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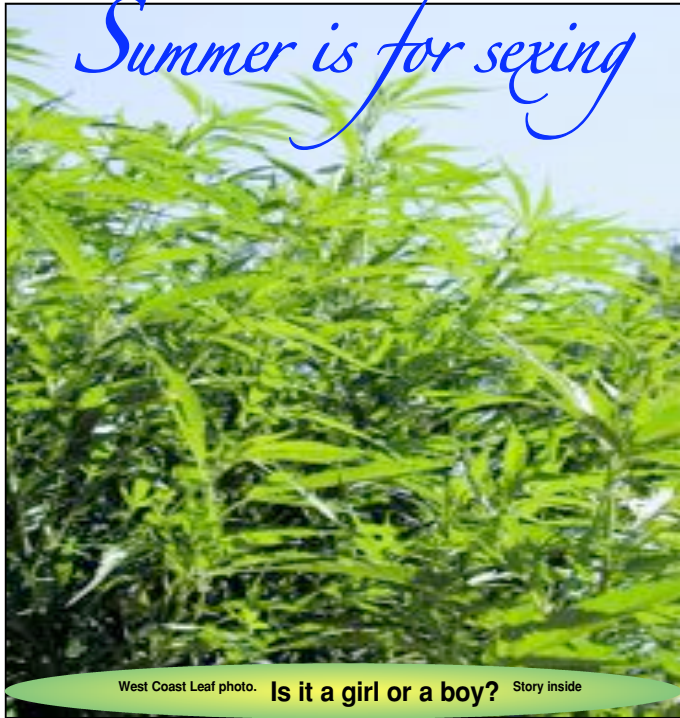
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VOL 1 No. 2

SUMMER 2008

Summer is for sexing



West Coast Leaf photo. Is it a girl or a boy? Story inside

Federal marijuana decrim bill filed in US Congress

Rep. Barney Frank announced bill on TV's *The Colbert Report*

By Dale Gieringer California NORML Director

Congressman Barney Frank (D-MA) has introduced a pair of far-reaching cannabis reform bills, one to completely decriminalize personal use by adults and the other to permit states to legally regulate medical marijuana.

The first, HR 5843, would completely eliminate federal penalties for possession of up to 100 grams (3.5 ounces) of cannabis. It would also allow non-profit transfers of up to one ounce of cannabis between adults. Public use of cannabis would remain punishable by a \$100 civil fine. The provisions are based on the recommendations of the 1972 *Presidential Commission on Marihuana and Drug Abuse*, also known as the Shafer Commission. Frank took an opportunity on Comedy Central's *The Colbert Report* to announce his bill.

The second bill, HR 5842, the *Medical Marijuana Patient Protection Act*, would allow states like California to legalize and regulate medical marijuana as they see fit. The bill is a revised version of Rep. Frank's *State's Rights to Medical Marijuana Act* from previous sessions of Congress. It effectively removes federal penalties against possession, prescription, distribution and manufacture of medical cannabis in those states that have chosen to regulate it legally. It also moves cannabis from Schedule 1 to Schedule 2, a mostly symbolic move indicating that its medical use is recognized.

HR 5843 is the first cannabis decrim bill to be introduced since 1979. It goes beyond its predecessors in completely eliminating rather than just reducing federal penalties.

"The public is now ready for this," Rep. Please turn to page 6

Hemp ban hurts environment, economy Hemp cheaper, more eco-friendly than crops, resources now used

By Chris Mitchell Reason Foundation

With oil at \$110 a barrel and gas prices hovering around \$4 a gallon, the federal government continues to prohibit United States farmers from growing hemp, which could be used to offset fuel consumption and provide a natural resource for new and traditional industries.

Los Angeles continues to make slow progress to regulate cannabis sales

By Don Duncan Americans for Safe Access

Advocates and Los Angeles city staff are moving slowly towards regulations for the 183 medical cannabis collectives that registered as open before the City Council put a moratorium on new facilities last August. Councilmember Dennis Zine made a motion to study regulations for the facilities two years ago, when the number of collectives in the Los Angeles spiked from three to more than 300.

Zine convened a working group made up of representatives from the Planning Department, City Attorney's office, police, and advocates last year to make recommendations on permanent regulations that will replace the city's moratorium. That body sent recommendations based largely on the existing ordinance adopted by the LA County Board of Supervisors in 2006 to the City Attorney's office in November.

The City Attorney's office returned a more restrictive version of the ordinance to Zine in April. Advocates on the working group have rejected that ordinance, which skirts the issue of

San Diego students confront DEA tactics

Seek sensible policies, not raids

By Micah Daigle SSDP National Field Director

The Drug Enforcement Administration swept into San Diego State University May 6 heavily armed with semiautomatic weapons and search warrants, arresting 75 students accused of selling cannabis and other drugs on campus.

News media immediately swarmed on the story, eager to declare victory in San Diego's War on Drugs, but the SDSU chapter of Please turn to page 12

CA HIGH COURT STANDS BY STATE LAW TO RETURN MMJ

Groundwork laid for ending San Diego attack on Prop 215

By Chris Conrad

The California Supreme Court on March 19 certified the ruling in *People v. Kha*, an Appeals Court order that Garden Grove officials return a patient's lawful cannabis despite the claim that federal law prohibited them from doing so. This makes the return of property decision binding precedent in state case law.

"California courts long ago recognized that State courts do not enforce the federal criminal statutes. 'The State tribunals have no power to punish crimes against the laws of the United States. The same act may, in some instances, be an offense against the laws of both, and it is only as an offense against the State laws that it can be punished by the State, in any event.' [*People v. Kelly* (1869)]; 'Our federalist system, properly understood, allows California and a growing number of States [that have authorized the use of medical marijuana] to decide for

themselves how to safeguard the health and welfare of their citizens. The structure and limitations of federalism allow the States great latitude under their police powers to legislate as to the protection of the lives, limbs, health, comfort, and quiet of all persons."

The High Court's affirmation of the *Kha* ruling bodes well for the State to fend off a legal challenge, *County of San Diego v. NORML*, that seeks to overturn protections for sick and dying patients under the pretext that federal law prohibits States from allowing medical marijuana.

This same appeals court will hear the San Diego challenge, already rejected by federal and lower state courts.



WELCOME BACK — Patient David Lucas shows his newly returned cannabis and pipe to news media. His property was returned in the wake of the *Kha* decision. Photo by Bill Britt.

Orange County police return patient's cannabis

Physician's letter, legal challenge lead Supreme Court to cert *Kha*

By William Britt Exec. Dir., Assn. of Patient Advocates

Twelve years after California voters passed the first modern law allowing qualified patients to use cannabis, some parts of the state embrace the law, while other areas fight tooth and nail to halt implementation.

Orange County is one of the areas fighting hardest. And if you are any minority in OC, the odds of being stopped and harassed by local police increases greatly. So the return of David Lucas' cannabis by police, after the *Kha* decision was handed down, was tinged with a special sense of legal satisfaction.

When Felix Kha was pulled over on June 10, 2005, he had a doctor's letter and eight grams of cannabis. Even though he was a qualified patient, his letter was ignored and his medicine was confiscated. Many minority members are afraid to "make waves" by drawing the attention of law enforcement, but Kha made the decision to stand up for his rights. On March 19, 2008, the Supreme Court vindicated him.

Americans for Safe Access (ASA) attorney Joe Elford successfully represented Kha when the city of Garden Grove appealed the case all the way to the State Supreme Court. The court eventually ordered the return of his cannabis.

By refusing to back down, Kha set legal precedent for patients across the state, sending a message to law enforcement that its campaign of "willful ignorance" will not be tolerated.

Most police officers, prosecutors and judges resist giving back cannabis, and hopefully the fact that they have to return it will make them more reluctant to take it away. Kha has not tried to pick up his medicine even though he has the final court order to do so. He is concerned that since he lives close to a police station and Please turn to page 7

WEST COAST LEAF

West Coasterdam Report

Compiled from West Coast Leaf staff reports

Oregon court backs patients right to concealed handgun licenses

Washington County (west of Portland) Oregon Judge Steven Price ordered Sheriff Rob Gordon to return their concealed handgun licenses to three Oregon Medical Marijuana patients. Gordon had denied one patient’s application, another patient’s renewal, and had revoked the third patient’s license based on the claim that federal law prohibits the possession of a firearm by a controlled substances user — even a lawful patient authorized under medical marijuana laws — preempted state law. Judge Price ruled it did not, as had Washington County Judge Marco Hernandez before him.

Washington patients authorized 35 ounces — then plan put on hold

A Washington state Department of Health proposal to allow qualified patients more than two pounds of medical marijuana to assure a two-month supply prompted the governor to buckle to law enforcement pressure and tell health officials to start over. The plan, based on the federal IND supply of six pounds per year, then doubled to allow patients to eat or vaporize rather than smoke their cannabis, was arrived at by a taskforce of patients, advocates and scientists.

Faced with a legislative mandate to spell out by July 1 what constitutes a “60-day supply,” the department briefed Gov. Christine Gregoire’s office in February on its plan: Patients or caregivers could possess up to 35 ounces of cultivated cannabis and maintain a garden area of 100 square feet. Gregoire promptly directed Health Secretary Mary Selecky to solicit more comment from law enforcement and medical providers. “I wouldn’t say she was upset,” Gregoire’s spokesman Pearse Edwards told the *Seattle Times*, but Cowlitz County Sheriff Bill Mahoney indicated that it was a matter of comfort for police to let them go ahead and arrest more patients and caregivers whom they think abuse the system. Police generally prefer limiting a patient to three ounces, said Mahoney.

Oregon allows 24 ounces of usable cannabis and six mature plants, while limits in California counties and cities range from eight ounces statewide to three pounds in Humboldt and Santa Cruz. The federal IND program provides 10 to 15 cannabis cigarettes per day for its handful of patients. Law enforcement originally met with the Washington State group but had no scientific data to rebut the data used supporting the allowance, so it simply ambushed the proposal at the governor’s office. This same tactic was used in California in 2003 to replace the IND dosage of six pounds per patient per year that a panel proposed for SB420. Once again the advocates end up defending the government’s own scientific research, while public officials have a harder time digesting the data.

Judge tosses out CannaHelp MCD charges, DA expected to refile

A judge dismissed charges against the former owner and two managers of a Palm Desert CA medical cannabis dispensary (MCD) May 5, but prosecutors vowed to appeal the ruling.

CannaHelp owner Stacy Hochanadel was arrested with James Campbell and John Bednar in 2006 and charged with felony possession for sale, transportation and sales of cannabis, and maintaining a place to sell illegal drugs. Riverside County Superior Court Judge David Downing April 4 quashed a search warrant used to seize evidence against the three men.

Downing concluded the defendants were in compliance with the state’s Compassionate Use Act, and operating a “legitimate business.” He also concluded that the affidavit in support of the search warrant was flawed because Robert Garcia, the sheriff’s investigator who prepared it, was not adequately trained in handling medical marijuana cases.

Death by drug discrimination
Transplant patients
die of Reefer Madness

By Dale Gieringer California NORML Director
Like many hepatitis-C patients, Timothy Garon found cannabis helpful in relieving the nausea, appetite loss and abdominal pain accompanying his disease. His physician, Dr. Brad Roter, agreed, writing him a recommendation to use it under Washington State’s cannabis law. What they didn’t realize is that his cannabis use would be used as an excuse for denying him a life-saving liver transplant by the University of Washington Medical Center.

Garon died May 1 of liver failure at the age of 56, one week after being denied a spot on the liver transplant list for the second time. He joined a growing list of victims denied lifesaving transplants over medical marijuana.

