients. This has deterred some companies from researching cannabis. A true antagonist should only block the effects of the cannabinoids; however this compound displays the behavior of what scientists call an inverse agonist. This means it blocks the receptor and causes the opposite effects of a molecule like THC. This was known over ten years ago, yet it was largely overlooked [2]. There is also a natural CB1R antagonist, tetrahydrocannabivarin (THCV). It would be very interesting to compare the effects of THCV and Rimonabant in an obesity clinical trial.

Activating cannabinoid receptors in different parts of the body

When we experience chronic pain our bodies respond by increasing the number of cannabinoid receptors in that area. The more CB1Rs, the more effect THC has. The theory is that THC is more effective in patients with chronic pain because there are more CB1Rs available [3].

Combination therapies

Combination therapies can increase the efficiency of medicines. THC may act synergistically with morphine. In one study, a cannabis extract greatly reduced the amount of morphine needed to treat chronic intestinal pain and inflammation [4]. Also, a combo therapy can mean using different methods of drug delivery together, such as using a patch-and-pill combo treatment.

Summary

It is quite clear that there is a growing body of preclinical research that supports using cannabinoid medicines. In order to determine the most efficient way to use these compounds more clinical trials need to be done. Promising medicines have sat on laboratory benches for over 50 years; hopefully it won't take a full century until more of these amazing compounds are used in the hospital or clinic.

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4. Holdcroft, A., et al., Pain relief with oral cannabinoids in familial Mediterranean fever. *Anaesthesia*, 1997. 52(5): p. 483-6.
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Reps Frank, Paul introduce bipartisan federal bill for industrial hemp

NATURE'S ECONOMIC ENGINE — Industrial hemp was the farm crop that kept commerce running for thousands of years, and offers new hope for sustainable future economic development. This loom and spinning equipment are on display at the Cannabis Gallery associated with the Hash, Marihuana, and Hemp Museum in Amsterdam, located in the old Red Light district.
Photo courtesy of the Cannabis Gallery

Continued from page 1
farmers, including many who are struggling to make ends meet, from competing in the global industrial hemp market,” said Paul during his introduction of HR 1866 before the US House.

“Indeed, the founders of our nation, some of whom grew hemp, would surely find that federal restrictions on farmers growing a safe and profitable crop on their own land are inconsistent with the constitutional guarantee of a limited, restrained federal government. Therefore, I urge my colleagues to stand up for American farmers and co-sponsor the Industrial Hemp Farming Act,” concluded Paul.

“With so much discussion lately in the media about drug policy, it is surprising that the tragedy of American hemp farming hasn’t come up as a ‘no-brainer’ for reform,” says Vote Hemp President Eric Steenstra. “Hemp is a versatile, environmentally-friendly crop that has not been grown here for over 50 years because of a politicized interpretation of the nation’s drug laws by the DEA.

“President Obama should direct the DEA to stop confusing industrial hemp with its genetically distinct cousin, marijuana. While the new bill in Congress is a welcome step, the industry is hopeful that Obama will prioritize hemp’s benefits to farmers. Jobs would be created overnight, as there are numerous US companies that now have no choice but to import hemp raw materials worth many millions of dollars per year,” adds Steenstra.

US companies that manufacture or sell products made with hemp include Dr. Bronner’s Magic Soaps, a California company that manufactures the number-one-selling natural soap, and FlexForm Technologies, an Indiana company whose natural fiber materials are used in over two million cars on the road today. Hemp food

manufacturers, such as French Meadow Bakery, Hempzels, Living Harvest, Nature’s Path and Nutiva, now make their products from Canadian hemp. Although hemp still grows wild across America, a vestige of centuries of hemp farming here, hemp for use in products must be imported. Hemp clothing is made around the world by well-known brands such as Patagonia, Bono’s Edun and Giorgio Armani.

There is strong support among key national organizations for a change in the federal government’s position on hemp. The National Assn. of State Depts of Agriculture (NASDA) “supports revisions to the federal rules and regulations authorizing commercial production of industrial hemp.” The National Conference of State Legislatures (NCSL) has also passed a pro-hemp resolution.

Numerous individual states have expressed interest in and support for industrial hemp as well. Sixteen states have passed pro-hemp legislation, and eight (Hawaii, Kentucky, Maine, Maryland, Montana, North Dakota, Vermont and West Virginia) have removed barriers to its production or research (VoteHemp.com). North Dakota has been issuing state licenses to farmers for two years. The new bill will remove federal barriers and allow laws in these states regulating the growing and processing of hemp to take effect.

“Under the current national drug control policy, industrial hemp can be imported, but it can’t be grown by American farmers,” says Steenstra. “The DEA has taken the Controlled Substances Act’s antiquated definition of marijuana out of context and used it as an excuse to ban industrial hemp farming. HR 1866 will return us to more rational times when the government regulated cannabis, but allowed farmers to continue raising industrial hemp just as they always had.”

Oakland officials hope cannabis will be a good economic medicine, too

By F. Matt Hummel Oaksterdam University

The Oakland City Council unanimously declared an economic emergency April 21, a necessary step to put a new medical cannabis tax on the ballot. A special election is planned for July 21. The measure, if successful, would go into effect on Jan. 1, 2010.

“The new city tax on cannabis could generate at least \$400,000 and possibly up to \$1 million annually,” said Rebecca Kaplan, the Oakland City Council member who pushed the proposal. The city is looking at an \$83 million shortfall in a \$455 million budget. No formal opposition has formed against the new tax, and medical cannabis advocates are confident voters will approve it.

A “Cannabis business” is defined as “business activity including, but not limited to, planting, cultivation, harvesting, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, wholesale, and/or retail sales of marijuana, any plant Cannabis Sativa L. or its derivatives.” Currently, cannabis businesses are taxed under the retail business tax classification at a rate of \$1.20 per \$1,000 of gross receipts. Under

the new plan, cannabis businesses will be levied \$18 per \$1,000 of gross receipts.

The owners and managers of Oakland’s four medical cannabis dispensaries approached the city with the idea of the new taxes. “We wanted to further legitimize the medical cannabis industry, and to show that we are truly willing to assist Oakland and to let other cities see the positive influence cannabis dispensaries can have on the local fiscal budget,” said Keith Stephenson, executive director of Purple Heart Patient Center.

When asked about the effect of the new tax on patients, Richard Lee, the founder of Oaksterdam University, said that he believes that it would further legitimize dispensaries and, in time, more dispensaries will be able to open up and the price of medicine will go down.

In 1996, Oakland citizens passed Prop 215, allowing medical cannabis, with 79 percent in favor. In 2004, Oakland voters passed Measure Z with 65 percent in favor. It made cannabis the lowest law enforcement priority, tolerates private adult sales and production, and promotes state legislation enabling the local option to tax and regulate adult consumption.

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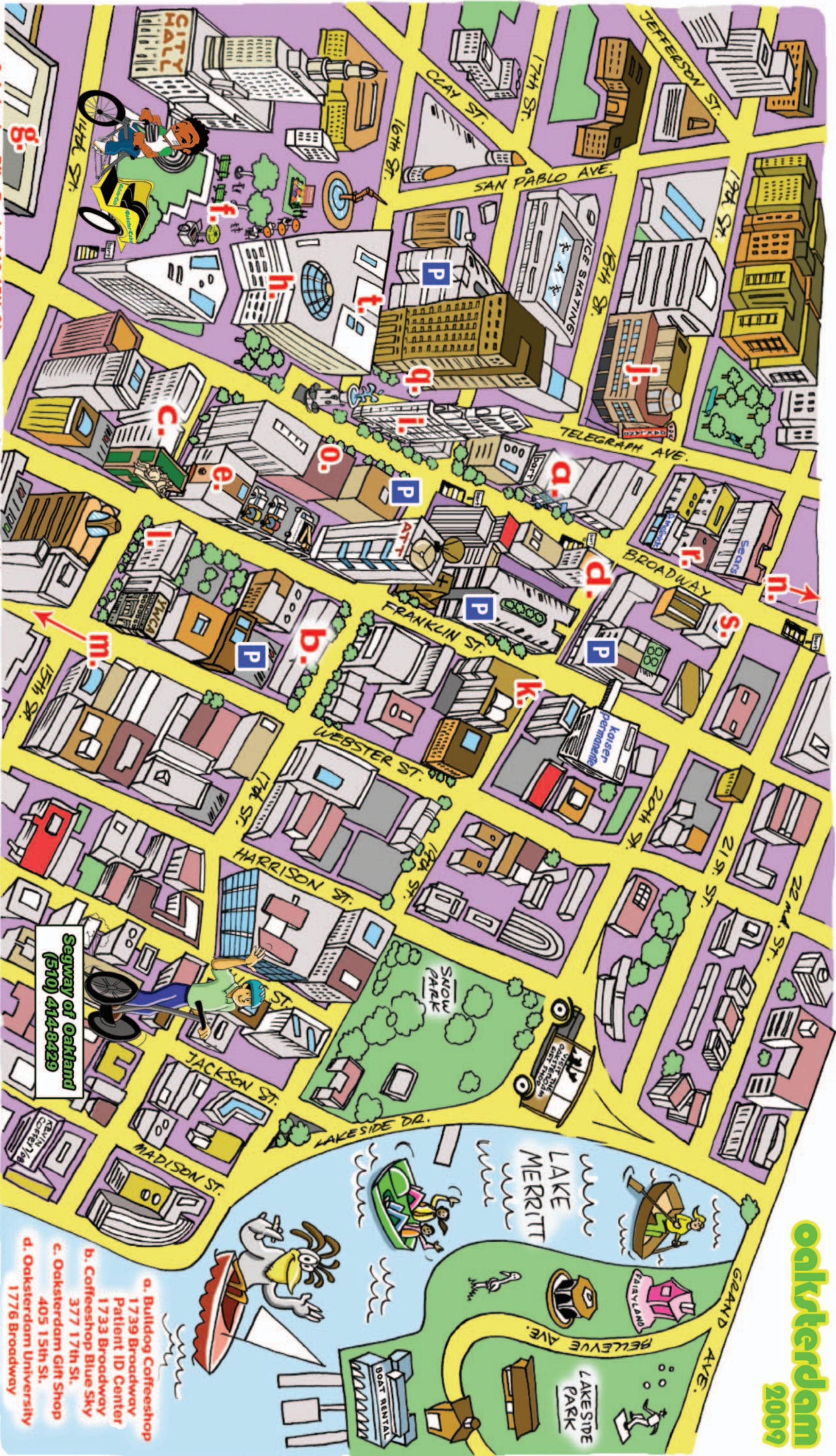
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Get in shape for the summer

By Samuel Janovici West Coast Leaf

Summer is a time to set in practice everything outdoor growers have learned.