NORML has heard similar reports from Prop 215 patients in California, beginning with Ed Plotner in 1997. THCF Medical Clinics, which serves 30,000 patients in five states, reports over 30 similar cases. Earlier this year, John Hartman, founder of Northcoast NORML and Ohio Cannabis Society, passed away after being denied a kidney transplant on account of positive urine tests for cannabis metabolites.

Transplant clinics have failed to offer a tenable medical rationale for discriminating against cannabis users, medical or otherwise. Unlike many drugs, including legal pharmaceuticals, cannabis is not known to be toxic to the liver. Nonetheless, clinics maintain a tight policy against drug abuse, since both alcohol and injection drugs are proven hazards to patients with liver disease.

“Marijuana, unlike alcohol, has no direct effect on the liver,” said Dr. Robert Sade, director of the Institute of Human Values in Health

Care at the Medical Univ. of South Carolina. “It is however a concern ... in that it’s a potential indicator of an addictive personality.”

However, this ignores the fact that many patients report cannabis actually helps them abstain from alcohol and other more harmful drugs. Many cannabis specialists say that cannabis is the “gateway away from drug abuse.” Not only that, cannabis appears to have therapeutic benefits in treating the appetite loss, nausea and pain accompanying hepatitis and kindred diseases.

A study of hep-C patients by Dr. Diana Sylvestre at the Univ. of California San Francisco found that those who were treated with cannabis had improved symptoms and treatment outcomes. The study suggested that this was because the users were more likely to follow their highly nauseating drug treatment regimen. A couple of days before Garon’s



MENDO FARMERS AGAINST B — Holding up gardening tools (rakes, shovels) and rootballs, Farmers United took this group photo May 2 at the Caspar Community Center.

The No on Measure B campaign worked to stop the repressive Mendocino County (CA) initiative from passing, which would put Mendo guidelines among the lowest in the state. The Appeals Court decision in *People v Kelly* was handed down just before the election, casting doubt as to whether the language of Measure B would be constitutional. For more info, visit nomeasureb.org. West Coast Leaf photo courtesy of Roger Franklin

Oregon regulation looks to 2010 ballot

Oregon NORML backs OCTA

By Alicia Williamson

The Oregon Cannabis Tax Act 2010 (OCTA) officially kicked-off its campaign at the annual Portland *Million Marijuana March*. Its chief petitioners are Oregon NORML Exec. Director Madeline Martinez and D. Paul Stanford, of The Hemp and Cannabis Foundation.

The OCTA initiative had two versions circa 1994-96, but the new version is written to achieve two key goals: to win at the ballot box and withstand an inevitable court challenge it will face after passage.

The crafters gave careful consideration to international treaties that govern cannabis, including the 1961 *Single Convention Treaty* and several *UN Conventions on Psychotropic Substances*. OCTA implements the system of controls mandated by the treaties so as to be upheld in feder-

al court. The initiative has already had an OR Supreme Court ruling on its ballot title in 1996, *Permits Sale of Marijuana to Adults through State Liquor Stores*.

A “Yes” vote permits state-licensed cultivation and sale of cannabis to adults and for medical use. A “No” vote retains present prohibition on sale and cultivation.

The OCTA penalty for sale to minors remains the same as they are today for sales to anyone — adult or minor. The fact that this will not lower the current penalty for sale to minors may have some political benefits; perhaps a substantial margin of victory at the polls.

Replacing Oregon’s obsolete cannabis prohibition laws with a system of taxes and regulation would produce combined savings and tax

revenues estimated at \$300 million per year. Please turn to page 6



knows of one anecdotal case in which a woman with apparently terminal fatty liver disease miraculously recovered when she began to smoke cannabis regularly.

In any event, the basis for transplant centers’ blanket discrimination against pot users has less to do with science than with social prejudice against illicit drugs. In general, there are no scientific studies showing that pot-only smokers are a worse health risk than non-users. However, many insurers refuse to cover transplants unless their clients undergo drug testing.

Many specialists insist that patients abstain from cannabis even after receiving a transplant, on the grounds that the immuno-suppressive drugs they must take puts them at high risk of aspergillosis, a potentially fatal fungal infection that can be acquired from contaminated cannabis. The risk of aspergillosis can be eliminated by sterilizing the herb with heat or radiation, or by consuming it orally. Dr. Melamede speculates that cannabis might actually be beneficial in preventing auto-immune rejection of transplanted organs, given its apparent efficacy in other auto-immune diseases.

Timothy Garon was the lead singer for Nearly Dan, a Steely Dan cover band. He believed that he caught hepatitis sharing needles with speed freaks, though in recent years he had used nothing but cannabis.

In December, he was arrested for cultivation despite having a recommendation to use cannabis. Garon was initially told that he couldn’t apply for a transplant unless he avoided pot for six months. Later he was offered the chance to enroll in a 60-day drug treatment program. At this point it was too late, as he lay sick in a hospice. He died shortly afterwards.

“I am sick at heart,” said Garon’s attorney, Douglas Hiatt. “He died because policies driven by ignorance and prejudice prevailed over science, reason and compassion.”



A LOT OF EXPLAINING TO DO — Oakland, CA, police were called before the city’s Measure Z Committee to explain why cannabis arrests went up after voters approved an initiative to make private cannabis offenses, including sales, lowest law enforcement priority. West Coast Leaf photo.

CA Court holds SB 420 limits unconstitutional

A California Appeals Court ruled in *People v. Kelly* that the quantity limits the legislature put in SB 420 were an unconstitutional amendment to Prop 215, and struck down HS 11362.77. The unanimous May 22 ruling left the rest of the legislation intact, including the statewide patient ID card program. Attorney General “Jerry” Brown’s office has indicated that it will challenge the decision.

Oregon High Court probes MMJ patients’ privacy

By Michael Cutler cooperating lawyer with NORML’s national legal committee.

Lawyers for cannabis patients argued to the Oregon Supreme Court that a police search of a home, based on a hunch that it contained too much medicine, was illegal. The mid-May hearing was the result of an incident in which police were called to a married patients’ home in Dayton after an intruder shot and left one of the patients near death. The case will be decided later this year.

The state failed to apprehend the patient’s shooter; but it filed marijuana charges against the victim.

Portland attorney Leland Berger represented Michael Castilleja while Deputy Defender Ryan O’Connor represented Amber Castilleja, whose home was searched by police after Michael was hospitalized and recovering from the home invasion shooting. The case involved four police investigators and has been prosecuted in state trial and appellate courts over six years. During the Supreme Court hearing, the judges learned that the state failed to apprehend the patient’s shooter.

The case reached the Supreme Court on the prosecutor’s appeal, after a trial judge and a state appellate court found the search illegal. The lower courts ruled against the police because they could only guess whether the patients had exceeded the limit of useable medicine, after reducing the uncured plant to a useable supply. Before searching, police knew the patients were legally registered patients who had a legal number of growing cannabis plants.

State and federal constitutions protect home privacy from unwarranted government intrusion. Lawful police home searches cannot be undertaken until they legally collect information to show probable cause of a crime within the home. Police investigating crime scenes in people’s homes often encounter victims who use prescribed chemical medicines. The Castillejas had a doctor’s approval, per Oregon law, to use their natural medicine for a “debilitating medical condition,” as the police knew before searching the home. If police had seen pharmaceutical drugs while inspecting a home crime scene, speculation that the amount might be beyond the doctor’s prescription could not legally support a further police search throughout the patient’s home.

John C. Lucy, IV of Portland filed a brief drafted by Massachusetts attorney Michael Cutler in support of the patients for the National Organization for the Reform of Marijuana Laws (NORML). Wayne Mackeson filed an amicus brief on behalf of the OR Criminal Defense Lawyers association. On behalf of state-based chapters and members from Hawaii to Maine, NORML urged the court not to enable police to discriminate against home privacy rights based on a patient’s having an illness for which a doctor recommended cannabis rather than chemical drugs.

The patient’s gunshot wounds have healed as the couple waits for the court to rule on whether the state can continue to prosecute them.

Five years for helping patients

Doctor, Attorney feel wrath of Feds for fighting their charges

By Vanessa Nelson* MedicalMarijuanaofAmerica.com

Dr. Marion “Mollie” Fry has spent nearly a decade recommending state-authorized medical cannabis from her office in the tiny town of Cool, California. Although the federal government doesn’t recognize state laws permitting medical cannabis, physicians like Fry cannot be prosecuted for their recommendations – free speech, after all, is protected under the United States Constitution. Still, this didn’t stop a judge from sentencing Fry and her husband Dale Schafer to five years in prison for cannabis offenses this spring.

That is because Fry is not just a physician – she is also a patient. Healing with cannabis became her passion after battling breast cancer in 1998, when she used the plant to ease the effects of chemotherapy and a double mastectomy. With supply scarce and her body debilitated, Fry relied on her husband to cultivate her cannabis. Schafer successfully grew two plants at their rural home in 1998, but the yield proved inadequate as a yearly supply.

Schafer then began growing for some of his wife’s patients, expanding to 21 plants in 1999 and to 43 plants in 2000. After the outdoor cultivation caught the eye of the county sheriff, Fry began inviting deputies over to count the plants. The sheriff’s visits checked for compliance with local medical cannabis regulations, and the couple always passed with flying colors.

It all changed in September 2001, however, in the wake of the 9/11 terror attacks. This visit was unexpected, and accompanied by federal agents who seized the 34 cannabis plants growing on the property. Still, Fry and Schafer didn’t worry much about criminal charges. The US Attorney usually won’t prosecute cases with under a hundred plants, since that’s the threshold for a mandatory minimum prison sentence.

Nevertheless, Fry and Schafer were indicted in June 2005 for growing at least a hundred cannabis plants and also for a conspiracy charge on this count. To get the threshold number of a



Dale Schafer and Dr. Mollie Fry. West Coast Leaf photo courtesy of MedicalMarijuanaofAmerica.com

hundred, federal prosecutors used records of the sheriff’s compliance checks and added together all the prior annual crop totals. The idea of cumulative plant counts sent shock waves through the medical cannabis community, climaxing during a dramatic trial in Sacramento federal court last August.

At trial, prosecutors went far beyond the bounds of the cultivation charges and turned the proceedings into an attack on the legitimacy of Fry’s medical practice. Like icing on the government’s cake, a shocking number of the defendants’ former friends testified as prosecution witnesses in order to get leniency in separate criminal cases. The federal jurisdiction prevented a defense based on state law, and jurors quickly returned guilty verdicts.

Nineteen plants is the new magic number.

At the sentencing last March, Judge Frank Damrell Jr. imposed the mandatory minimum 5-year prison terms. “My hands are tied,” he claimed. But the judge loosened his binds enough to come through for Fry and Schafer’s last hope, allowing them to remain out of custody during appeal.

There’s a bigger lesson in this story, though. Ever since the trial, the American Alliance for Medicinal Cannabis has been preaching safer annual plant limits. They strongly advise patients to keep below a total of a hundred plants during any five-year period, which is the statute of limitations for cultivation. Nineteen, they insist, is “the new magic number.”

* Watch for Vanessa’s book entitled “Cool Madness” to be published Summer 2008, order online at mmajpub.com.

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WEST COAST LEAF
Editorials and Commentary

Medical cannabis dispensaries are good neighbors who improve the community

Over the past decade it has become quite clear that the vast majority of our medical cannabis dispensing patient collectives (MCDs) work quietly within their communities and fit well.

We saw firsthand how Dennis Peron’s dispensary was honored in San Francisco and shut down by the Feds. We saw how the opening of the OCBC, the Bulldog Coffeeshop and a wave of other dispensaries helped rejuvenate downtown Oakland, leading to its affectionate nickname “Oaksterdam.” When problems arose, the operators hired security staff and helped clean up the streets around their shops. But at the first bad publicity, the City imposed its own regulations and reduced the number of dispensaries to four, and has shown that it operates well with regulations.

The dispensaries in Berkeley were among the first to offer a “good neighbor” policy, and they remain well-respected in the community. Recently Berkeley Mayor Tom Bates wrote to House Judiciary Chair John Conyers, asking him for hearings into DEA tactics and calling the city’s three dispensaries “regulated, tax-paying members of our community, (who) maintain clean, safe properties and play an active role in Berkeley’s civic life.” Those values carried over to San Francisco and West Hollywood, which also embrace dispensaries. Our recent visit to MCDs in the Los Angeles area left us impressed at how discreet the locations are and integrated into the neighborhoods.

However, most patients have no choice but the street to obtain their medicine, and the failure of government at various levels to tax and regulate the market makes quality assurance impossible. When local governments ban MCDs, their communities forgo non-subsidized redevelopment and economic growth powered by the law-abiding patient community.

Smart county and municipal planners look at how zoning, licensing, production taxes and gross sales taxes can grow revenues by regulating medical marijuana. Foolish ones wedge themselves beneath the wheels of history and try to stop progress. More and more are coming to see the light.

Growers need to step up to the plate

There are always a few exceptions to prove a rule, and those rare instances where a pot grower starts a house fire or floods an apartment just go to show how well most gardeners tend their crops. Still, there’s a reason that people in Mendocino County and elsewhere are upset with certain growers. If you’re going to grow, be a good neighbor. It is your responsibility to maintain and fully restore the property your garden occupies. That means not overloading electrical circuits or doing a meter bypass. It means good venting to keep mold from collecting in grow areas. It means discretion and odor control. It means giving back to the community, like the good growers do.

Reciprocity needs to travel both ways

During a recent trip to Montana, the editors were pleased to learn that California cannabis recommendations are honored by Montana’s medical marijuana law. It seems more than reasonable for California to make a legal provision to recognize the authorizations given by physicians in other States, who must often conform to standards even more restrictive than our own. Fair is fair.

Good parenting blends well with cannabis

Cannabis users are often among the best of parents. Many will privately credit cannabis for making them better parents. It helps them unwind at the end of the day, makes them more patient and understanding with their kids; and taking a few puffs also makes it more likely they will find themselves playing with the children or reading to them by evening’s end.

There is a disturbing trend in California and elsewhere to take the children of cannabis consumers based solely on the bigoted attitudes imposed by obsolete laws. Here in California, time and again, the first thing that happens during a raid on a qualified cannabis patient’s home is that their children are taken away and handed over to Child Protective Services, thus traumatizing the child and shattering the protective mantle of the family. That practice needs to end right now.

Don’t ask and don’t tell: Just sit and acquit

A twist in the conviction of the California Healthcare Collective operators is that a juror was removed from the jury because he said that he felt compelled to vote to acquit the caregivers, despite the federal cannabis ban. Similarly, potential jurors often feel the compulsion to remove themselves from hearing cannabis cases by loudly denouncing the laws in the courtroom during jury selection, thus ensuring that only those who march in lockstep with the Drug War will sit on the “jury of peers.” Jurors have complete discretion to accept or reject the evidence and to determine the facts. Jurors are immune from punishment for their verdict; yet fear of such punishment poisons the jury pool. The interest of justice is better served by one juror willing to quietly persevere, reject government “facts” and hold out to acquit than by a dozen who readily rubberstamp injustice.

An irony in the case was that jurors, while allowed to hear testimony about lawful medical use and regulation of cannabis under state law, were ignorant about the scope of their power to acquit.

The tragedy is that many more innocent and decent people will be devoured by the war on cannabis before it stops at the federal level. That will require jurors who don’t make big speeches or remove themselves from the process. It will take people who sit on federal juries, and insist that, in their opinion, the government has not met its burden of proof needed to send these people to prison. They needn’t say more. Government can’t punish you for flexing jury power.

WEST COAST LEAF

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

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Presidential candidates on medical marijuana

Sen. Obama, April 11, 2008: “I think the basic concept that using medical marijuana in the same way, with the same controls as other drugs prescribed by doctors, I think that’s entirely appropriate. I would not punish doctors if it’s prescribed in a way that is appropriate. That may require some changes in federal law. ... What I’m not going to be doing is using Justice Department resources to try to circumvent state laws on this issue simply because I want folks to be investigating violent crimes and potential terrorism. We’ve got a lot of things for our law enforcement officers to deal with.”



Sen. Clinton, April 5, 2008: “I don’t think it’s a good use of federal law enforcement resources to be going after people who are supplying marijuana for medicinal purposes. ... What we should do is prioritize what the DEA should be doing, and that would not be a high priority. There’s a lot of other, more important work that needs to be done.”

Len Epstein, July 13, 2007:

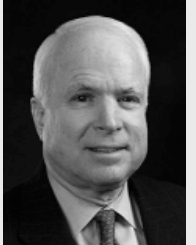
“Would you stop the federal [DEA] raids?”

Sen. Clinton: “Yes, I will.”

Sen. John McCain, November 2007: “Medical marijuana is not something that the, quote, people want.”

(Polls indicate support for medical marijuana runs at about 80%)

The Libertarian Party and Green Party have marijuana legalization as part of their political platforms, not simply medical use.



Why can’t news media get facts straight about MMJ?

By Bruce Mirken Director of Communications for MPP

The US news media often do a poor job of reporting on scientific research. A number of factors contribute to this, including deadline pressures and limited time, space or budgets.

Another problem is the misplaced media habit of giving roughly equal time or space to two sides of a debate rather than provide the in-depth reporting designed to ferret out the facts from the rhetoric.

Yes, there are at least two sides to every story. But sometimes one of them is lying — especially when the issue is medical marijuana.

A good case study is the *Minneapolis Star-Tribune*’s April 20 story, “In marijuana debate, both sides can point to the science.” The article ran as the state legislature was debating medical marijuana legislation (startribune.com/lifestyle/health/17961899.html). It bends over backwards to be balanced, and thereby omits important facts while getting others plain wrong.

The story starts off by erroneously calling THC “the active ingredient in marijuana.” Actually, THC is one of at least 66 unique components, called cannabinoids, and several others have been documented to have therapeutic effects. Cannabidiol, for example, has been shown to have neuroprotective, anti-inflammatory and anti-nausea actions, and actually seems to moderate some of THC’s unwanted effects — but none of this is mentioned in reporter Maura Lerner’s story.

Lerner then follows with this whopper: “The debate, medically speaking, is about smoking a plant or swallowing a pill.” Oh dear. Space does not allow a full explanation of all the reasons that’s wrong.

First, it suggests an either/or, plant-vs.-pill choice, as if one rendered the other irrelevant. The reality, of course, is that the THC pill -- Marinol -- works for some people and the plant seems to work better for many. There’s no reason on earth both options shouldn’t be available for patients and doctors to consider.

And the phrase “smoking a plant” ignores the fact that many cannabis patients don’t smoke. Some cook their medicine in food, while a growing number vaporize. That latter option is weirdly mishandled by Star-Tribune, in apparent pursuit of the elusive “balance.”

Lerner writes, “Like tobacco, [marijuana] contains toxic chemicals that can endanger pregnant women and cause cancer, lung dam-

age and pneumonia.” Uh, no. First, as the Institute of Medicine and many others have noted, smoking cannabis— unlike tobacco — has never been proven to cause cancer of any sort. And those “toxic chemicals” are combustion byproducts that are not present when cannabis is vaporized or eaten.

But vaporizers do get a mention at the very end of the story, in a one-sentence section marked “The future,” which informs readers that “Scientists are testing vaporizers and skin patches as alternatives to smoking marijuana.”

The reporter “fails to inform readers that vaporizers have already been studied”

While not directly false, that sentence fails to inform readers that vaporizers have already been studied. Trials of the Volcano brand vaporizer conducted in California and Europe have shown that the device delivers cannabinoid vapors without the harmful combustion products found in smoke. And an observational study by Dr. Mitch Earleywine of the State Univ. of New York’s Albany campus found that cannabis users who vaporize report fewer respiratory symptoms than those who smoke.

This barely scratches the surface of the problems in just one newspaper article, but it serves to illustrate a larger point: In the cannabis policy debate, science is overwhelmingly on the side of those of us seeking rational reforms that don’t criminalize responsible cannabis users — especially medical patients. When the debate is based on facts, we win.

But too often all the public and lawmakers get from the mainstream media is a cartoon version of the facts — a cartoon that omits important information.

Setting the record straight

Regarding the Spring 2008 issue of West Coast Leaf, the first edition print run was 35,000 copies. DEA Administrative Law Judge Mary Ellen Bittner ruled against the federal monopoly on research cannabis. Robert Bonner is the infamous Bush administration official who axed new entries to the federal IND medical marijuana program in 1992, leaving hundreds or thousands of patients to suffer miserably or risk federal prosecution for their medicine. Corrine Millet, the fourth patient accepted into the IND program, died Dec. 13, 2007.



A group of physicians, including some of the pioneer doctors of medical marijuana in California, came together to honor the late Dr Tod Mikuriya on the occasion of his receiving the CCAP achievement award on April 15, 2006 in Berkeley. Shown are, clockwise from lower left center, Dr Mikuriya, Dr Jeffrey Hergenrath, Dr William Eidelman, Dr Frank Fisher, Dr Frank Lucido, Dr William Courtney, Dr Eugene Schoenfeld and Dr Tom O'Connell.

Hamilton would find Drug War unAmerican

"Intolerable in a free society"

By David Dunn

"In France, there is an army of patrols (as they are called) constantly employed to secure their fiscal regulations against the inroads of the dealers in contraband trade... The arbitrary and vexatious powers with which the patrols are necessarily armed, would be intolerable in a free country," wrote Alexander Hamilton in *Federalist* No. 12.

The modern "contraband trade" is in illicit substances including cannabis. Hence, laws that call for the confiscation of property, mandatory minimum sentences, the power to put people to death for the use and possession of cannabis are "intolerable in a free country."

Today's "army of patrols" that possesses "arbitrary and vexatious powers" is the Drug Enforcement Administration (DEA). Arresting and harassing medical cannabis users for seeking relief from ailments they can only achieve by using medical cannabis is a violation of Constitutional rights. Use of medical cannabis fits under "the pursuit of happiness." It's hard to pursue happiness if one is not healthy.

Cannabis users and growers are true, John Hancock-style patriots who would agree with Hamilton that cannabis hemp "is an article of importance enough to warrant the employment of extraordinary means in its favor" (1791), and in their own favor, as well.

Destroying a farmer's hemp crop is likewise an abuse of arbitrary and vexatious powers, from the framers of the Constitution's point of view, and is a violation of a farmer's natural right to be in pursuit of happiness.

States are perfectly within their constitutional rights to allow the medical use of cannabis as well as allowing hemp to be grown for the manufacture of products.

"The proposed Constitution, so far from implying an abolition of the State governments, makes them constituent parts of the national sovereignty...and leaves in their possession certain exclusive and very important portions of sovereign power. This fully corresponds, in every rational import of the terms, with the idea

of a federal government," Hamilton wrote in *Federalist* No. 9.

State governments are a central part of the federal government and exercise a major role in the system of checks and balances.

When states abused the constitutional rights of its citizens (such as the poll tax), the federal government was well within its right of stopping that abuse.

When the federal government abuses the fundamental rights of its citizens for the pursuit of happiness (as with the war on drugs), state governments are well within their constitutional rights to override the unconstitutional acts of the federal government.

State governments are not inferior or subordinate to the federal government. State governments are a "constituent part of the national sovereignty, and they have "exclusive...portions of sovereign power."

The right of state governments to regulate cannabis is exclusive to the states and not to the federal government and is a proper use of that "exclusive...sovereign power."