Having chosen the right location, discovered and planted the best breed and

strain available, picked a great growth medium, and fed the girls properly, it's time to sex the plants.

Indoors or out, shortening the photoperiod triggers cannabis to flower.



Humates stimulate healthier garden growth in a natural way

By Lindsey Walls

Every patient intuitively knows the value of using cannabis that is grown with fewer chemicals and is free of bacterial and fungal contamination. Every grower should be aware of the need to provide quality, healthy plants for the market. In its effort to provide viable earth friendly green methods for growing healthier plants, Humate Supreme Inc. has developed a plant food tablet backed by 40-plus years of research in humates and humic acids in all types of eco-friendly growing applications.

Humates are the end result of decayed prehistoric vegetation; organic matter in its purest most concentrated form, generally rich in humic acids, and is infused with natural life sustaining minerals. Research has shown that humates with the ideal balance of humic acids, minerals and NPK consistently produce healthier plants with stronger root systems that are more naturally resistant to disease, fungus, bacteria, drought and frost.

Humic acid can quicken seed germination and root development, accelerating plant growth at all stages, resulting in shorter grow cycles.

Humate Supreme™ Formula CNB-Plus plant food tablets is an organic product that provides a full range of nutrients readily absorbed by plant roots. Humates, humic acids and micronutrients in the formula work synergistically with minimal amounts of NPK for increased production and healthier, fuller plants.

The tablets are very eco-friendly, replenishing the soil with beneficial nutrients required for a healthy eco-system within the plant root zone, resulting in

improved crop production and quality.

The mission at Humate Supreme Inc., is to make products that benefit the earth, the plants, the growers and in the end, the consumer. Humate Supreme Inc. welcomes all inquiries and is open to dealers interested in handling their organic humate based products.

For info, see humatesupreme.com.

The summer solstice is when outdoor plants begin to signal their intentions. Pre-flowering occurs in the first four to six weeks and males may be spotted at the node between the stipule and the branch. Keep a watchful eye. Female pistillate flowers have a teardrop shaped calyx with two thin, white stigmas protruding; males staminate flowers form small, bead-like structures that grow out from the stem. As plants enter the flowering cycle, look for asymmetrical branch and node growth to replace the prior symmetrical development. It signals the beginning of the budding season.

Remove males as soon as possible to prevent seeding. Starting from clones assures early females, but stress can turn them into hermaphrodites. Plants require different nutrients as they enter this flowering stage; phosphorous and potassium should be added to support healthy bud production. Nutrients affect bouquet and flavor, and late in the bloom cycle very high nutrient levels can leave a chemical taste. Balancing nutrients and pH levels helps insure good flavor and a healthy harvest.

Hopefully, the plants are pruned and shaped so they can bear the weight of the buds that will come. Structure and form is the matrix upon which we will hang the fruit of our labor and all our hopes of a good autumn harvest.

Good pruning will allow light to enter into the plant itself, giving more energy to ancillary growth points that can sprout worthwhile buds. Spreading the branches by using stakes and wire can open up the canopy. Some recommend using small stones to weigh down some of the lower



FIT AND TRIM — Indoors or out, pruning and spreading techniques expand the plant's canopy, allow better light penetration, and improve air circulation. West Coast Leaf photos

stalks, which allows vertical branching to become horizontal and increases their access to strong light — buds should sprout up along those boughs. Others use a thick-gauge wire to wrap and turn a limb in a desired direction that allows a maximum amount of light to drench each plant. Try experimenting with new techniques to expand your horizons and skill levels.

Indoor growing is a microcosm that mirrors the outdoors, only we control the environment at all possible levels. Due diligence and a watchful eye for details pay off in the end. To assure quality and continuity I suggest clones for indoor starts. Sexing and flowering rules apply here, too. For best results watch for mold, disease and pests, and apply the best possible practices of cleanliness.

Pruning is a vital step towards maximizing quantity and proper air circulation, which reduces the chance of mold and disease, and increase the depth that light can penetrate into the crop.

Remember to take any and all possible security precautions — be safe out there.

State, national polls make shift toward reform

Continued from page 1

that he did not support immediately ending prohibition, he did not rule it out.

"I think it's time for a debate," Schwarzenegger said. "I think all of those ideas of creating extra revenues, I'm always for an open debate on it."

A national poll conducted by Zogby International found that 52 percent of American voters support making cannabis legal. The poll, commissioned by the conservative O'Leary Report, used one of the largest sample sizes of any national poll on this issue, at a margin of error of only +/- 1.6 percent.

This is the first time in the history of modern polling that support for ending cannabis prohibition has enjoyed majority support. While acknowledging the significant work that remains to be done, reform advocates consider these new polling figures a sign of the beginning of the sea change that will lead to a post-prohibition era America.

hibition era America.

"Voters are coming to realize that marijuana prohibition gives us the worst of all possible worlds -- a drug that's widely available but totally unregulated, whose producers and sellers pay no taxes but whose profits often support murderous drug cartels," said Rob Kampia, executive director of the Marijuana Policy Project in Washington, DC. "The public is way ahead of the politicians on this."

Specifically, there is hope in California that rising public support will give AB 390 — Assemblyman Tom Ammiano's (D-San Francisco) state legislation that would replace marijuana prohibition with a system of regulation and taxation — the boost it needs to advance. Ammiano was able to defer any vote on the bill until next year in order to allow for more time to build support in the capitol.

Supreme Court upholds 215

Continued from page 1

against Solano County for refusing to implement the ID card program. "This decision and our lawsuit against Solano will undoubtedly have an impact on the other counties that have failed to implement the ID card program," continued Elford. ASA has given notice to all 10 counties (Mariposa, Colusa, Madera, Modoc, Mono, San Bernardino, San Diego, Stanislaus, Solano, and Sutter) of their obligation to implement the ID card program.



Joe Elford, ASA Legal Counsel

The San Diego case was preceded by another landmark California case, *City of Garden Grove v. Superior Court (Kha)*, which also involved preemption. In that case, both lower courts similarly found that state law was not preempted by federal law and that "it is not the job of the local police to enforce the federal drug laws." The defendant in that case, patient Felix Kha, was also represented by ASA. Advocates argue that it was, in part, *Kha* that compelled Attorney General Jerry Brown to issue enforcement guidelines last August. ASA is seeking attorneys' fees in the *Kha* case.

ASA worked with the ACLU Drug Law Reform Project to litigate the San Diego case, with both organizations on the side of the California Attorney General defending the state's medical cannabis law.

The County of San Bernardino joined San Diego County in its original lawsuit and the subsequent appeals. The ID card program was adopted in 2004, resulting from the legislature's passage of SB 420, the Medical Marijuana Program Act.

The ID cards, when properly implemented, assist law enforcement and afford greater protection to patients.

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'SAFER Campuses' campaign launched

By Kacy DeNolf [SAFER safercampuses.org](http://SAFER.safercampuses.org)

Would college campuses and surrounding communities be safer if students were able to more freely use cannabis instead of alcohol when they party?

The Denver-based reform group Safer Alternative For Enjoyable Recreation (SAFER) believes they would, and it recently unveiled a new campaign to press that question into the national debate on college drinking. The *SAFER Campuses Initiative* is sparking discussion about the relative safety of cannabis compared to alcohol, and the insanity of laws and policies that steer students toward drinking and away from making the safer choice.

The centerpiece of the campaign, the *Emerald Initiative*, is SAFER's response to the *Amethyst Initiative*, a highly publicized call for "informed and dispassionate public debate" on whether lowering the legal drinking age could curb dangerous drinking among college students. It has been endorsed by more than 130 college presidents and chancellors around the nation, and SAFER is now calling on these same university leaders to endorse a similar statement in support of "informed and dispassionate public debate" on whether allowing students to use cannabis more freely could reduce dangerous drinking on and around college campuses.

"The mission of the Emerald Initiative is to broaden the discussion on college drinking so that we do not simply debate how to get students to drink responsibly, but also have an intelligent dialogue about the benefits of encouraging them to 'party responsibly,'" wrote SAFER Executive Director Mason Tvert in a letter delivered to the signatories of the Amethyst Initiative. "Would it be more effective, we ask, to provide students with an alternative to alcohol instead of just encouraging them to use less when they drink?"

As college presidents nationwide were

receiving information on the Emerald Initiative, students at Purdue University and the U of Arkansas became the latest to adopt SAFER referendums, calling on their schools to reduce university penalties for cannabis use so that they are no greater



U of Arkansas became the latest to adopt a SAFER Emerald Initiative referendum.

than those for alcohol use. SAFER worked closely with campus NORML chapters on the campaigns, and chapter leaders have already engaged in promising meetings with administrators regarding potential changes to campus policies. Students at 13 colleges nationwide have now adopted SAFER measures, including at least five of the 15 largest in the nation.

There are also signs the SAFER campus movement is becoming a viable part of the national debate on college drinking. Late this spring, SAFER helped organize and participated in a high-profile event at the University of Kansas, the site of a recent student alcohol overdose death, where Tvert sat on a panel regarding binge drinking and the latest efforts to address it, which also included an administrator, a substance abuse researcher, a campus police representative, and an alcohol industry lobbyist.

"Members of the audience and the panel were perplexed by my question at first," Tvert said. "But within a half hour, many were asking themselves and the panel, 'Why aren't we allowing students to make the safer choice?'"

MCSC navigates complex issues to establish cannabis safety principles

By Mickey Martin MCSC

The Medical Cannabis Safety Council (MCSC) is embarking on several projects aimed at moving the industry towards best practices, safer medicines, and regulatory compliance.

This effort hopes to provide medical cannabis patients and providers with recommendations on how to best produce, dispense, and use cannabis medicines safely. As our community comes to the forefront of the social and political landscape it is necessary that we be prepared for imminent regulations and begin developing self-regulatory practices that make sense.