Law enforcement organizes against Drug War

By James Anthony LEAP Boardmember

Law Enforcement Against Prohibition (LEAP) marches forward in its role as the "Veterans Against the War" of the war on drugs. LEAP's message is that "Cops say legalize drugs." Made up of law enforcement including cops, narcs, prosecutors, prison guards, judges, and anyone involved in the carrying out the Drug War, LEAP is organizing across the nation and the world.

LEAP has participated in events including a February UN event in Vancouver, Canada and co-hosted the Drug Policy Alliance conference last December, where several dozen LEAP members held their own conference as well. Recently LEAP lost an excellent board member; Florida Judge Eleanor Schockett passed away in January after giving a stirring presentation at the DPA conference. Her intelligence, wit, humor, and acuity will be sorely missed, and we struggle to live up to her example. I joined the board in February after two years as a LEAP speaker at Rotary, Kiwanis, other civic groups, classrooms and various public settings here in California.

We hope to counteract the effect of some law enforcement groups that actively lobby in support of the Drug War. Shame on them — police should know better. I suppose it can be hard to see past one's own propaganda and financial incentives that flow to local law enforcement by funding prohibition with federal tax dollars. Nonetheless, they should know how futile and destructive the Drug War is, and should seek creative alternatives, not badger politicians to support a failed policy.

I went to Sacramento for LEAP with a retired LAPD detective to counter the annual Alliance of California Law Enforcement legislative day. It was fascinating to sit in a session with 300 ranking cops from all over the state and hear them crow that we should literally just lock "them" all up and throw away the key!

A physician speaks out for his courageous colleagues:

A salute to doctors who dare to recommend

Editor's note: Physicians are the most protected players in the medical marijuana dynamic, both in the language of Prop 215 and by the federal Conant Decision, yet they face unseen pressure.

By Norman Lepoff, M.D.

I am a Board Certified Ophthalmologist who is not practicing any more, due to illness.

When I studied to take my Ophthalmology Boards for certification by The American Board of Ophthalmology in 1981, there was a *Board Question* regarding cannabis. It specifically regarded the effects on our eyes.

The question: "What are the ocular effects of marijuana?" The answer: lowering intra-ocular pressure, redness, and dryness.

It has been known for many years that cannabis lowers eye pressure, yet it is neglected due to our federal government. Many people are losing their vision who may not have to. Many people also are taking very dangerous drugs with disastrous side effects who could possibly benefit from a medication with the highest safety profile of them all — cannabis.

I used to always ask the representatives from the pharmaceutical companies why they don't research cannabis for glaucoma so we can offer it to our patients? The answer was always the same. "The federal government will not allow that. We would like to. We know it has benefits. We can't."

About 50 percent of patients with glaucoma will suffer irreversible vision loss despite all current medical and surgical therapies. Most glaucoma drops and pills have severe, and even life threatening, side effects. They can be toxic and are poorly effective in the long run.

It is a major shame that our government

will not allow patients access to such a relatively harmless and safe drug. I think vision is precious and dedicated my life to preserving and restoring it. I wish our elected officials shared my perspective.

I never hesitated to verbally endorse cannabis use when I was in practice, but I was afraid of the consequences from the California Medical Board and The federal government. There have been constant threats against physicians who recommend cannabis or abide by Prop 215. To this end we must be very grateful to those physicians who are helping us. Believe me, they are very brave men and women.

I hope to use my education and training to help educate the public and my colleagues of the benefits of cannabis.

Axis of Love stands up for the disenfranchised

By Shona Gochenaur Axis of Love Executive Director

Axis of Love SF officially started two years ago, but most of its members have been together since the closure of CHAMP, about six years ago. They found that, while patients could find and access medical cannabis if they had the funds, key ingredients were missing: education, advocacy and compassionate services.

Axis holds patient picnics at Golden Gate Park to serve up great eats, dialogues about city hall and how to move patient rights onto the County agenda, and shares with those unable to both buy medicine and pay rent. Some of these advocates helped pass Prop 215 and are now left without compassion.

The group has many accomplishment's under its belt. It collected over 3000 signatures for a *Patients Rights* package and saved the SF Co-op from losing its business. When owners tried to allow only state cards to enter coops in 2005, they lost about 70 percent of the patient base who were not willing to get a state card.

The *Patients Rights* package also included a resolution supporting compassionate care for low and no income patients. The final agreement with Supervisor Ross Mirkarimi formed a medical cannabis taskforce that seated two patient advocates. Axis worked with Mirkarimi and Assemblyman Mark Leno to block the steep price hike for the state card, which would have created two classes of people: those who could afford protection and those who could not. It worked with Supervisor Tom Ammiano on the lowest priority for cannabis ordinance.

Supervisor Michela Alioto-Pier worked in coalition with Axis and others to prevent over half of the co-ops from shutting their doors and created a reasonable path to ADA standards.

The group was key to Ed Rosenthal's court support and created the SFPD working group which other major cities have modeled and it hopes to soon get a community liaison appointed, with a background in disability rights.

When not in city hall fighting for working class and poor patients rights, it is educating and supporting the community at the Activist Resource Center. The Axis holds three support groups a day including women's, vets, and HIV/AIDS. It provides meals and compassion to about 60 low income patients; however it is in desperate need as it tries to help the 360 Divisadero patient group that lost its space due to non-payment of rent, and it needs support gifts of Safeway or Rainbow Grocery cards for meals and medicine to share.

Axis has worked on both the state and national level working with Senator Carole Migden on tax amnesty bill for MCDs and on the letter chairman John Conyers, Jr. sent to the DEA after his statement on congressional hearings. Axis of Love SF is quickly outgrowing its current little center. Now the group is looking for a new home.

Anyone who can help Axis find and fund its dream of a community center, please contact it at axisoflovesf@gmail.com.

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OCTA initiative for 2010

Continued from page 2

Some 20,000 Oregonians are registered with the OR Medical Marijuana Program, a self-funded division of the Department of Human Services, so all Oregonians benefit by receiving \$900,000 from patient registration fees into the state general fund. The state Liquor Control Commission will sell cannabis for profit to qualified adults through state liquor stores, and at cost to pharmacies and medical research facilities for medical purposes. Of this, 90 percent will go to the general fund, lowering the tax burden for everyone.

Eight percent will go to drug treatment programs, which will no longer be filled with coerced social cannabis users. One percent will go to a comprehensive, realistic drug education program for school children, and one percent would go to establish and fund a state program to promote Oregon's new industrial hemp crop for fiber, fuel and food. Visit cannabistaxact.org, call 503-235-4606 or write PO Box 16057, Portland OR 97292.

First federal decrim bill introduced since 1979

Continued from page 1

Frank told the press. "I have long thought it was foolish to have these laws on the books, but now as I look at the public opinion, it's clear that this is wanted." Twelve states have at least partially decriminalized personal possession of cannabis. The list is likely to expand this year, as Massachusetts is considering two bills and a ballot initiative to decriminalize. Alaska is the only state where personal possession is completely legal, thanks to a state supreme court decision protecting privacy at home.

A dozen states also have laws allowing patients to use cannabis. One byproduct of HR 5843 would be to completely protect these patients from criminal penalties for possession. HR 5842 would go beyond this and allow for legal medical cultivation, production, prescription and distribution as well. Under HR 5842, states would be able to set up their own regulations regarding production and distribution.

Rep. Ron Paul, the libertarian Republican presidential can-

didate from Texas, is a co-sponsor of both bills. HR 5842 is also co-sponsored by Rep. Dana Rohrabacher (R-CA), Rep. Sam Farr (D-CA), and Rep. Maurice Hinchey (D-NY). Neither bill is expected to be heard in Congress this year. However, supporters are hoping to collect a list of co-sponsors so that the legislation will be heard in future sessions. Passage of new legislation is typically a multi-year process extending over several sessions.

The blame game — dispensaries to get one last shot at SF permits

By Alex Franco

The San Francisco Board of Supervisors voted 10-1 May 13 to extend the deadline for dispensaries to receive a final operating permit to Jan. 21, 2009. The ordinance amendment passed without much fanfare, less the usual abstention by Supervisor Sean Elsbernd who vocally opposed the measure in the first reading the week prior. Illustrating the flagrant finger-pointing going on in the city, Elsbernd said "I find it more than ironic that this industry more than any other industry continues to be granted waiver, after waiver, after waiver."

The most recent amendment to the ordinance seems, at first glance, pretty standard. However, both the city bureaucracy and the medical cannabis dispensary community have played the blame game when questioned about the delays in permitting. The result is that we still have yet to see a store front dispensary receive a final permit.

Over the course of nearly three years, San Francisco has grappled with the arduous process of legitimizing medical cannabis dispensaries through a regulatory ordinance. Yet the process has been contorted by an uncertain future, fear caused by the DEA letters to landlords in the city, and the lack of sufficient resources and infrastructure in the city's relevant departments.

If there are parties to blame, they are on both sides of the equation. On one hand, the City is creating a new permit process, and does not have the years of experience that it does with, say, health clinics or community centers. Moreover, the breath of the operation and building requirements is constantly in flux, and it has become difficult for city departments to keep up. As a result, dispensaries get varying information from city staff and must re-take each step along the way several times.

The ever-changing regulations have also placed a burden on the dispensaries themselves. From a community standpoint, the resources used to comply with the city's demands could very well be used to provide services for patients. However, not everyone is making a good faith effort to get through the process.

The length and complexity of the process itself is discouraging. For others, the risk of Federal intervention coupled with the city's reluctance and limitations on its ability to stand up for dispensaries have made it a difficult decision to spend their resources on the process.

The silent parties in all this are the intermediaries between the city and the dispensaries, i.e., their legal counsel. In the one corner you have some attorneys that have too many clients and thus don't return either their client or the city's phone calls for days. In the other corner, you have the City Attorney's office that would like nothing more than to make this all go away.

A possible alternative to the Blame Game is the formation of a task force composed of dispensary operators, city departments, attorneys and patients. If the medical cannabis community works with the city, we can be prepared for worst-case scenarios such as DEA raids and further the alliance against Federal intervention. For example, the upcoming Congressional hearings at which the issue can be raised at a federal level.

Electronic tally can't be verified, so judge orders new vote

By Becky DeKeuster Berkeley Patients Group

Berkeley voters may experience a bit of *déjà vu* Nov. 4, when they consider for the second time this decade the Patients' Access to Medical Cannabis Initiative (PAMCA).

Measure R on the 2004 ballot, PAMCA would remove Berkeley's plant limits for patients, establish a peer-review committee to oversight dispensary operations and allow clinics to locate within a wider range of non-residential zones.

In 2004, PAMCA "lost" by 191 votes, less than 1 percent of the ballots cast. With such a narrow margin at issue, supporters requested and funded a recount. However, the Alameda County Registrar of Voters claimed that for all votes cast on the 482 Diebold electronic voting machines used in Berkeley, they could only provide a copy of the original data downloads—a reprint, not a recount. The County refused to release other independent verification data from the Diebold machines, claiming they were "not relevant" to the recount.

Examination of paper ballots found a 13 percent error rate and pushed PAMCA within 166 votes of victory. On Dec. 30, 2004, three Berkeley voters filed a lawsuit with the help of ASA to gain access to fully verifiable data from the Diebold machines. After a four-year legal battle — during which County officials sent the machines in question back to Diebold in Texas, where 96 percent of the 2004 data was erased and overwritten, rather than to local experts for examination — Alameda County Superior Court Judge Winifred Smith found the County guilty of "withholding... and failing to preserve evidence" relevant to the case.

In an unprecedented move, Judge Smith held that the legal remedy was to nullify the Measure R vote results and put PAMCA back on the November 2008 ballot. She ruled that the County must reimburse the citizen's group that sponsored PAMCA for the cost of the recount and their legal expenses.

But much has changed here since 2004. Berkeley has since enacted further regulations on medical cannabis, and Smith allowed these changes to be added to the new PAMCA text.

Will Berkeley voters feel that current regulations are "good enough," and reject PAMCA's provisions?

The political climate has shifted as well. After a brutal 2007, which saw increased raids, asset forfeitures, and threats to landlords, public opinion seems to have softened here, embracing embattled patients and providers and rejecting the heavy-handed tactics of the DEA.

Will these factors contribute to PAMCA getting an underdog boost in Berkeley votes? No one can say for now. But one other major change since 2004 deserves notice:

As a result of lawsuits like those won by PAMCA supporters, CA Secretary of State Debra Bowen in 2007 decertified the Diebold machines used in the Measure R election.

This November, each county will have only one such machine per polling place on Election Day, to comply with disability access requirements.

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Longest-running California collective thrives in adversity

Wo/Men's Alliance for Medical Marijuana

By Joe Paquin, WAMM Administrative Assistant

The Wo/Men's Alliance for Medical Marijuana (WAMM) is a landmark collective of patients and caregivers, providing hope, building community, and offering cannabis at no cost and on a donation basis to seriously ill patients with a doctor's recommendation.

The annual WAMMfest is in its seventh year, and will take place again this upcoming September.

The Santa Cruz collective has grown pharmaceutical-grade cannabis and fresh garden vegetables for over 15 years in its organic garden. The honor of being the single longest running cannabis collective carries a powerful responsibility. More than 190 WAMM members have died since its inception in 1993. Many members have been at the deathbeds of close friends and family. This process has led to the creation of *Raha Kudo, Design for Dying Project*, our non-profit dedicated to assisting individuals and families face death with an open mind and heart, at their own personal design.

Despite a long history serving the sick and the dying, the federal Drug Enforcement Agency (DEA) brutally raided the WAMM garden in 2001, armed with assault rifles and chainsaws, and destroyed medicine belonging to 250 legal patients, 85 percent of them terminally ill. Fifteen members died as a result.

Since then, WAMM has filed suit against the federal government together with the city and county of Santa Cruz. Our lawyers recently argued in US District Court that the federal government violated 10th amendment rights of the plaintiffs. Judge Fogel will release his decision sometime in the summer.

After a recent court appearance, Valerie and Mike Corral were invited to speak to an eighth grade class and their parents. The student questions show that their generation has more sense and compassion than the federal government and DEA.

Valerie Corral also is involved in several other ongoing lawsuits including *Craker v. DEA*, which is pressing for an end to the Federal government's monopoly on growing cannabis for



Scenes from a collective that cultivates a kind community

Photos courtesy of Jean Hanamoto.

BATTER-UP: Founder Valerie Corral backs up Hanah Gaylord at a rousing game of WAMM softball.

Right: Collective members prepare to harvest their medicine.

Below: Hand Holding in Garden: WAMM members celebrate life and medicate next to their high quality medication.



EVERYBODY HELPS — Suzanne Pfeil helps to sweep up after WAMM's weekly meeting.

research purposes, as well as *County of San Diego v. NORML*, which would force San Diego to comply with existing state law. She was also invited to testify last July before US House of Representatives Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security.

Beyond WAMM's involvement in numerous lawsuits and our extreme dedication to end the pain and suffering of the sick and the dying, we celebrate life through many community events.

Our annual WAMMfest is in its seventh year, and will take place again this upcoming September. WAMM has such strong support in the community that the City Council of Santa Cruz lifted the smoking ban for members to medicate at the event.

Tobacco smokers are still out of luck.

The growing season is on! Check out Mike Corral's video on growing excellent medical-grade cannabis at wamm.org.

WAMM, would like to thank our unstoppable team of pro bono attorneys: Benjamin Rice, Gerald Uelmen — Santa Clara Law School, Bingham McCutchen Law Firm including: Frank Kennamer, Troy Sauro, Rachel Sommovilla, Neha Nissen, The Drug Policy Alliance including Daniel Abrahamson and Camila Field, and the ACLU Drug Law Reform Project including: Graham Boyd and Allen Hopper. For information, contact Mimi Hill, WAMM's Office Manager and Webmaster 831-425-0580 or via email, mimi@wamm.org.

Other patients will benefit from decision, but Kha decides to let it ride

Continued from page 1

had been stopped and hassled even before he tried for the return. He expects this to increase if he tries to get cannabis back.

After Huntington Beach patient Dave Lucas fought to have his cannabis returned he was pulled over numerous times and even arrested for cannabis DUI. The charges were eventually dropped, and he was able to pick up his cannabis.

Because he has long hair and gets pulled over frequently, Lucas decided to get extra protection by acquiring a state-issued ID card and reports that he has not had any problems since.

The California State Constitution requires state officials to enforce state law regardless of federal law. As the Appeals court explained in *People v. Tilehkooh* (2003) the prosecutor "misunderstood the

role that the federal law plays in the state system. The California courts long ago recognized that state courts do not enforce the federal criminal statutes."

Furthermore, the state Supreme Court has ruled that when applicable, the CUA "renders possession and cultivation of ... marijuana noncriminal for a qualified patient or primary caregiver." (*People v. Mower*, supra, 28 Cal.4th at p. 471.)

!Yo hablo español!

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By Samuel Janovici

The summer solstice signals great things ahead — glorious buds! Cannabis has separate male and female plants. Unless your aim is to breed your own seeds, it is girls-only to grow sweet *sinsemilla* bud (spanish for *without seed*).

I recommend starting with established clones from proven product lines. It makes the investment of time and money more rewarding for the newcomer or average grower to manage. Clones are simply branch cuttings that are rooted from well-established female plants. It's a form of asexual reproduction used commercially to produce many of our staple food crops.

Cannabis is perhaps the ultimate solar

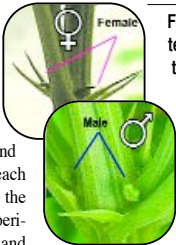
Sex @ the summer garden

plant. Given enough sunlight or artificial lighting it is easily one of the world's fastest growing crops. Whether indoors or out, only a photoperiod, or light exposure, determines when a plant will bloom or reproduce. Size, age and nutrients are not determining factors; cannabis plants start to bloom when light begins to wane.

Growers will see major changes when the pattern reaches 12 hours of light versus 12 hours of darkness. Indoor lighting requirements vary between species but the rule-of-thumb is 18/6 for vegetative growth and 12/12 for the bloom cycle. Turn-around time can vary due to the size of the plants each indoor grower desires, the bigger the plant the longer it needs to vegetate. Varying photoperiods is to be avoided at all costs, since it can and will cause hermaphrodites (female flowers mixed with male flowers) and doom your crop.

For outdoor growers who started from seed, the solstice is when plants begin to signal their intentions. Pre-flowering usually occurs in the first four to six weeks and males may be spotted early at the node between the stipule and the emerging branch. A vegetative plant has sym-

metrical branching that turns asymmetrical when it enters the flowering cycle. When the branching structure changes. That is the time to identify plant sex. Males should be removed quickly before they produce pollen or your crop will go to seed. If you start from clones you're assured that the plant started out female, but stressing a crop can create hermaphrodites.



Female pistillate flowers have a teardrop shaped calyx with two thin, white stigmas protruding; Male staminate flowers form small, bead-like structures that move away from the stalk on a specialized stem.

When Cannabis flowers, it requires different nutrients than when vegging on nitrogen and calcium. Phosphorus and potassium are needed to support bloom production and focus production on its new internal-chemistry. Blooms come quickly, bursting at first, then, they slow down while the cannabinoid production increases at the finish. The taste of cannabis is often associated with the nutrients used for growing. Nutrients do affect the bou-

quet and flavor, very high nutrient levels late in the flowering stage can lend a chemical taste to the buds. A proper balance of nutrients and pH will grow a good tasting crop.

If your season has progressed well, you've prepared by pruning your plants to maximize the potential area of the plant's budding surface without compromising the structural strength and integrity of weight-bearing stalks and branches. Remember that hefty buds usually reward those who practice good growing techniques, but those precious nuggets will require a firm foundation to reach maturity.

Continue to check that your soil or growth medium is still pH-balanced and continues to serve your crop. Be sure nutrients have suffused your plants' energies with the verve necessary to reach for the sky in quest for its sexuality.

Always remember to be careful out there. Secure your plants from pests of every kind. Summer only makes them hungrier and more determined. Keep informed and try new things. Outdoors growers may face greater dangers than indoors, but we all face the same common enemies . . .

Good luck and good growing.

Debunking the 6 plants = 6 pounds hoax

State guidelines are based on a faulty understanding of plants

By Dale Gieringer California NORML Director

A popular fallacy of the anti-marijuana campaign is that medical marijuana patients' needs can be determined by set plant numbers and weight limits. State law SB 420 establishes state default "limits" of six mature or 12 immature plants and eight ounces of processed marijuana buds. Higher limits may be authorized by local ordinance or on the recommendation of physicians (who are, unfortunately, largely ignorant of plant yields and dosages).

A new state appeals court ruling, *People v. Kelly*, has struck down the SB 420 limits as "unconstitutional," on the grounds that they illegitimately limit patients' rights under Prop. 215. Nonetheless, in Mendocino County, prohibitionists were pushing an initiative to reduce the county's limit from 25 plants to the SB 420 limits, claiming "one plant equals one pound," hence "25 plants are commercial."

Such over-simplification is a sign of lack of growing experience. Those of us who have labored in a garden know that plant yields vary drastically depending on conditions, lighting and variety. A single mature plant can yield from a few grams to a few kilos of dried *sinsemilla* buds. This simple fact defies any generalization about plant yields.

For most gardeners, a one-pound plant is like those half-ton pumpkins at the county fair. We can only envy the green thumbs that produce such bounty. In my own experience, a typical plant is more likely to produce an ounce than a pound. Admittedly, this experience comes from partially shady Bay Area gardens, but it is likewise true for many patients who lack sunny outdoor garden space.

Indoor plants typically yield an ounce or less

The problem is even more challenging for indoor growers. Due to limited space and lighting, indoor plants typically yield a fraction of an ounce, even when grown professionally like the plants in this photo. This makes it highly

impractical for average growers to meet their needs from just six indoor plants.

The outdoors situation is different. With select plant stock and a good sunny inland location, yields of one pound or more per plant are possible, though not average or even likely.

The "one plant = one pound" myth was first popularized by law enforcement seeking to inflate seizure stats and criminal charges filed. A DEA study at the government's pot farm in Mississippi demonstrated average yields of a fraction of that amount, four ounces per plant. Federal sentencing guidelines were then revised downward to assume that one plant yields one-tenth kilo: 3.5 ounces. At this rate, six "typical" outdoor female plants that survive to maturity would yield 21 ounces per year — 1.3 pounds.

That might seem adequate for most patients, with average consumption of about a pound per year, but chronically ill users frequently consume two, three or more pounds per year. Yet none of these needs square with the SB 420 weight limit of just eight ounces of processed bud: that is, one-half the average user's yearly supply. So even patients who manage to grow six bountiful plants that meet their needs become subject to arrest as soon as they harvest half their annual supply. In effect, therefore, the state minimum guidelines put virtually all personal use growers outside the law. This is no small matter, since felony cultivation involves substantial arrest, prosecution, court and imprisonment costs.

In a perfect world, arbitrary plant numbers would not regulate cannabis growing. Personal supplies would be reasonable; commercial product would be weighed, graded and taxed like tobacco and alcohol. Such a world is nowhere on the horizon, as federal law prevents legally licensed labs to test or grade cannabis.