Providers have an obligation to ensure that the medicines patients use are of the highest quality and meet safety standards to ensure they cause no harm. Standardizing methods of safe handling, quality control, and proper nomenclature will ensure that the medicine supply is handled, inspected, and referenced professionally. Educating the community on these best practices is imperative, as producers, dispensers, and patients all should know the best practices for providing and using cannabis medicines. Developing a simple system of self-regulation will help to mediate at regulatory levels and provide assurances that the medicine supply is produced and handled safely at every juncture of the supply chain.

Providers must also look at what people can do to ensure that communities are safe. Medical cannabis providers and patients are not immune to crime and developing standards and practices that prevent unnecessary danger is our duty. Developing systems of good public relations allows others to understand more

clearly that cannabis is safe and that patient collectives are good neighbors by understanding the existing laws and abiding by them accordingly. As communities begin to look more closely at regulating cannabis, it is important to be a part of that process. We are our community and we should choose to take a lead in ensuring that the medical cannabis movement is as a safe and viable partner in the community.

Safety standards are also needed to help make sure that dispensing collectives, medicine production areas, and patient use practices are in compliance with current or future laws.

Understanding more clearly the regulations that differ from state to state and from city to city will help providers and patients to operate more safely. Developing safe and clear accounting and business prac-

Montana reforms slog through legislative logjam

Montana Cannabis NewsService® — The 2009 session of the biennial Montana Legislature ended in April with more cannabis-related legislation than all the state's prior sessions combined. Yet, while marijuana policy remained fundamentally unchanged, but reform advocates scored a series of achievements they say have paved the way to future successes.

"We actually exceeded our goals," said Tom Daubert, founder and director of Patients and Families United (PFU), which spearheaded most of the reform activity. Seven cannabis-related measures were introduced during the 90-day session, most brought by PFU and its statewide network killed two bills brought by opponents of medical marijuana.

"We killed the draconian proposals and kept progressive reform bills moving through the process in a highly visible, positive light throughout the session."

Our ambitious medical bill almost passed, going much further than we thought it could," and, the Legislature did approve overwhelmingly a "joint" resolution calling on the state's Congressional delegation to cosponsor and promote legalization of industrial hemp production.

Meanwhile, the first proposal in more than 25 years to decriminalize possession of up to one ounce of marijuana deadlocked in a House committee with no Republican support. Angela Goodhope, director of Citizens for Responsible Crime Policy, said the bill might have passed except for the fact that last year's elections produced a partisan deadlock. "With all its committees containing equal numbers of Republicans and Democrats, the House became a 'killing field' for virtually every bill containing controversy.

The PFU packed the capitol's grand rotunda at an all-day event with exhibits and information about medical marijuana, cannabis prohibition, and hemp. Displays included legal, flowering cannabis plants, whose fragrance literally filled the capitol building. Many legislators had never before seen a cannabis plant or flower in person. PFU brought speakers like retired Denver cop Tony Ryan of LEAP, Dr. Edwin Stickney, past president of the Montana Medical Assn. and others to meet with legislators and the Attorney General. The next day, the Senate passed PFU's bill by a single vote, but it went on to deadlock in the House. For more info, see mtpfu.org.

Michigan medi-cannabis law gains traction

By Matthew Abel NORML Legal Committee

The Michigan Medical Marihuana Act took effect Dec. 4, and the first patient and caregiver cards were issued April 20, 2009. There are now hundreds of registered patients. Compassion clubs are forming throughout the state.

Nonetheless, law enforcement still too often takes an aggressive attitude toward patients, rather than working within the spirit of the law. In one case, a search warrant was issued for a patient in a rural county. When raided, he was within the required limits, but is still being prosecuted for growing outdoors, even though the law does not prohibit that. Law enforcement is

claiming his six foot tall, padlocked, chain-link fence, covered in black plastic (without a roof), is not a secure area. Seems that a simple conversation could have avoided a lot of legal expense for everyone.

Cases have been dismissed, but some are being appealed by county prosecutors. The MMMA allows an affirmative defense to medical use that is quite broad, but many judges, prosecutors and defense lawyers are not familiar with the new law.

Doctors will be appearing in court in at least two upcoming cases, as the courts begin considering the affirmative defense.

Michigan's act provides protection for visiting patients, and the summer weather and water are very nice, so it's a great time to visit! (Maybe you can buy a new car while you're here.) There is no protection from wrongful discharge from employment or for patients on probation or parole. Those issues still need to be worked out.

A NORML chapter is forming in the Upper Peninsula for the first time, and a Medical Marihuana Symposium is being organized for September including medical, legal and political panelists.

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tices for providers will help avoid confusion and legal issues in the future. Sound organizational structure models will help to better organize and create a more unified front for safe practices.

The MCSC hopes to develop panels of community leaders to help shape a sound, well-thought-out approach to self-regulation and product safety.

If you have valuable input to add to this project, please contact the MCSC staff at contact@cannabissafety.com. There are committee meetings and project review meetings where participants can share their ideas with the group.

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WEST COAST LEAF

Editorials and Commentary

No UN permission-slip required

The publishers of *West Coast Leaf* were pleased and excited to have an opportunity in March to attend the United Nations 52nd Session Commission on Narcotic Drugs and its high-level segment in Vienna, Austria. We were among its first-ever non-government participants. It was in effect the culmination of a project we began in 1995 with Virginia Resner, *Human Rights and the Drug War*. So it was an honor to sit in those exalted chambers and hear Executive Director of the UN Office on Drugs and Crime (UNODC), Antonio Maria Costa being forced to speak of the need for Human Rights in drug policy.

We were also filled with pride and inspiration to be in the room when Bolivian President Evo Morales defied the UNODC March 11 and chewed a coca leaf in front of the world body. A roar of applause greeted his action as he told the UN that coca is part and parcel of the culture of Bolivia; *we can prevent cocaine trafficking*, he told the conferees, *but we cannot do away with coca leaf and coca chewing*. That gave us hope for a day when we will see a world leader do something similar with a cannabis cigarette or a vaporizer.

However, the overall impression we carried away was that America cannot wait for a permission slip from the UN to make its way out of the labyrinthine morass of marijuana prohibition. The answer is far too simple to wait for Costa to see the light: Legalize adult cultivation and use of cannabis, then tax and regulate the commercial market.

We also came away assured that California and other states are on the right path by taking the medical approach to cannabis, which is clearly allowed by international law; as is industrial hemp. The next wave is to treat legalization itself as a scientific research project — also allowed by the *Convention*. By far the easiest route is merely to ignore the treaties, as the US has done to so many others. In no case, however, should Americans allow the albatross of the international Drug War to hold us back.

Obama should take cannabis seriously

It was one of those awkward Barack Obama moments, when he tries to use humor to defuse a situation and it goes sour. It came at a March 26 online town hall, when he said “I have to say that there was one question that was voted on that ranked fairly high, and that was whether legalizing marijuana would improve the economy and job creation. ... uh ... I don’t know what this says about the online audience,” he quipped. “The answer is, no, I don’t think that is a good strategy to grow our economy.” Such an abrupt brush off from a man known for his thoughtful approach to issues. How rude from a statesman who has reached out to show respect to political opponents at home and to cultures and governments around the world. Where is that same respect for the values and sensibilities of his friends and strongest base of political supporters: online activists who believed in him from the beginning, raised money for him by the millions, and may very well have put him in office? He ought not to laugh them off and dismiss their political cause.

While there is a certain logic to the notion that this President has limited political resources and bigger fish to fry, marijuana prohibition is no laughing matter. It deserves serious attention and prompt action. There are few social ills that are easier to end: Obama can order the DEA to stop its dispensary raids, move cannabis down the scheduling chain, respect States Rights on cannabis laws, and drop federal charges against all cannabis providers with a medical defense under state law. He could initiate an amnesty program for federal cannabis POWs. It would take only a few minutes of the President’s time; but every day he waits, another 2391 Americans are arrested for marijuana. His few minutes could mean 10 years each to Bryan Epis, Eddy Lepp and others. It’s that serious.

Marijuana Tax Act

The *Marijuana Tax Act of 1937* was a fraud designed to look like a tax, but to be in effect a ban; yet it remained in force for 32 years before the US Supreme Court overturned it in the landmark 1969 case *Timothy Leary v USA*. It’s now been 40 years since the MTA was killed — longer than the amount of time the law was actually on the books. Yet the fraud goes on.

Setting the record straight

Regarding the Spring 2009 issue of *West Coast Leaf*, Vol 2 No 1, the review ‘Two documentaries look at cannabis; mixed results’ was written by John Thomas Ellis. César Gaviria is former President of Colombia.

WEST COAST LEAF

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WestCoastLeaf.com • 510-215-TEAM (8326)
Vol 2 No 2. Print run: 115,000 copies.
Summer Issue. © 2009. All rights reserved.

Why cannabis should never have been made illegal in the first place

By Ethan Nadelmann
Executive director of the Drug Policy Alliance
Marijuana should never have been made illegal in the first place.

Ask why it was made illegal — by many state governments and the federal government during the first four decades of the past century — and the answer cannot be found in expert medical testimony or any objective assessment of the costs and benefits of prohibiting cannabis.

In many western states, it was simply a matter of prejudice against Mexican-Americans and Mexican migrants, with whom cannabis was popularly associated. Rancid tabloid journalism also played a role, as did Reefer Madness-like propaganda and legislative testimony.

We know the result. Cannabis became dramatically more popular after its prohibition than it ever was before. Over one hundred million Americans have tried it, including the three most recent occupants of the Oval Office. Billions, perhaps tens of billions, of dollars are spent and earned illegally on it each year. Cannabis is routinely described as the first, second or third most lucrative agricultural crop in many states. And taxpayers are obliged to spend billions of their own dollars each year in support of futile efforts to enforce an unenforceable prohibition.

Clearly cannabis prohibition is unique among American criminal laws. No other law is both enforced so widely and harshly yet deemed unnecessary by such a substantial portion of the populace. Police made roughly 800,000 arrests last year for possession of marijuana, typically tiny amounts. That’s almost the same number as are arrested each year for cocaine, heroin, methamphetamine, Ecstasy and all other drugs. Meanwhile recent polls show

that over 40 percent of Americans think that cannabis should be taxed and regulated like alcohol; and it’s closer to 50 percent among Democrats, independents, adults under age 30, and voters in a growing number of western states.