The next best solution is to regulate gardens by growing area. The DEA study found that plant yields are most closely related to total light exposure, not plant numbers. No matter the number and size of plants, one square foot of canopy area yields about 0.4 ounces of cannabis. A few enlightened counties, including



FELONIOUS GARDEN? These seven professionally grown indoor plants in the budding stage will yield about 1/4 - 1/2 ounce apiece. This garden would be a felony under the SB420 guidelines unless medically approved. Photo courtesy of California NORML.

Humboldt and Sonoma, have adopted area-based guidelines, allowing up to 100 square feet of canopy per patient. Others have resisted. The sheriff of Mendocino has objected that his deputies can more easily count plants than carry tape measures and compute areas.

That brings us to the arbitrary, inadequate and unscientific method adopted in SB 420 and Measure B, namely to make up random plant and weight numbers. Although prohibitionists try to portray six plants and eight ounces as an official state "standard," it is, in fact, a minimum level upon which counties are free to expand. The task force that wrote SB 420 wanted the Department of Health Services to hold public hearings to determine scientific plant and weight guides, but this plan was axed by then-Governor Davis. With no solution apparent, at the last minute two legislative staffers picked numbers out of thin air, with the understanding that local governments would raise them as they see fit. Various cities have chosen to do so, among them Oakland, San Diego and Berkeley and counties including San Francisco, Santa Cruz, Sonoma and Humboldt.

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Since November 2007, hundreds of Freedom Fighters have graduated from Oaksterdam University, the first cannabis college in the United States. Many are now employed in the rapidly expanding cannabis industry. OU teaches students to pay taxes and obey regulations in the multibillion-dollar industry. Located in the heart of Oaksterdam, (the cannabis district of Oakland) the campus opened its doors in late 2007, and now has expanded to Los Angeles with classes on how to professionally grow, distribute, and market the safest therapeutically active substance known to man. Inspired by the famous *Cannabis College* in Amsterdam, OU offers quality training for the cannabis industry. After completing Politics and Legal Issues 101, students can take classes on Horticulture, Cooking, Budtending, and advanced courses on how to start a business, such as Dispensary Management 102 and Cannabusiness 102.

Due to the overwhelming number of applicants, OU has recently added night classes, leased a larger space in Oakland to accommodate more students, and has partnered with the PIDC in Los Angeles to support the chronic demand for seats. The newest and most comprehensive addition to the schedule is a 13 week course where students get to monitor a plant’s growth. Other recent updates include the addition of Legal Issues 102, a workshop that simulates how to properly handle police encounters. At Oaksterdam University, students attend for a wide range of reasons and come from very diverse backgrounds. They are attentive and motivated, unlike the “stoner stereotypes” portrayed in mainstream media.

The ground-breaking and historical program provides quality training, taught by instructors with decades of experience in the industry. Chris Conrad, cannabis author and court qualified expert, explains the history of cannabis prohibition; current local, state and federal laws; and medical, government and legal studies. Lawrence Lichter or Omar Figueroa from Pier 5 Law Offices often teach Legal Issues 101. Ilija Gvozdenovic, the University’s Chancellor, facilitates Legal

Issues 102 and sometimes plays the role of a devious police officer in this interactive workshop.

Cooking class teaches the art of baking potent edibles and how eating cannabis differs from smoking or vaporizing. The instructor demonstrates how to make cannabutter, using a recipe that has been around for generations. Different ways to extract and press resin glands to make hash are covered in the concentrates lecture.

Medical cannabis pioneer Dennis Peron who established the first cannabis dispensary in San Francisco in 1991 and started Proposition 215, motivates students with an inspirational life story of his compassion for the sick and his dedication to ending cannabis prohibition. Oaksterdam University is honored to have Peron on the faculty.



Once certified, many students hope to become employed in one of California’s 500 medical cannabis dispensaries. Courses such as Budtending 101 (bartending with herb instead of booze) and Distribution 102 were designed with those students in mind. Classes are accompanied by a course syllabus, slideshows, movie clips, and various reference materials. Textbooks are required for an additional cost. Each class there is fierce competition to be Valedictorian by receiving the highest score on the final exam. For more information such as course descriptions and availability or to download the enrollment form, visit www.oaksterdamuniversity.com.

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Patients tangle with Feds, Child Protective Services

By Vanessa Nelson MedicalMarijuanaofAmerica.com

Plumas County medical marijuana defendants Jeffre Sanderson and Alice Wiegand were both sentenced to federal prison on April 18. Sanderson received a two-year sentence; Wiegand was given six months but permitted to delay surrender until Dec. 1, because Judge Frank Damrell didn't want the couple to permanently lose custody of their two young sons, who were taken last year by Child Protective Services. The boys were about to be returned to Wiegand, who must maintain custody of them for the next six months to prevent adoption proceedings.

This multi-layered case began in August 2006 when a law enforcement task force raided Sanderson's 10-patient collective garden. Both Sanderson and Wiegand were arrested and then bailed, but their infant son Jamie was taken by CPS. Sheriff's deputies testified to finding 64 cannabis plants outdoors and over a hundred in the basement, but there's some dispute over whether the indoor plants were all rooted. Deciding to charge the defendants' by plant weight rather than plant count, the cannabis was dried and trimmed by law enforcement.

The Plumas District Attorney declined to prosecute the case, so it was taken by federal prosecutors. While fighting the case, Sanderson and Wiegand regained custody of Jamie and also welcomed a new son, Jahson.



The Sanderson sons, Jamie & Jahson, September 2007. Photo courtesy of MedicalMarijuanaofAmerica.com

The couple lost both children to CPS in October 2007, however, when Sanderson was arrested for cultivating a new crop while on supervised release. He has been in jail ever since, in spite of his efforts to defend his grow on religious grounds.

In November he pled to cultivating under 80 kilos of cannabis, which does not carry a mandatory minimum sentence. She pled to conspiracy and agreed to forfeit the family farm.

DEA raid leaves Riverside family struggling to survive

By Degé Coutee with James Anthony

Ronald Naulls is a long time resident and business owner in Corona, CA. He is a husband, a parent, a member of the Chamber of Commerce. He is charitable, compassionate and has never been in trouble with the law, ever.

Naulls is also a medical cannabis patient and provider. He operated Healing Nations Collective in Riverside County in April 2006, before the city enacted its moratorium. After more than a year of litigation with the city, which included a state court

order entitling him to continue operating while the zoning issues were on appeal, DEA and local agents raided the Collective and indicted Naulls in July 2007. He is now facing federal charges for possession and distribution. Naulls' mother deeded her house over to the Federal government to cover his \$300,000 bond.

The Naulls case is horrific. In addition to the raid on his dispensary and home and the seizure of his personal and professional accounts, his wife, Anisha, was arrested and charged with child endangerment, simply because cannabis was in the house (even though it was out of reach of her children). Their three, young daughters were handed over to Child Protected Services and placed in confidential foster care for weeks. They were allowed to visit them for only an hour a week, under strict supervision.

Naulls was put on federal house arrest and is required to drug test on demand, about every two days. All of this comes out of his own pocket, making his financial situation precarious at best. To avoid further prosecution, possible incarceration, and to be able to stay home with her children, Anisha took a no-jail plea bargain. She is subject to probation, required to take classes and monitored by CPS and social workers.

Naulls needs to raise thousands of dollars for his upcoming federal criminal case. To make a contribution, or for updates on the case and upcoming fundraisers see cannabissaveslives.com.



Coptic fights in Federal court for right to use sacramental cannabis

By Ken Johnson

Can a Coptic exercise his freedom of religion in the US? The Eighth Circuit Court of Appeals heard oral argument on April 18 in the case of *Carl Olsen v. Michael Mukasey* on whether Olsen, a Coptic who holds cannabis sacramental, got the strict scrutiny required by the Religious Freedom Restoration Act (RFRA) in his previous criminal trial in *US v. Rush* (1st Cir. 1984).

The *Rush* federal court applied a truncated First Amendment analysis to Olsen's religious claim, stating, "Congress has weighed the evidence and reached a conclusion which it is not this court's task to review *de novo*," based on the *Leary v. US* (5th Cir. 1967) holding that "Congress has demonstrated beyond

doubt that it believes marihuana is an evil in American society and a serious threat to its people."

The Supreme Court interpreted RFRA in 2006 as an amendment to federal drug law that requires a much stricter analysis of actual harm where the law interferes with religion, rather than simply relying on Congressional findings, in *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*.

The court held that RFRA changed federal drug law, stating, "The fact that the Act itself contemplates that exempting certain people from its requirements would be 'consistent with the public health and safety' indicates that congressional findings with respect to Schedule I substances should not carry the determinative weight, for RFRA purposes, that the Government would ascribe to them. ... The Government repeatedly invokes Congress' findings and purposes underlying the Controlled Substances Act, but Congress had a reason for enacting RFRA, too."

Olsen argued within the scope of protected religious freedom articulated by the Supreme Court in *US v. Seeger* (1965); "whether a given belief that is sincere and meaningful occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God." Seeger was recently cited as the correct interpretation of religious freedom under RFRA in *Cutter v. Wilkinson* (2005). See also *Welch v. US* (1970), "Neither Seeger nor Welsh ... belonged to any religious group or adhered to the teachings of any organized religion".

A recording of the oral argument in *Olsen*, and all documents filed in the case are online at ethiopianzioncopticchurch.org.

Ask the cannabis doctor

A new Q&A column from the Scientific Advisory Board of MedicalCannabisMD.org and Americans for Safe Access

By David Ostrow, M.D.

I am a retired addiction psychiatrist and an active HIV/AIDS prevention researcher. I founded the Medical Marijuana Policy Advocacy Project (MMPAP) in 2006 to educate and advocate within the healthcare professions on behalf of medicinal cannabis programs and patients. Our most notable success to date has been getting one of the largest and most prestigious national medical organizations, the American College of Physicians, to issue a report this past February that, for the first time in recent history, endorsed the acceptance of cannabis for medicinal purposes and protecting patients from Federal arrest or prosecution. It also recommended that the DEA reclassify cannabis from Schedule I (a category for the most addictive drugs with no potential medical uses) to Schedule II (still addictive but with possible medical uses, as in the case of opiate narcotics used for pain treatment).

With this issue of the *West Coast Leaf*, we are inaugurating a question and answer column for both medicinal cannabis consumers and healthcare providers. It has been a remarkable journey for me from working with mainly alcohol and opiate addicted patients and in the research laboratory to the medicinal cannabis therapeutic community that has given me the "audacity of hope" to engage in this two way conversation.

Just as early AIDS and HIV patients had to teach their caregivers about the latest treatments and remedies for a challenging new disease, cannabis patients and caregivers have been involved in a revolutionary experiment — teaching each other about what has been called everything from "God's gift to mankind" (Lester Grinspoon, MD) to the most destructive and addictive substance (Office of National Drug Control Policy).

At the April *Clinical Conference on Cannabis Therapeutics* at Asilomar, CA, I learned first-hand from patients about the various alternative forms of cannabis and means of ingestion now available on the West Coast but unknown to those in the Midwest. Many of the patients I met at that conference were fascinated by the parallels I drew between the government's repressive policies against homosexuals, persons with AIDS and cannabis users. In fact, the war on cannabis and other indigenous therapies in the US is a prime example of how our government and big pharmaceutical companies wage war on individuals and communities that retain the use of natural medicinal plants that have been used to treat illnesses for centuries.

Answers to your questions will be provided by members of the Joint Medical and Scientific Advisory Board of our parent organizations, outside experts or even other patients writing in about their own experiences and practices.

This is your column and we need your questions and comments to make it most useful to persons ranging from those just starting to learn the truth about medicinal cannabis all the way to experienced researchers. Whether they are about how to safely use cannabis for specific illnesses or symptoms, advice about preparations, the latest research findings about medicinal cannabis, or simply how to talk with a friend or family member recently diagnosed with a serious illness for which cannabis might be indicated.