This is an issue on which politicians can be counted on to follow, not lead, public opinion. But some at last are saying publicly that legalizing cannabis needs to be on the table. For California Governor Schwarzenegger, it’s the prospect of new tax revenue and costs savings when the state’s budget deficit has never been larger. For Arizona Attorney General Terry Goodard and the City Council of El Paso, Texas, it’s the realization that legalizing cannabis would help reduce the violence and profits of Mexican drug gangs.

Others point to the fact that cannabis prohibition is a remarkable failure in the eyes and ways of young people. Over eighty percent of high school seniors say that cannabis is easy to obtain - and even easier to buy than alcohol. It’s hard to see how making cannabis legal for adults would make it any more available to young people than it is already.

Is marijuana addictive? Yes, it can be, in the sense that some people use it to excess, in ways that are problematic for themselves and those around them, and find it hard to stop. But cannabis may well be the *least* addictive and *least* damaging of all commonly used psychoactive drugs. Most people who smoke cannabis never become dependent. Withdrawal symptoms pale beside those of other drugs. No one has ever died from a cannabis overdose, which cannot be said of most other drugs. Cannabis is not associated with violent behavior and only minimally with reckless

Please turn to page 17

Time for Obama Administration to send Federal prosecutors and DEA a policy memo to end raids

By Allison Margolin criminal defense attorney
United States Attorney General (AG) Eric Holder Jr. said Feb. 25 that the Justice Department will not prosecute medical cannabis dispensaries that operate legally under state laws in California and 12 other states that have permitted the use of cannabis for medical purposes.

Thom Mrozek, a spokesman for the US attorney in Los Angeles, said the announcement reflects the status quo; the Justice Department is *already* focused on those operating in violation of state law.

While the Obama administration deserves praise for taking a stand against federal prosecutions of medical cannabis facilities, the DEA and US Attorney must be given more direction to ensure that the federal government stops prosecuting not just dispensary owners but those who grow cannabis for dispensaries and through collective cultivation projects.

When the US Attorney’s office said that Holder’s announcement reflects current policy, he was lying. While only a handful of dispensaries have been prosecuted, many, many more have been raided. The Feds have stolen tons of medicine from dispensaries and patients. The Feds have also prosecuted patients growing for themselves and other patients. Moreover, the threat of federal prosecution and the proliferation of raids have resulted in pandemonium among cannabis patients.

For cannabis patients and dispensaries to truly be free from the threat of the federal government, the prosecutors and DEA must be directed to not prosecute growers where there is evidence that the cultivation was done for the purpose of growing for a dispensary, or as a collective cultivation grow between patients.

The only way for this to happen is for Obama to appoint individuals to the DEA and US Attorney’s office who will implement this policy on a case-by-case basis. Cannabis patients and those who grow for them should be able to exercise their 10th amendment rights without fear of federal prosecution. Defendants in state court who have medical defenses should be able to call as witnesses dispensary owners without subjecting them to federal prosecution.

Beyond the change in policy, Congress and/or the AG must act to reschedule cannabis. The *Controlled Substances Act*, the federal law regulating cannabis and other drugs, currently lists cannabis as a Schedule I Substance, meaning that it has no medical use, and cannot be prescribed.

Until prosecutors stop using federal agents to prosecute those in compliance with state law, medical cannabis patients and those who provide for them will continue to operate in fear. Federal law mandates that those growing 100 plants or more face five years mandatory minimum in federal prison.

Thirteen states have authorized cannabis for medical purposes; yet those who grow for patients can and do go to federal prison for conduct their states have deemed legal. This has to stop. Not only do patients suffer, society suffers. How can citizens respect the laws of their country when they prohibit the very conduct their states authorize?

This is not just a marijuana issue. The continued prosecution of medical cannabis dispensaries and growers erodes the respect for the law that distinguishes a civilized society from anarchy.

* Adjunct Professor of Law at West LA Law School, “American Drug War: From marijuana to meth.” Margolin graduated Harvard Law School in 2002.

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Bad economy may be good for policy reform

Continued from page 1

marijuana policies. In a *Parade* magazine cover story, Virginia Senator Jim Webb made the direct connection between our drug laws and the extraordinary levels of incarceration in this country – 2.3 million Americans behind bars. Webb called for a Congressional commission to fix our prisons and reform our drug laws.

Our cannabis policies are the most egregious of those laws and the obvious place to start. The prohibition on pot caused the arrest of 870,000 Americans in 2007 – many of them young adults, 88 percent of them for simple possession. Marijuana arrests actually outnumbered arrests for all violent crimes combined.

Depending on where you live, a marijuana arrest will result in anything from a fine to years in prison. As many as 85,000 Americans were incarcerated for pot offenses in 2007 while hundreds of thousands more lost jobs, federal student loans, public housing, food stamps, and welfare benefits. Parents lost custody of their children. Cars, houses, and bank accounts were seized without trial.

All this to maintain the prohibition of a drug widely understood to pose far fewer health risks than cigarettes or alcohol. A drug already sampled by 42 percent of Americans. Our current approach is a colossal waste of lives and scarce law enforcement resources.

No wonder so many are ready to end pot prohibition. According to an ABC News/ Washington Post poll, 46 percent of Americans now favor legalizing small amounts of cannabis for personal use, more than double the level only 12 years ago. Californians are even more deter-

mined to change direction. A statewide Field poll showed a whopping 56 percent expressed support for legalizing and taxing cannabis. In February, California Assembly Member Tom Ammiano made history by introducing a bill to do just that – tax and regulate pot like alcohol. The bill will be debated in the California Assembly early next year.

Where did all this momentum for debate and change come from? A lot of it, of course, is related to the economy and to the economics of pot. The financial meltdown has brought severe budget cuts and a thirst for new sources of revenue. As America's top cash crop, cannabis already plays a huge role in the national economy. Worth \$14 billion annually in California alone, pot is a revenue opportunity we can't afford to ignore any longer.

For the moment, a good chunk of that green is being ceded to increasingly violent criminal syndicates here and in Mexico. Brutal gangs are responsible for thousands of grizzly murders near the border in the last year alone. Bringing the massive cannabis market out of the shadows would remove criminal incentives and thereby reduce violence. An officially-sanctioned regulatory structure in the U.S. would do more to threaten the black market than anything else since pot was banned eighty plus years ago.

With the end of Alcohol Prohibition in 1933, America took the alcohol market back from gangster Al Capone. Now it's time for America to take the marijuana market back from the cartels.

Stephen Gutwillig is the California State Director of the Drug Policy Alliance (www.drugpolicy.org), the nation's leading organization working to promote alternatives to the failed war on drugs.

Cannabis ban was ill-conceived from the beginning

Continued from page 16

sexual behavior. And even heavy cannabis smokers smoke only a fraction of what cigarette addicts smoke. Lung cancers involving people who smoke marijuana but not tobacco are virtually nil.

It's no surprise that the Drug Enforcement Administration's own administrative law judge, Francis Young, came to the conclusion in 1988 that "marijuana may

well be the safest psychoactive substance commonly used in human history."

But when all is said and done, the principal, and most principled, argument in favor of ending marijuana prohibition is this: whether or not I or anyone else consume marijuana should be none of the government's business — so long as I'm not behind the wheel of a car or otherwise putting others at risk. It's time to get the government off my property and out of both my pockets and my body when it comes to marijuana. Enough is enough.

To contact your California State Assembly Member in support of AB 390

Please visit online at
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capwiz.com/norml2/issues/alert/?alertid=12758896.

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40 Years Ago: Timothy Leary v. US

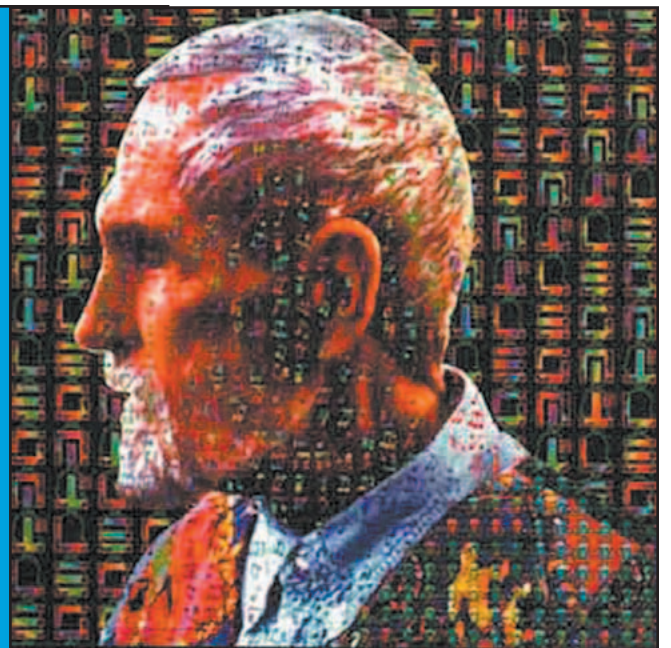
Decided May 19, 1969

Citations: 395 U.S. 6

On writ of certiorari to the
United States Court of
Appeals for the Fifth
Circuit

**Holding: The
Marijuana Tax Act
required self-
incrimination,
thus violating the
Fifth Amendment
of Constitution.
Leary's conviction
reversed.**

Image: Leary's face on
a blotter paper sheet



Mexican approach may cause as many problems as it solves

Continued from page 1

in order give federal law enforcement an opportunity to focus their limited resources on the cartels.

The reforms were welcome as a step in the right direction by Mexican drug policy activists, but criticized as "not realistic in terms of the drug market (for example, the initiative allows the consumer to have .5 grams of coke, when coke is sold on the streets by the gram), reason for which we can anticipate a significant increase in corruption and extortion of consumers by police forces." (See, statement issued by the Collective for an Integrated Drug Policy, at www.cupihd.org.)

Ethan Nadelmann, executive director of the Drug Policy Alliance said, "There is serious concern that law enforcement has lost the upper hand to gangsters, and the risk here is that the new law will give police all the more opportunity to go after low-level distributors and addicts who sell drugs to support their habits, while divert-

ing attention from serious violent criminals."

A few weeks later, on May 12, former Mexican President Vicente Fox made headlines when he brought up the topic of legalization. "I believe it's time to open the debate over legalizing drugs," he told CNN, stating that the US must join the discussion, and pointing to how the end of Prohibition in the US in 1933 lessened organized crime violence. An estimated 6,290 drug-related murders occurred last year in Mexico.

Fox echoed the call for legalization issued earlier in the year by his predecessor, Former Mexican President Ernesto Zedillo, and his colleagues, the former presidents of Brazil and Colombia.

The former heads of state are members of the Latin American Commission on Drugs and Democracy, which called for the decriminalization of cannabis for personal use in February.

See, www.drugsanddemocracy.org.

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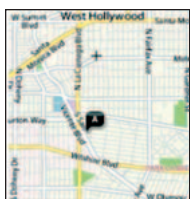
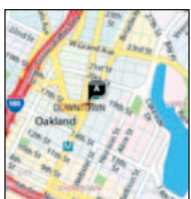


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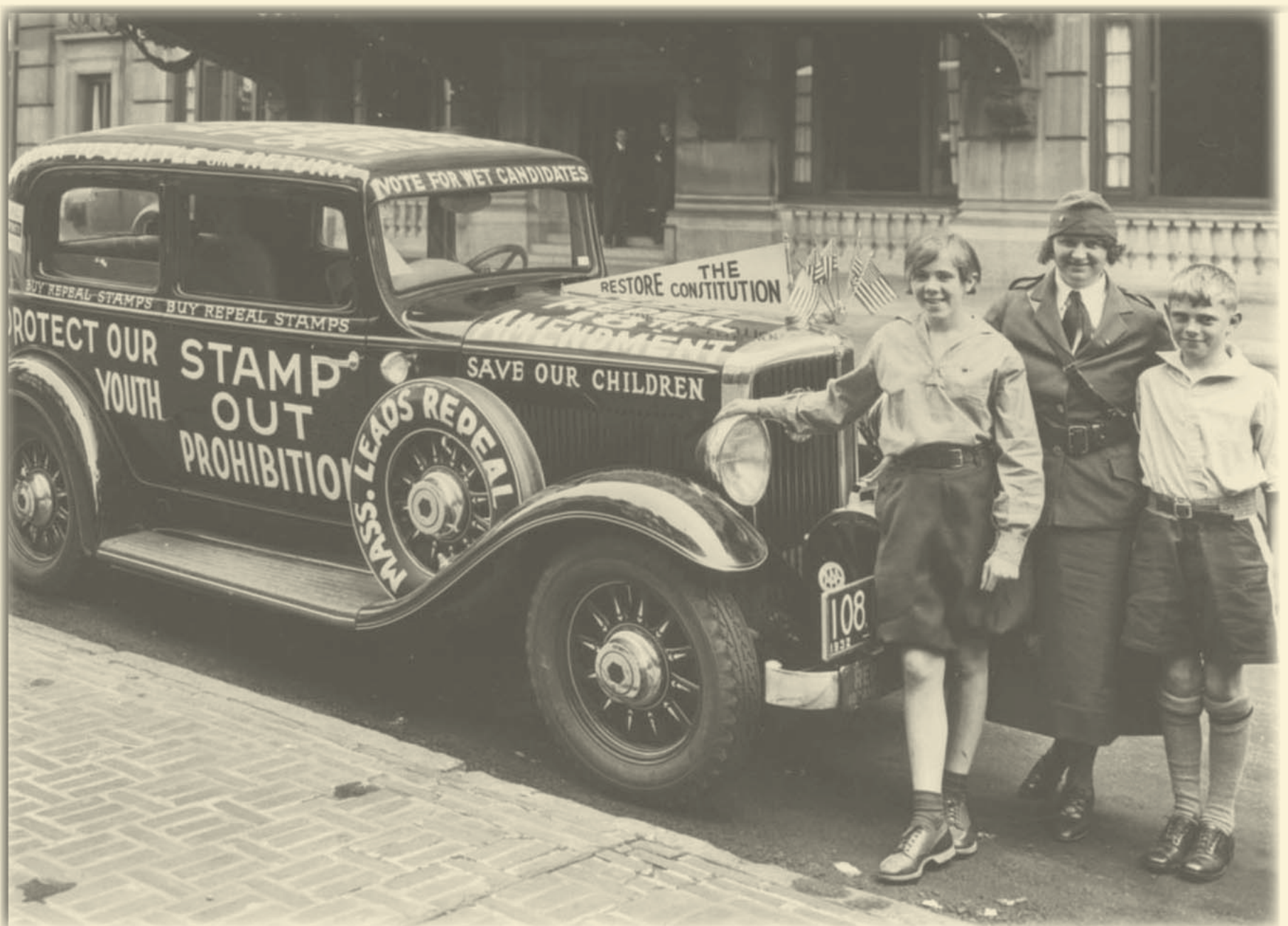
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National and International Reports

Dutch plan to reduce Amsterdam coffeeshops in city center

Threatening to close one-third of the cannabis coffee shops in the city's famous Red Light District, Amsterdam City Council is considering an urban renewal measure known as the Coalition Project 1012, named for the postal code in the center of the city. The goal is to 'clean up' the city's entryway around Dam Square and the Centraal Station. There are currently 226 coffeeshops in Amsterdam, down from a peak of 350. The plan will reduce the number in the Red Light district from 76 to 50, and bring the total number in the city down to 192. The project aims to gentrify the area and reduce the profile of organized crime.

Canada's Veterans Affairs coverage to include medi-cannabis

Canada's Medical Marijuana Access Regulations (MMAR) now allows military veterans using cannabis for medicinal purposes to have those expenses covered by Veterans Affairs Canada. Previously, the agency had refused payment for these kinds of expenses for veterans, although it covers other prescription drug expenses.

Bolivian Pres. Morales stuns UNODC by chewing coca leaf

Bolivian President and former *cocalero* Evo Morales stood before the international drug control conference, pulled out a coca leaf and declared that the plant was mistakenly included in the *Single Convention Treaty*.

Then he tucked it into his cheek and announced that his nation would not be enforcing the UN provisions against personal production of coca. The March 11 act stunned and electrified participants in the 52nd Session Commission on Narcotic Drugs and its high-level segment in Vienna, Austria, to layout a new 10-year drug control strategy. The UN Office on Drugs and Crime forced through a solid prohibitionist agenda and plan for the coming decade, however the presence of Non-Government Organizations in the process forced UNODC to give reference for the first time ever to the need for drug laws to comply with human rights protections. Nonetheless, UNODC director Costa cautioned the gathered national UN representatives that they should not accept the notion that some drugs can be legalized, taxed and regulated rather than being criminally prohibited.



Sumo wrestling champs found to enjoy the occasional phattie

The latest world championship athlete pot scandal to erupt is among Japan's sumo wrestling elite. By ancient tradition, the sumo's heavy championship belt is made of cannabis fiber; but it's flowers not fibers that have the athletic league in a knot. In recent months, four sumo wrestlers have been kicked out of the professional association for allegedly smoking cannabis in the biggest drugs-and-sports scandal Japan has faced. Three of the ejected wrestlers were from Russia; but the arrest of 25-year-old Japanese athlete Wakakirin for possession has raised concern that cannabis use may be fairly common among sumo. Cannabis use has been rising rapidly in Japan, despite a stiff punishment of up to five years in prison for possession.

US incarceration rate hits record high; half-million drug POWs

Justice Department's Bureau of Justice Statistics (BJS) reported in its latest survey of US jails and prisons that the number of people behind bars in the United States hit another all-time record. The BJS reports that there were almost 2.4 million people incarcerated in the US or one out of every 131 US residents on June 30, 2009. Over 1.4 million people were locked up in state prisons and another 200,000 in federal prisons. In addition, nearly 800,000 people were held in local jails. Although they do not breakdown the statistics by offenses, the BJS estimates the number of drug war POWs be approximately 550,000. A disproportionate number of the inmate population are African-American. Male black prisoners are incarcerated at a rate of more than six times that of whites and accounted for 37 percent of the male prison population, slightly down from the year before.

Superbowl MVP hit with a misdemeanor cannabis charge

Super Bowl Most Valuable Player, Santonio Holmes, who carried the Pittsburgh Steelers to an unprecedented sixth Super Bowl title in the title game against Arizona with his game-winning, tip-toe touchdown catch, had charges filed against him in May on a misdemeanor charge after an Oct. 23, 2008 traffic stop arrest. Pittsburgh police allegedly found cannabis in the National Football League player's vehicle. Steelers coach Mike Tomlin sidelined the receiver for a game in the wake of the incident. Holmes' attorney said he would challenge the constitutionality of the traffic stop, without elaborating further.



THINGS ARE LOOKING UP — Ben Dronkers, Joep Oomen (ENCOD), Freek Polak (Stichting Drugsbeleid) and Job Joris Arnold (Cannabis College). www.cannabistribunaal.org, www.cannabisbevrijdingsdag.org (Liberation Day), www.cannabiscollege.com

Cannabis Tribunal sparks coordinated action in Netherlands

By Derrick Bergman, GONZO Media

A two day Cannabis Tribunal, held in Holland's center of power, The Hague, has led to coordinated action to stop the dismantling of the world renowned coffeeshop system. A documentary on the Tribunal was presented May 8, followed by *Cannabis Liberation Day* on May 9 at Amsterdam's Museumplein.

The Cannabis Tribunal took place on Dec. 1-2, 2008 at Nieuwspoor, the Hague, around the corner from the Dutch parliament. Scientists, activists, entrepreneurs and a few politicians discussed the future of the liberal Dutch cannabis policy. This policy, started in 1976, has come under attack from right wing political parties. Since last year, the christian party CDA of prime minister Balkenende is calling for a closure of all coffeeshops. The Tribunal was organized by Amsterdam's Cannabis College and NGO's Stichting Drugsbeleid (foundation for drugpolicy) and ENCOD (European Coalition for just and effective drug policies). A reward of 200,000 euros was put up for anyone who could prove the central position of the Tribunal wrong: cannabis prohibition has more negative than positive effects. It came as no surprise that the prize wasn't awarded.

The most memorable moment of the conference was an unannounced appearance of professor Louk Hulsman (85), who laid the foundation for the tolerant Dutch drug policy in the seventies. His witty speech turned out to be his swan song: Hulsman died less than two months later.

He pointed out that drug use has never really been criminalized in the Netherlands: the government's main objective was to stop a big criminal market from establishing itself. Hulsman also explained that calling an activity criminal has nothing to do with the question whether that activity is good or bad. "It used to be criminal not to report Jews or to be homosexual." Other speakers included Ben Dronkers, Wernard Bruining and Freek Polak. After the hearings and a debate between CDA politician Cisca Joldersma and former police officer Hans van Duijn, Holland's main LEAP representative, a special law court issued their verdict: cannabis prohibition doesn't work and should be ended.