So, send the Medicinal Cannabis MD your questions, c/o the *West Coast Leaf*, PO Box 1716, El Cerrito CA 94530-1716, or better yet, simply email me at davidostrow@mpp.org.

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Gov. Arnold Schwarzenegger

Source: Daily CO, 2007

"I did smoke. That's what it was in the '70s." - AP, 2005

"We smoked pot and/or took a walk before we went to the gym." - LA Times, 1998

"I enjoy gross and harsh, no hard drugs. But the point is that I do what I feel like doing." - Los Angeles, 2009



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LA continues move to regulate cannabis sales

Continued from page 1

to the City Clerk’s office prior to Aug. 14, 2007. So far, the city has taken no steps to bring unregistered collectives into compliance or to prevent dozens of new collectives from open-

Conyers challenges DEA

Continued from page 1

ers and kingpins, an appropriate tactic to employ against individuals who suffer from severe or chronic illness and are authorized to use medical marijuana under California law?”

Conyers also recognizes how the State of California benefits from an estimated \$100 million in sales taxes the MCDs pay annually. He asks Leonhart whether she has considered that the DEA’s actions are “negatively impacting the ability of state and local officials across California to collect tax revenue, which they are entitled to under California law.”

Over past months, advocates all over the country have lobbied Conyers to convene hearings. Dozens of legal, tax-paying dispensaries have been shut down by DEA raids or evictions by landlords, and many more face the same fate if Congress does not intervene.

“Chairman Conyers’ letter to DEA has emphasized the greater need to seek effective solutions that will advance safe and legal access to cannabis for therapeutic use and research”, said Caren Woodson, ASA Director of Government Affairs, who has been lobbying the offices of Chairman Conyers and Subcommittee Chairman Scott about this issue for months. “However, before we can begin to develop a sensible national policy on medical marijuana, we must end federal attacks on patients and their care providers.”

ASA’s work with the House Judiciary Committee was bolstered by a statewide effort to get California’s elected officials to call for an end to the harmful tactics of the DEA. ASA and its allies were successful in garnering strong letters of support from several elected officials, urging Chairman Conyers to hold hearings. Among those who spoke up were Orange County Supervisor Chris Norby, Los Angeles City Councilmember Dennis Zine, and the mayors of Berkeley, Oakland, San Francisco, Santa Cruz, and West Hollywood. Visit AmericansForSafeAccess.org/ConyersLetter to read the letter from Chairman Conyers.

Fed pleas in edibles case; hearing support needed

By Martin Michaels

All four defendants in the *Tainted / Compassion Medicinal Edibles* have accepted plea agreements from federal prosecutors for their roles in providing safe and effective non-smoked forms of medical cannabis to California patients.

Facing a ten-year mandatory minimum, company owner Michael “Mickey” Martin pled guilty to a lesser felony charge of conspiracy to manufacture and distribute items containing THC. Jessica Sanders also plead to a felony

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ing. This laissez-faire approach to the moratorium has left some advocates doubting the city’s resolve to regulate, and may be encouraging new collectives to open in defiance of the law.

Advocates are eager to see permanent regulations adopted this year in hopes that this will help address public ambivalence about collectives that followed the proliferation of new facilities in 2006 and 2007.

They point to a growing concern among neighbors about real and perceived abuses of the medical cannabis laws. Advocates hope effective regulations will help diffuse community concerns, which have been exacerbated by sensationalized media accounts and continued DEA interference and intimidation.

The last three years have seen a sea change in cannabis consciousness in LA. The Council’s move to regulate facilities, instead of banning them, is one step forward, and this Council also stepped up to endorse federal reform efforts like the Hinchey-Rohrabacher Amendment, which would have de-funded medical cannabis raids, and state measures like California Senator Migden’s SJR 20, calling on the President and Congress to end DEA raids. Advocates hope that this is a trend that will continue, as local support is crucial to defending the nascent cannabis community in Los Angeles.

Los Angeles residents who want to get active in the local effort to defend and expand patients’ rights can attend monthly Chapter meeting for Americans for Safe Access (ASA) at 1:00 PM on the third Saturday of each month. The meetings are held at the Patient ID Center, located at 470 S. San Vicente Blvd. in Los Angeles. For a map, public transit information, and details, visit www.ASAaction.org or email don@safeaccessnow.org.



Six plants rarely suffice

Continued from page 8

There is no correlation between expanded limits and crime problems. CAMP statistics show that Lake and Shasta have led the state in cannabis seizures since 2005. Both counties have the state six-plant minimum, as do eight of the top 10 cannabis-producing counties. The county with the most liberal SB420 limits, Santa Cruz, ranked 28th. Meanwhile, about 90 percent of the state’s #1 cash crop remains non-medical and outside the protection of SB 420.

It remains to be seen whether the SB 420 limits survive the Kelly decision, which is being appealed to the Supreme Court. Patient advocates are hopeful that the Supreme Court will agree that the SB 420 numbers are invalid when used as limits on patients’ right to grow, but valid when used as guidelines to protect patients from arrest. Meanwhile, one-ounce plant growers must simply batten the hatches until politicians face the facts and come up with a solution that truly addresses the problem, which can only be done by legally regulating and taxing commercial grows like wine grapes.

Modesto collective convicted in fed court; sentencing ahead

By Vanessa Nelson MedicalMarijuanaofAmerica.com

The first image the wider world saw of Luke Scarmazzo was a slick rapper who bragged about “incorporating dope” and conspicuously flipped off the federal government in his debut music video.

It was this image that got him noticed, amid accusations that he was asking to be busted. And it may also be the thing that saves him and co-defendant Ricardo Montes from a life behind bars. Otherwise, things look awfully grim for these two 27 year-olds.

Their dispensary, the California Healthcare Collective, operated for less than two years on busy McHenry Avenue in Modesto. It was infiltrated by undercover agents with falsified physicians’ notes in 2005, and then shut down by a federal raid in September 2006. As soon as a federal jury delivered a landslide of guilty verdicts in mid-May 2008, Scarmazzo and Montes were pulled away from crying family members and locked up in county jail. Behind bars, the pair awaits a brutal sentencing hearing later this summer.

The jury convicted them for the manufacture of over 100 plants, and various counts of possession with the intent to distribute. But that was just small potatoes. The life-shattering conviction was on another count – running a continuing criminal enterprise, which carries a mandatory minimum sentence of 20 years and possibly life behind bars.

The federal prohibition of medical cannabis runs contrary to state laws, and US prosecutors are accustomed to the perks of supremacy. In most federal trials, prosecutors are permitted to silence any suggestion about medical use. The CHC jurors got earsful and eyesful about medical cannabis, but they weren’t supposed to actually consider it. Initially it looked like it was going to be a tough fight for the government. Right before trial, Judge Oliver Wanger ruled that the dispensary’s business documents were relevant as a defense against

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MONTES — Ricardo Montes gives his daughter a reassuring hug outside the Fresno federal court house. Photo courtesy of MedicalMarijuanaofAmerica.com

Big Island, HI, rejects ‘Green Harvest’

The Big Island Hawaii County Council in May rejected “Green Harvest,” a state and federally funded eradication program. The council 4-4 tie vote meant the motion to accept the \$441,000 funding failed. Drug War Chronicle reported. The vote will also save the county \$53,000 from its own budget that would have been its share of the operation’s financial burden.

Many residents opposed the program, saying low-flying helicopters searching for pot fields disrupted rural life and invaded their privacy. Others argued that the program has done little to eradicate marijuana and even promoted the use of other, more dangerous drugs.

A month earlier, the council had narrowly approved the money on a 5-3 vote, but that vote had to be redone and Councilman Angel Pilago

changed his vote to kill the program.

NJ looks at distribution

In their first hearing on the pending medical marijuana bill, A804, on May 22, members of the New Jersey Assembly Health and Senior Services Committee said they were concerned that the proposal does not provide patients with legal ways to obtain marijuana.

“We need a reliable source for people to go to,” said Assy Joan M. Quigley. “You don’t want them to grow it in their dining room or get it behind the local high school.” Assemblyman Reed Gusciora, lead sponsor of the bill, said “I’d be in favor of the state dispensing it, but the first step is to set up a legal defense for use.”

CA Assembly passes employment rights bill

By Rebecca Salzman [Americans for Safe Access](http://AmericansforSafeAccess)

The California Assembly passed AB2279 on May 21 to protect medical cannabis patients from discrimination in the workplace. The bill, sponsored by Americans for Safe Access (ASA) with support from three unions representing nearly 1 million workers,

The bill, AB2279, introduced by Assy, Mark Leno (D-San Francisco), co-authored by Assemblymembers Patty Berg (D-Eureka), Loni Hancock (D-Berkeley) and Lori Saldaña (D-San Diego), would reverse a January

California Supreme Court decision in the case of *Ross v. Raging Wire*. In that case the court held that an employer may fire someone solely on the basis that the employee is a qualified patient who lawfully uses medical marijuana outside the workplace.

Support for the bill has been widespread, among labor, business and health groups at the local and national level. The bill will be voted on next by the State Senate, before being sent to the governor’s desk. For more information, see AmericansForSafeAccess.org/AB2279.



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National and International Reports

Compiled from West Coast Leaf staff reports

Ex-toker Smith pushes harsh cannabis penalties in UK Parliament

The British Advisory Council on the Misuse of Drugs issued its commissioned report, *Cannabis: Classification and Public Health*, and came out against harsher cannabis penalties for the United Kingdom. Chairman Sir Michael Rawlins, FMedSci, wrote, “after a most careful scrutiny of the totality of the available evidence, the majority of the Council’s members consider – based on its harmfulness to individuals and society – that cannabis should remain a Class C substance.” Home Secretary and former cannabis user Jacqui Smith told Parliament May 7, however, that she is determined to reverse Tony Blair’s 2004 reforms as part of a “relentless drive.” The move would mean the maximum prison sentence for possessing cannabis rises from two years to five.

Canada ready to cut off cannabis to patients who don’t pay up soon

Some 434 authorized medical cannabis users currently owe Health Canada over \$554,000 for their medicine, and 29 people were cut off from the national cannabis supply and have had their files forwarded to a collection agency. The 434 are allowed one more shipment of cannabis, then must either pay their account in full or be cut off as well. “This needs to change now,” said Phillippe Lucas, Executive Director of the Vancouver Island Compassion Society. “Health Canada should immediately forgive this debt, and (get) this medicine covered by our health services.”

US federal court puts limits on blanket employment drug testing

A federal appeals court panel ruled that a city can’t require all its job applicants to be tested for illicit drugs and must show why drug use in a particular job would be dangerous. The March 13 ruling of the Ninth US Circuit Court of Appeals in *Janier v. Woodburn* rejected the Oregon municipality’s claim that it was entitled to maintain a drug-free workplace by enforcing mandatory drug and alcohol screenings for job applicants. The appeals court said the city may be able to justify drug-testing of applicants for some jobs, but it found no basis to test applicants for library positions.

Hemp for Vermont bill becomes law; farmers to be regulated

Vermont Governor Jim Douglas allowed the Hemp for Vermont Bill, H.267, to become law without his signature May 29. The bill passed overwhelmingly both in the House (126 to 9) and the Senate (25 to 1). The new law sets up a state-regulated program for farmers to grow non-drug industrial hemp for commercial purposes. “Vermont’s federal delegation can now take this law to Congress and call for a fix to this problem of farmers missing out on a very useful and profitable crop,” comments Eric Steenstra, President of Vote Hemp. Rural Vermont Director Amy Shollenberger added that “No other state until now has followed North Dakota’s lead by creating real-world regulations for farmers to grow industrial hemp,” and noted that US Senator Patrick Leahy of Vermont is chairman of the Judiciary Committee and a member of Agriculture Committee – two relevant committees that could consider legislation. Learn more at VoteHemp.com.