Apart from the almost non-existent coverage by mainstream media, the Tribunal was a great success. One of the results is the creation of a new umbrella organization, VOC, that has finally brought much needed unity and coordination within the Dutch cannabis scene. For the first time consumers, coffeeshop owners, activists and scientists have come together to fight the growing prohibitionist trend and save Holland's world famous coffeeshops. Two government studies are being carried out this year to evaluate the Dutch drug policy: the VOC will focus on providing media, politicians and researchers with honest information on cannabis, coffeeshops and effective, evidence-based drug policy. A documentary on the Cannabis Tribunal, including an extensive booklet, is an important tool.

Beckley Foundation issues Global Cannabis Comsn's report

By Amanda Fielding and Jonny Hazell

Beckley Foundation

With its inclusion in the 1961 *Single Convention on Narcotic Drugs*, cannabis became subject to international prohibition. At the time, it was seen as a dangerous drug, used in just a few producer nations and fringe groups in a few rich countries. The situation has since changed dramatically, yet cannabis is still subject to old prohibitive controls established 50 years ago which are now grossly out of step with today.

Amanda Fielding, director of the Beckley Foundation, commissioned a team of drug policy analysts to prepare a report on policies to control its use. Beckley is one of the UK's leading drug policy research organizations and advocates for evidence-based drug policies. The report was to provide evidence upon which a more just and effective approach could be written.

Health Effects: The greatest health-risk identified was the increased likelihood of traffic accidents while under the influence. As for mental health, the Commissioners concluded that cannabis is unlikely to cause serious psychiatric problems in people who do not have a pre-existing vulnerability. However, they felt this subject merited further research.

The other negative health effects identified, such as dependency and poor psychosocial development in younger users, could be remedied through better education on how the drug might be used rather

than misused, and a state-regulated system of supply with a minimum purchase age. Overall the evidence proved cannabis to be one of the least harmful social drugs; significantly less so than alcohol or tobacco.

Cannabis Markets and Control: Prohibition made cannabis the most widely used illegal drug and has led to significant hardship for those snared by law enforcement, including serious repercussions on jobs, accommodation and personal relationships. The ban has also enabled the growth of large-scale criminal markets and social disorder in certain producer countries.

Some countries have experimented with less punitive control than criminal penalties or are pursuing medical exceptions. Such approaches alleviate some of the social wreckage of cannabis criminalization and, importantly, do not lead to an increase in the use of cannabis. Indeed, all the evidence indicates that whether liberal or draconian, control policies have little impact on the level of use.

None of these changes address supply, the key issue for dismantling criminal markets. This can only be achieved through a system that legally regulates cannabis, to enable the application of strict market controls such as labeling and taxation, and implementation of a minimum age for purchase. However, no country can legally legislate such a system under the current international prohibition system. For the full report, see beckleyfoundation.org.



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Cannabis reforming at the international level

By **Amanda Fielding and Jonny Hazell**
Beckley Foundation

In accordance the with the UN drug conventions of 1961, 1971 and 1988, all signatories are required to make production, distribution, possession or purchase of cannabis “criminal offences under domestic law.” This language prevents forward thinking governments from taking control of the system of cannabis supply from its current criminal controllers.

In the *Beckley Report* (see p. 19), the commissioners considered many possible ways to change international law. Given the political realities of reforming international law, they identify the two most feasible paths forward as being for an individual country to denounce the international conventions and reaccede with a reservation on cannabis, or for a group of countries to get together and negotiate a new cannabis-specific convention.

Denunciation and Reaccession

When signing up to an international convention, it is possible to lodge a reservation against specific clauses that conflict with prevailing attitudes or behaviour in the relevant country. Switzerland and the Netherlands lodged reservations against provisions on criminalisation when ratifying the 1988 drugs convention. However, it is also possible for a country to denounce (withdraw from) a previously ratified

treaty, and reaccede to it with a reservation. This is the simplest path for an individual country looking to renegotiate its obligations under the international treaties.

That denunciation could be based on arguments of an ‘error’ in that, although harmful, cannabis is relatively less harmful than the other substances controlled by this treaty, and a ‘fundamental change of circumstances’ in that, since 1961, there has been a radical change in the prevalence of use and social acceptance of cannabis in a great range of societies.

Adopting a New Convention

If a group of countries were to work together to reform cannabis laws, a further option would be to adopt a new convention specific to cannabis. As this would be more recent and specific than previous drug-related conventions, it would have priority under international law. Careful export controls should be sufficient to ensure States respect their ‘mutual rights and obligations’ to non-subscribers.

Such a treaty could be modelled on the convention on tobacco, and include guidance on implementing a regulated availability regime. The Beckley Foundation commissioned such a convention, as an integral part of its advocacy engagement with governments. We are now working closely with officials in Mexico and Brazil. For details, see beckleyfoundation.org.



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Panel could be redux of 1972 Shafer Comsn.

Continued from page 1

When asked on CNN about legalizing drugs, Webb replied, “Nothing should be off the table.” Three formal hearings have been held over the last 18 months, all investigating the question, ‘What factors are filling up prisons?’

“The result of those hearings,” Wooldridge declares, “is that Mr. Webb has taken the courageous initiative to light a candle and propose what all Americans already passively know; that the war on drugs and prohibition laws are generating the need to have 2.3 million prison beds in this country.

Wooldridge has nothing but high praise for the senator from Virginia.

“I’ve been to every one of these hearings and Webb has a steady hand at the tiller. He graduated first in his class from the Naval Academy. He was a combat marine officer in Viet Nam and former Secretary of the Navy. This guy is a solid as Fort Knox. He just brings a very strong and rational presence to an issue that, up until the last few months really, nobody in America wanted to talk about.”

“He’s to be commended and applauded for going where no one else in 38 years of drug war has ever gone. Up until the first of this year, until Webb brought this up, there’s been 38 years of thundering silence.”

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Hawaii • 808.823.8423

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Montana • 406.728.2858

Michigan • 248.351.1746

Calendar and Community Directory

June 12-14, Harmony Festival, Santa Rosa, CA. Sonoma Co. Fairgrounds. Exhibitions, art, food, vending, speakers, spirituality, music by Michael Franti and Spearhead, India.Aire and more. Be sure to visit the Peace in Medicine tent. \$40/day at gate. See hamonyfestival.com.

June 13 - 14, THC Expo, Los Angeles, CA LA Convention Center with Aaron McGruder, Joe Rogan, DJ Pooh, Bill Maher, Julia Butterfly. World's largest indoor fair featuring hemp products, med mj clubs, art, clothing, educational literature and more. \$10. thcexpo.com. Sat 11 AM - 9 PM, Sun 11 AM - 6 M.

June 13, Club Hemp Hop, Oakland, CA Natural Remedies and Linda 'J' Jackson presents live music performances, grand opening block party "Extrava-Ganja," 556 W. Grand Ave., Noon to 10 PM.

June 17, Marijuana Nation, Mt. Shasta, CA. Showing of the film, *Marijuana Nation* followed by an open discussion of medical uses of cannabis. Stage Door Cabaret, 414 N. Mt Shasta Blvd. 530-926-5794. 6:30 PM.

June 24, Medical Cannabis Association Public Meet and Greet, LA, CA. Patient ID Center, 470 S San Vicente Blvd. 1st floor, LA 90048, 323-852-1039, 8 PM.

July 18, Purple Haze Music Festival, San Bernadino, CA. Full day of music, marijuana speakers, vendors, food, bar, and more. 420 busses to event. The Screaming Chicken, 18169 Cajon Blvd. 21+. \$20-\$40. 11 AM on. purplehazemusicfest.com.

July 18-20, Emerald Empire Hempfest, Eugene, OR. Guest speakers, live music, activists, arts and crafts demos, hemp fashion show, entertainment, plus vendors offering earth-friendly, hemp-based products and food. Washington-Jefferson Park. EmeraldEmpireHempfest.com

Aug 10, West Coast Leaf deadline
Ads, article and photo submissions due. westcoastleaf.com for details

Aug. 15-16, Seattle Hempfest, WA
Myrtle Edwards Park, Seattle. See hempfest.org for details.

Aug. 22-23, Olympia Hemp, Love, &

Freedom Rally, WA. Heritage Park, Olympia near capitol. olyhempfest.com

Aug. 22- 23, Odam University, Sebastopol CA; North Bay Campus begins core class sessions. oaksterdamuniversity.com

Sept. 12-13, Hempstalk, Portland, OR
Music by John Trudell and Bad Dog, Los Marijuanos, Herbivores and more, speakers, educational panels, vendors, food. Kelley Point Park, Portland. hempstalk.org

Remember the next deadline for
WEST COAST LEAF
is August 10, 2009.

Sept. 19, 4th Annual LA Co. Med MJ Expo and Patients Festival, LA, CA. Full day of music featuring the Blusetta Band, guest speakers, exhibitors, entertainment. West Hollywood Park, 647 N. San Vicente Bl. For info on booths, bands and speaker, Richard Eastman, 323-474-4602.

Sept. 23-26, NORML National Conference San Francisco, CA. Details TBA, vendors, sponsors, participants all invited. 888-67-NORML, norml.org.

Sept 26, WammFest, Santa Cruz CA
Noon to 5pm, San Lorenzo Park Duck Pond, Santa Cruz, CA. wammfest.org

Oct. 11-12, HIA Convention, DC
The 16th Annual Hemp Industries Assn. Convention & AGM, Wash., DC after Green Festival. thehia.org/convention

Nov. 7, Harvest Dance, Sebastopol CA
11th annual expo, kids' space, educational classes, workshops, a medicine tent all day and the Harvest Dance 6 pm to midnight. 707-823-4206. peaceinmedicine.org

Nov. 11 - 14, DPA Reform Conference, NM
The International Drug Policy Reform Conference. hosted by Drug Policy Alliance. Convention Center, Albuquerque NM. drugpolicy.org, drugpolicyevent.com, sjones@drugpolicy.org

April 15-17, 2010: CCCT conference, RI
Sixth Nat.l Clinical Conference on Cannabis Therapeutics, Warwick, RI. CME credits, Patients Out of Time. Info at medicalcannabis.com



Seattle Hempfest, Aug. 15-16
Myrtle Edwards Park. Be there.
hempfest.org

NORML launches first national TV ad campaign

'Legalization: Yes, we can'

By **Paul Armentano** NORML Deputy Director

The first nationwide television ad campaign calling for the regulation of cannabis for adults began to air April 20, sponsored by the National Organization for the Reform of Marijuana Laws, NORML.

The one-minute advertisement, entitled "Legalization: Yes We Can," calls on President Barack Obama and Congress to repeal the federal prohibition of marijuana. It states: "You can tax it. You can regulate it; apply age restrictions. You can create millions of new jobs. ... President Obama, it's time for legalization. Yes we can!"

The public-service announcement was produced by New Jersey independent filmmaker, Jason Druss, and submitted as part of NORML's 2009 online ad contest. From among 80 other finalists, Druss' entry was selected by the voting public as the grand-prize winner.

NORML purchased over 7,500 ad buys on over 200 national cable providers. The ad has appeared in all 50 states on cable networks including CNN, CNBC, Fox News, Fuse, FX Networks, G4, MSNBC, CNN Headline News, and Spike TV. Network estimates indicate that over 2.4 million households nationwide viewed the ads. A 'rough cut' of NORML's public service announcement has also been viewed

over 350,000 times on Youtube at: youtube.com/watch?v=C0mEDE_w1xo. (The final seconds of the video were edited for television distribution.)

NORML Executive Director Allen St. Pierre said that NORML's national ad launch exemplifies the growing public support for cannabis law reform. "This is a grassroots, organic campaign," he said. "NORML's ad was produced by and voted on by the public. Even more importantly, all of the money raised to sponsor this national ad buy was donated to NORML by the public. These ads appeared on television because thousands of Americans demanded them."

By contrast, St. Pierre said that the US Congress and the White House Office of Drug Control Policy typically spend close to \$100 million annually to produce and air advertisements stigmatizing the use of cannabis and its effects.

"Americans are voting with their wallets to repeal the government's ongoing war on weed," St. Pierre said. "They are willing to donate their hard-earned dollars to produce and air advertisements that run contrary to the federal government's misleading, multimillion-dollar public service campaign."

For more information regarding NORML's marijuana law reform efforts in California, please visit: norml.org or <http://www.canorml.org>.

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Community Announcements



WEDDING IN PARADISE: Kris Krane, Exec. Dir. of Students for Sensible Drug Policy, eloped with researcher and former SSDP board member, Jenny Janichek, on May 12 to the Caribbean island of Turks and Caicos.



Claire Burch, videographer

Filmmaker and artist Claire Burch passed away May 21, 2009 at age 84, in Berkeley, CA. Born and educated in New York City, versed and expressed in many forms: poetry, plays, essays, music, and painting, Burch embraced film as her ultimate media, most often focusing on those who occupy the fringes and ragged edge of our society. Her lens transformed her subject and showed their humanity. Her subjects included such icons as Country Joe McDonald and James Baldwin.

One of her last films was *California Chronicles of Medical Marijuana*, completed shortly before her death, which provides an in-depth and positive look at the personalities and issues that have shaped and driven forward the development of marijuana policy in post 215 California.

Like Brownie Mary, it wasn't until middle age that Claire came to appreciate the help and insight that could be gained in an ounce of flowers potentially far outweighed that gained during the analytical hour, and was actually less expensive.

Claire is survived by her life partner and publisher, Mark Weiman, two daughters, Emily and Elizabeth, grandchildren, and the many people who loved her.

Bob Wilson, Hayward Hempery

Bob Wilson, California activist and founder of Hayward's first hemp store — and later

its medical cannabis club — the *Hayward Hempery*, died May 23 at age 59 from complications of diabetes while at the family home in South Carolina. Bob worked with the late Jane Weirick (who also co-founded the *SF Patients Resource Center*) to establish a club like Dennis Peron's had been, where members could socialize as well as share medicine. The Hempery was a center of activism from its 1997 founding until Bob sold it in 2001. He also led Hayward NORML in opposing the city's DARE program. "Bob was spirit above all else," says his friend, Rick Trullinger, "Without him nothing would have happened in Hayward. He stuck his neck out." May he be welcomed and served at the great bud bar in the sky...

Eric Heimstadt, Humboldt activist

Prominent patient advocate and provider Eric Heimstadt, AKA Seraph, succumbed to his year long struggle with Lymphoma on April 17, 2009, surrounded by family and friends. He was born April 9, 1949.

Heimstadt served on the Humboldt County, CA Medical Marijuana task force that fought off a six-plant limit there.

While advocating passionately on behalf of his patients, he was also a fierce critic of other activists and providers when he felt they did not operate within the spirit and letter of the *Compassionate Use Act*.

Eric was both proud of and devoted to his daughter Dianna, and often sang her praises. He is survived by Dianna, his ex-wife Pam and long-term companion Laura. His company, and his legacy, Humboldt Medical Supply, will continue his good works under the direction of co-owners Laura Benedict and Dianna Heimstadt.

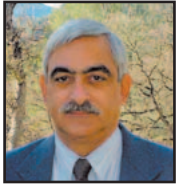
Steve Tulanian, Cannabis attorney

When defense attorney Stephen Tulanian died unexpectedly of a heart attack at his California home, as a mark of his reputation and respect, courtrooms were closed in his honor in three counties: Napa, Lake and Mendocino.

Born July 11, 1950, in a somewhat apropos twist of fate, he passed on May 2, 2009 — Cannabis Liberation Day — as many thousands of people rallied around the world for cannabis reform.

An affable man with a prominent moustache, Tulanian was already an established 'pot attorney' before passage of Prop 215. His successful 1999 defense of Eddy Lepp in Lake County solidified his fame. Lepp was acquitted for cultivation of 132 plants, and used that platform to raise his profile as an activist of the first magnitude.

Tulanian engaged in private law since 1977. He won the first Three Strikes case filed in Lake County. Steve loved his home in the hills south of Lower Lake. He is survived by his life-partner, Lois Jean, known to all as LJ, and sister Laura.



Local and regional meetings

Cannabis Unity in the Community Potlucks noon-4:20, first and third Sundays/mo, Hippie Hill, Golden Gate Park, SF. 415-678-8097

East Bay NORML, third Thurs/mo. 7:30 PM (after Measure Z Oversight Com.), Odam U Student Union, 1915 Broadway, Oakland. canorml@canorml.org

El Dorado Co. American Alliance for Medical Cannabis, fourth Sat/mo., 2:15-4:20, Garden Valley Grange, 4940 Marshall Rd., 530-621-2874

Marijuana Anti-Prohibition Project Palm Springs/ Coachella Valley Area MAPP meets first Sat / mo. 3 PM, 266 N. Palm Canyon Dr., Palm Springs. Lanny 760-799-2955

Western Inland Empire Area MAPP/ASA, first Wed / mo., 7:30 PM, THCF Medical Clinic,

647 Main St. Riverside, CA 92501. Also hosts Friday evening seminars on Anti-Aging and Medical benefits of cannabis, 8 PM. 951-782-9898

High Desert Area MAPP/ ASA, third Wed/mo. 6:30 p.m. Castle Inn, 1388 N. Golden Slipper near Landers 92285. Lanny 760-799-2055

Oakland Measure Z Oversight Committee third Thurs / mo. 6 PM, City Hall

Orange County NORML meets in Fullerton call 1-877-OC NORML for info., ocnorml.org

Santa Barbara UCSB NORML meets every Wed 7:00 PM, South Hall 1431, UCSB, normlucsb.org

SF Axis of Love Every Tues 4pm, 223a Ninth St. at Howard, SF. axisoflovesf@gmail.com

Local and regional Americans for Safe Access meetings

East Bay ASA, fourth Wed/mo. 7 PM, at ASA headquarters, 1322 Webster St, #402, in Oakland. Contact george@safeaccessnow.org

Fresno ASA, second Mon/ mo. 6 PM at Full Circle Brewing Co, 620 F St., Fresno. Contact fresnocagal@sbcglobal.net, 559-449-1654

Humboldt County ASA second Thurs/mo. 6 PM, Bayview Courtyard Senior Housing, 550 Union St., Arcata. asa-humboldt@sbcglobal.net

LA ASA, 3rd Sat / mo., 1 PM, Patient ID Center, 470 S. San Vicente Bl, LA. Contact Don@safeaccessnow.org

Marin ASA second Wed/mo. 7 PM, at Scott Candell Law, 4040 Civic Center Dr., San Rafael. Contact Scott: candell@sflegalhelp.com

Orange County ASA third Fri. / mo. 7 PM, 12882 Western Ave., Garden Grove, 714-0248-9310, chairman@asa-oc.org

Sacramento ASA first Tues / mo. 7 PM, Crusaders Hall, 320 Harris Ave., Suite H, Sacto. Contact cannacare@earthlink.net

San Diego ASA second Tue. / mo., 7 PM International Cannabis U, 6070 Mt. Alifan Suite 202 San Diego. Contact 4cccp@cox.net

San Francisco ASA second & fourth Tues 7:30-9pm, Bowers Pizza at 371 11th St, SF, Free pizza, updates. Contact: sarah@safeaccessnow.org

Sonoma ASA first Thurs/mo. 5 PM, Dept. of Health, door on right, 625 5th St, Sta Rosa. 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

BEDPC Black and Brown Equitable Drug Policies Coalition, Redstone Building, Suite #209, 2940 16th Street, SF. 24 hr bilingual Spanish Hotline: 415-595-8251, street actions, support groups, incident reporting, advocacy

CALIFORNIA NORML canorml.org / Advocacy, directories, lobbying, research, news, alerts, 415-563-5858

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

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

CIVIL LIBERTIES MONITORING PROJECT civilliberties.org / monitors police eradication abuses, etc, to protect civil rights in the CA northcoast, 707-923-4646

COMMUNITY ACTION COALITION 115 N. State Street #1 Ukiah, 707-467-3888

DRUG REFORM COORDINATION NETWORK stopthedrugwar.org / drcnet.org, 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

DRUGSENSE drugsense.org / A daily compilation of drug-related news excerpts.

DRUG TRUTH NETWORK drugtruth.net / Radio shows: Cultural Baggage and 4:20 Drug War News, interviews

DRUG WAR FACTS drugwarfacts.org / Just the facts.

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

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

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

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

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

HUMAN RIGHTS AND THE DRUG WAR hr95.org / Photo display of Drug War POWs,

analyzes human rights abuses

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

LEGAL SERVICES FOR PRISONERS W/ CHILDREN 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 mpp.org / national membership org. focuses on removing criminal penalties for cannabis through initiatives and legislation

MENDO MEDICAL MARIJUANA ADVISORY BOARD, mmmab.net / coalition with a Northern CA network, PO Box 2555 Mendocino 95410. info@mmmab.net.

MEDICAL MARIJUANA PATIENTS UNION PO Box 2059 Ft Bragg 95437, 707-964-9377. pebblestrippet@sbcglobal.net. Patients' Rights Network; Highway litter pick-up service.

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.

MOTHERS AGAINST MISUSE AND ABUSE mamas.org / responsible drug education

MAPS maps.org / Multidisciplinary Association on Psychedelic Studies, studies on cannabis, psychedelics, 10424 Love Creek Rd., Ben Lomond, CA 95005, 831-336-4325

NORML 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 november.org / National support group for Drug War POWs. Publishes *The Razor Wire*.

OREGON GREEN FREE Free OMMP info. oregongreenfree.net

OREGON NORML ornorml.org

PATIENT ADVOCACY NETWORK panorg.blogspot.com.

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

SENSIBLE COLORADO, DENVER sensiblecolorado.org / non-profit resource for patients and those interested in reforming cannabis laws. 720-890-4247

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

VOTEHEMP votehemp.com / Industrial, horticultural hemp.

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

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

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Three takes on media spin over cannabis

By John Thomas Ellis

'The Union' is a term that describes the complete matrix of society that interacts with the 'BC Bud' trade from homeowners to the customer and everyone in-between, including every kind of business from equipment suppliers and contractors to restaurants, clothing stores and car dealers.

The Union: The business behind getting high is a well done, must-watch documentary highlighting the issues surrounding cannabis and the industry based in British Columbia. History, policy, politics, science and mythology are all explored in depth. The show completely debunks the idea of a threat to society posed by cannabis by comparing annual death rates in America from tobacco (430,000), alcohol (85,000, and even aspirin (7,500) to that of cannabis (zero).

Experts in law enforcement and medicine seem to agree that the threat is not as much from the drug's use as from the policies that misinform the public and imprison those who grow and smoke it. Expert after expert weaves fact against fiction to tell us a different story than our government wants us to hear. Superior production values and great editing propel this film forward. The producers ask us to examine our preconceived notions by interviewing the public at large, then offering up a potent counterpoint based in fact. The film quality and the content are stellar examples of how film and entertainment can inform and enlighten.



The Kind City is bound to both offend and amuse

Al Roker: Marijuana Inc. illustrates the inherent conflicts of interest when giant corporate media also have ownership stakes in our ever-expanding, privately owned prison system. The parent corporation for MSNBC — GE — owns and operates prisons, and has a stake in filling those institutions with drug offenders. The network shows little regard for its audience or the public's desire for drug and prison reform. Like most MSNBC 'potumentaries,' this program is salacious, and panders to fear.

The show focuses mostly on arrests and prosecutions of growers. Although none of those interviewed had anything bad to say about cannabis, the show continued to press the issue as if it were America's biggest scourge. This shows the need to contact MSNBC and demand a change in their editorial position. Send complaints to Keith Obermann, Rachel Maddow and Ed Schultz.

The Kind City is a film by Dave Warden of theWeedReport.com. Dave weaves contemporary humor and information into a fast-paced, thought-provoking mélange of images and ideas. Dave clearly loves his weed, and has a flair for meaningful irony and just plain fun, with a sexy, secret-agent spin that will delight some and offend others. He introduces myriad aspects of the scene, from giant sized bongos to making butter to touting new strains. If you share his passion for pot you'll love his Web site and Facebook page . . . he loves to hear from like-minded folks.



Nicole Beharie plays Dee Roberts, a Texas woman caught in the net of a racist drug taskforce, who finds an ally in the ACLU to fight for her community and her reputation.

American Violet

Film evokes chilling encounter with Drug War

By Mikki Norris Human Rights and the Drug War

The film takes place in the fictional town of Melody, TX, but it could be Anytown USA, where the black community is under assault in the name of the Drug War.

The gripping new movie *American Violet* (Samuel Goldwyn Studios, 2009) pulls no punches as it puts on display the targeting of the African-American population by a paramilitary drug task force, prosecutions based on the word of unreliable informants who themselves face charges by vindictive district attorneys, the intense pressure to take a plea bargain to

avoid the really long sentences that are inflicted on people who assert their right to a trial, and the criminal injustice system.

The story of Dee Roberts (a wonderful performance by Nicole Beharie), a young, loving, single black mother of four, is based on the true story of a taskforce raid in Hearne, TX with overtones similar to what happened in Tulia, TX.

Determined to assert her innocence and end the regular raids on her apartment complex and community that rounded up a significant percentage of the town's poor, black population in one fell swoop, Dee rejects the plea bargain offered by the corrupt DA who is more interested in racking up convictions to ensure his county gets its federal dollars than in the facts of his cases.

Fortunately for Dee, an ACLU lawyer (Tim Blake Nelson) comes to her aid to help fight against and expose the racist nature of the prosecutions. At the same time, Dee must deal with the challenges confronting a poor person who is charged with a crime, amid several dysfunctional relationships in her life, as she struggles to keep her scene and family together.

American Violet is engaging and important. It will keep you at the edge of your seat as it portrays just how the Drug War operates. Please go see this film. You will not be disappointed, and you just may leave motivated to join the struggle to end the injustice that is America's war against its own people. Then, be sure to send in a nice donation to the ACLU.

DrugSense facilitates Internet activism; key to the Obama political era

By Don E. Wirtshafter Chair of DrugSense Board

The drive for change that put Barack Obama in the White House also put drug policy at the top of the discussion about his agenda. Shortly after the election, team Obama set up "Open for Questions" on www.change.gov, encouraging the public to help define the direction of the new administration. As word circulated — some through the 180 email lists and 130 Web sites managed by the non-profit DrugSense — drug policy reform advocates responded. Over 20,000 people cast nearly 1,000,000 votes on questions submitted by the online audience. Sadly, the president-elect quickly dismissed the top issue — cannabis legalization.

The call for reform continued with the second round of "Open for Questions" that began just before Inauguration Day. Again, reform advocates responded via the Internet, with spectacular results: 103,512 people submitted 76,031 questions and cast 4,713,083 votes. "Will you consider legalizing cannabis/marijuana/hemp so that the government can regulate it, tax it, put age limits on it, and create millions of new jobs and create a multi-billion dollar industry right here in the US?" (DJ C, Chicago, IL) rose to the top — but got the same cold response: "President-elect Obama is not in favor of the legalization of marijuana."

Reform persisted. In March, Open for Questions moved to Whitehouse.gov for its final round. A phenomenal 92,937 people responded with 103,978 questions and 1,782,650 votes, placing drug policy at the

top of five major categories: Budget, Health Care Reform, Green Jobs and Energy, Financial Stability, and Jobs.

Reform could no longer be ignored. At his March 26, 2009 online town hall, President Obama abruptly bridged to drug policy. "I have to say that there was one question that was voted on that ranked fairly high, and that was whether legalizing marijuana would improve the economy and job creation."

He then quipped, "I don't know what this says about the online audience," before delivering a painful blow. "The answer is, no, I don't think that [legalizing marijuana] is a good strategy to grow our economy."

Still, the reference to the "online audience" shows that the movement to change

America's drug policies has arrived. If doubts remained that online organizing and reform efforts impact national drug policy, President Obama's online town hall dispelled them. DrugSense provided a megaphone for the cry for new drug strategies to the press, public, and President.

It is the hope, mission, and passion of DrugSense and its vast "online audience" of drug policy reform advocates.

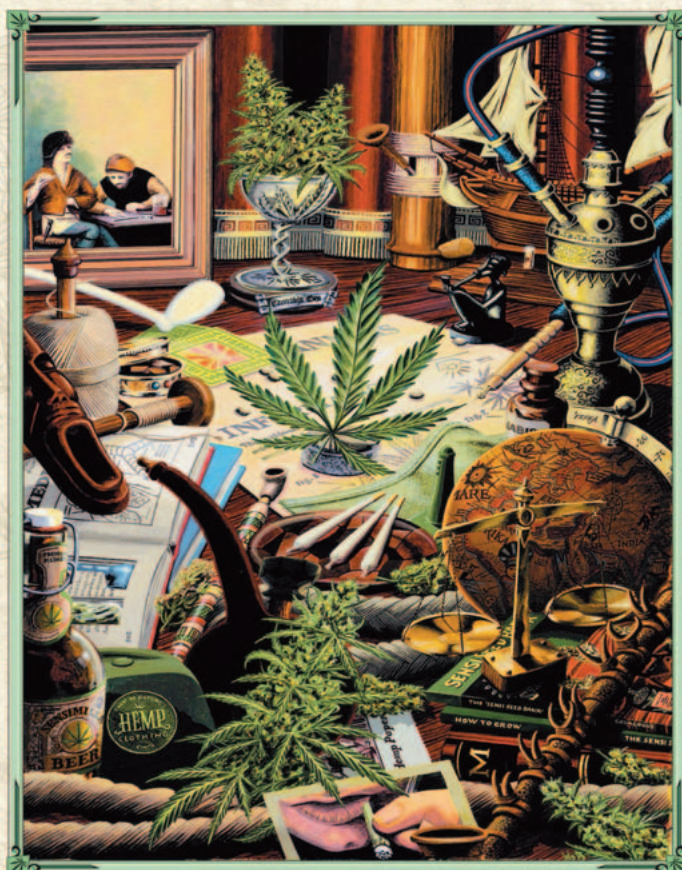
DrugSense is a 501(c)(3) educational non-profit dedicated to accuracy in the media concerning drug policy topics. Our main Websites include:

DrugSense: drugsense.org Join the movement for sensible drug policies by joining DrugSense. Membership is FREE.

Media Awareness Project (MAP): mapinc.org Drug policy news articles and media activism resources.

Drug Policy Central: drugpolicycentral.com Free/low-cost Web hosting and online resources for drug policy groups.

DrugNewsBot: www.drugnewsbot.com Up-to-the-minute drug policy news from a myriad of sources.



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