Montana probation and parole allows medical use of cannabis

The Montana Department of Corrections relented and modified its standard conditions for offenders on parole or probation so that it will not include a restriction on physician-approved use of cannabis for medical purposes, the agency announced May 29. Diana Koch, chief legal counsel for the department, said the decision to exclude the cannabis ban from the rules was not her choice. “Our hands are tied by the way the initiative-passed law was written.” Voters approved the language of the 2004 law protecting doctor-authorized cannabis use while on parole or probation. Tom Daubert, of Patients and Families United, said this issue had been a major focus of the organization for some time, working with the Montana affiliate of ACLU and coordinating expert testimony at two different hearings.

Hailey, ID, township voters come through again for reform

Voters in the Idaho town of Hailey approved on May 27 — for the second time in less than a year — a trio of cannabis initiatives, reports *Drug War Chronicle*, #538. A measure legalizing medical marijuana, one legalizing industrial hemp, and a third directing the city to make cannabis its lowest enforcement priority all passed. A fourth initiative failed that would have directed the city to tax and regulate distribution. Voters passed the same initiatives in November, but city officials balked at them, a stance strengthened by a December opinion from the Attorney General’s office that the local initiatives conflicted with state law. But Ryan Davidson, chairman of the Idaho Liberty Lobby, the group that organized both efforts, put the initiatives back on the ballot. Another round of ballot box victories would make it “politically less viable” for local officials to oppose the will of the voters, he told the Idaho Mountain News. For further information, visit stophedrugwar.org.

New Hampshire bill would reduce penalty for a quarter ounce

The New Hampshire House defied expectations March 18 and passed a bill to reduce the penalties for possessing a few grams of cannabis, 193-141, overriding the recommendation of the Criminal Justice and Public Safety Committee, and moving the ball into the court of the State Senate.

Sponsored by Reps. Jeffrey Fontas, Andrew Edwards and Charles Weed, HB 1623 makes possession of up to a quarter ounce of cannabis a minor violation punishable by a \$200 maximum fine. It makes the penalty more proportional to the offense and protects offenders from harsh, often unintended, consequences that can stem from a conviction, said Fontas, such as loss of student financial aid, that make it much more difficult for young people to recover from a personal mistake.

The NH Coalition for Common Sense Marijuana Policy’s Matt Simon noted similar reforms were being considered in Vermont and Massachusetts and 11 states, including Mississippi, Nebraska and Ohio, have similar laws. According to government data, cannabis use rates for teens and adults in these “decriminalized” states are statistically equal to rates in states that jail people for possessing small amounts of cannabis.

Ohio senator introduces medical marijuana bill

State Senator Tom Roberts announced the Ohio Medical Compassion Act (OMCA) at a May 21 press conference featuring patients and cannabis experts. His bill would allow qualified patients and primary caregivers to use cannabis through a cardholder system. “The OMCA would give patients the opportunity to choose the type of medicine that most effectively treats them,” Roberts said. “Our laws should reflect the latest in medical research, which has shown that medicinal cannabis has a variety of benefits for treating pain, nausea and other symptoms related to a wide range of disease.” Under the OMCA, if passed, the Department of Health and the Department of Agriculture would be authorized to establish an advisory board to do the following: consider granting medicinal use of cannabis in cases of debilitated medical conditions; consider applications for and renewals of registry identification cards for qualified patients and primary caregivers; and provide recommendations for the safe use and efficient growing of medicinal cannabis.

Hemp ban is costly

Crop is cheaper, more ecological than legal crops and resources

Continued from page 1

Industrial hemp production is banned in the US as an archaic consequence of the war on drugs.

“There are numerous environmental advantages to hemp,” said Skaidra Smith-Heisters, a policy analyst at Reason Foundation and author of the report. “Hemp often requires less energy to manufacture into products. It is less toxic to process. And it is easier to recycle and more biodegradable than most competing crops and products. We won’t realize the full economic and environmental benefits of hemp until the crop is legal in the US.”

The Reason Foundation study reveals that polyester fiber manufacturing requires six times the energy needed to grow hemp. And cotton is one of the most “water- and pesticide-intensive crops in the world.” Hemp’s naturally higher resistance to weeds and pests means it requires dramatically fewer pesticides than cotton.

Not only has the government banned hemp production in the US, it is also directly subsidizing other crops that the study shows to be “environmentally inferior.” Corn farmers received \$51 billion in subsidies between 1995 and 2005; wheat farmers \$21 billion; cotton farmers \$15 billion; and tobacco farmers \$530 million in taxpayer-funded subsidies.

The study says the DEA’s inability to distinguish between industrial hemp and marijuana is irrational and ignores scientific fact, noting that marijuana “contains between three and 10 percent of the active ingredient, tetrahydrocannabinol, or THC. Industrial hemp typically contains 0.3 percent or less of this active ingredient — as a result, it has no value as a drug.”

A summary of the report, *Illegally Green: Environmental Costs of Hemp Prohibition*, is posted at www.reason.org/ps367polsum.pdf. The full study is at reason.org/ps367.pdf.

Reason Foundation is a nonprofit think tank dedicated to advancing free minds and free markets and publishes the critically acclaimed monthly magazine, *Reason*, and reason.org.

NORML meets Oct 17-19

Allen St. Pierre of the National Organization for the Reform of Marijuana Laws announced that the annual convention will be held Oct 17-19 in Berkeley CA. See norml.org.

TX jury acquits patient

A Texas patient who uses cannabis to treat HIV symptoms was acquitted of cannabis possession charges March 25 in a state without a medical use exception, using a “necessity defense.” That requires a defendant to establish that an otherwise illegal act was necessary to avoid imminent harm more serious than the harm prevented by the law he or she broke. While this has rarely been successful in Texas, the jury took just 11 minutes to acquit Tim Stevens, 53. The trial was hotly contested.

Jurors cannot be punished for rendering a ‘not guilty’ verdict, regardless of the facts or law

Stevens suffers from nausea and cyclical vomiting syndrome, a condition so severe that he has required hospitalization and blood transfusions in the past. He had never been in trouble until Amarillo police arrested him for less than four grams of cannabis, which he used in the treatment of his HIV infection.



San Diego students got their message onto TV news. Screen capture courtesy of SSDP.

SSDP seeks safer, not harsher, policies

Continued from page 1

Students for Sensible Drug Policy (SSDP) wouldn’t let that happen.

Within 24 hours, a demonstration had been organized that reframed the issue for nearly all the local and national media outlets covering the story (including *Newsweek*, ABC, *USA Today*, and the *Christian Science Monitor*), pointing out the futility of drug prohibition, and calling for the school to enact a life-saving Good Samaritan Policy (a measure that would shield students from punishment if they call for help during a drug-related emergency). Two SDSU students died of drug overdoses within the past year, prompting the investigation.

After two drug overdose deaths within a year, SSDP is urging a “Good Samaritan” policy to protect students who take friends for help.

The goal of the demonstration was not to defend the actions of the students who had been arrested, but rather to call into question whether or not the drug bust would have any effect on drug abuse problems at the university.

SSDP’s Randy Hencken teamed up with Parents for Addiction Treatment & Healing (a local San Diego-based organization), Drug Policy Alliance, and SSDP’s new West Coast office to organize the rapid-response protest and press conference the morning after the bust.

The SSDP staged a mock graduation ceremony, with 75 chairs representing the students arrested, and two chairs representing those who recently died of drug overdoses. Two banners hung just behind the podium that read, “77 Students Are Gone From Campus, But Drug Abuse Isn’t,” and “Save Lives With a Good Samaritan Policy.”

Hencken delivered a rousing speech to a crowd of students and TV news cameras.

“We’ve seen those big piles of drugs and money on our TV screens before, over and over again, for the past 3 decades, and the availability of drugs has not changed,” Hencken said.

“So long as students have a desire to use illegal drugs, and so long as the policy of prohibition sustains a lucrative black market, drug stings will do little more than create openings for others to step in and supply these drugs.

“If anything, new dealers will probably come from off campus, be better armed, and present a greater threat to SDSU students.”

While the drug policy reform movement works to replace prohibition with a system of regulation and control, SSDP chapters will continue to fight in the short-term for life-saving Good Samaritan Policies, which have already been embraced by nearly 100 colleges nationwide, as well as the entire state of New Mexico.

For videos and news articles about SDSU SSDP’s response to the drug raid, visit ssdp.org/sdsu. For info on Good Samaritan Policies, visit ssdp.org/goodsamaritan.



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RECKONING — Luke Scarmazzo ponders his future at a support rally for him and his associates. Photo courtesy of MedicalMarijuanaofAmerica.com

CHC operators face long federal sentences

Continued from page 11
the continuing criminal enterprise charge ... and when it came to corporate paperwork, CHC had

truckloads. That evidence was admissible only for purposes of demonstrating the structure and corporate functioning of the CHC. What made the government sweat was that these documents clearly stated the CHC was operating as a medical cannabis dispensary in compliance with state law.

Also admissible, oddly enough, was the music video that portrays Scarmazzo in drug-and-cash-filled scenes, and shows him making gun gestures at the camera as he raps: “Business from junk is how I get down / Touch one of mine and I gotta spit rounds.” At the conclusion of its case, and over the objections of defense attorneys, government prosecutors showed this video to the jury.

The music video featured both defendants, but it was hardly proof of any criminal charges. Viewing it may have had a prejudicial effect on the jurors, and many of whom seemed appalled by the imagery. Defense attorneys are in the process of filing an appeal, citing this prejudicial effect as a reason for consideration. For Scarmazzo and Montes, the appeal may be their last hope for avoiding 20 years in federal prison. If it fails, these two young fathers will likely be forced to watch their children grow up through letters and photos, always out of reach.

The Lab Bench:

Illegality of cannabis adds greater risk of adulterants

By Jahan Marcu

The most dangerous aspect of cannabis is not THC or even the smoke; it is contamination such as fungus, lead, glass and other harmful agents. If a patient can access a collective or dispensary, they have less to worry about. Collectives and dispensaries screen their medicines for nasty stuff like mold, so their patients have access to high quality medicine with minimal exposure to harmful things. However, most patients have no choice but to go to the street to obtain medicine.

Any patient might tell you that “street cannabis” is sometimes contaminated and the quality is generally poor. The last study done in the US on this public health issue was published in 1983 (1). Dr. Kagen and colleagues found that “13 of 14 cannabis samples contained potentially pathogenic fungi in various combinations.” In 2007, United Kingdom public health directors were advised that up to 10 percent of “street cannabis” there was contaminated with tiny pieces of glass, added for weight and a shiny appearance to mimic resin glands (2). Recently in Germany, after doctors traced a series of lead poisonings back to “street cannabis” purchased by their patients (3), a criminal investigation was launched and authorities started an anonymous screening program for cannabis users. After two weeks the program had screened 145 samples of cannabis and helped 95 people receive treatment for lead poisoning. Furthermore, a report from Canada discussed a man undergoing chemotherapy, who was infected with Aspergillus, after smoking cannabis that was contaminated with this fungus (4). The authors claimed that difficulties in obtaining medical cannabis result in patients seeking out cannabis which is “lacking safeguards.” The data regarding contaminated cannabis seems to indicate that cities lacking sufficient access to medical cannabis, experience an increase of persons seeking medical treatment for ailments caused by adulterated cannabis obtained in the street. Sources: (1) Kagan Et al. Marijuana Smoking and fungal Sensitization. *Journal of Allergy and Clinical Immunology* (1983) 71(4):389-393 (2) Update on Contaminated Cannabis in UK: info.doh.gov.uk/doh/embroadcast.nsf/vwDiscussionAll/B62F8B2DD75DEA08802572DE0036E4FF (3) German Cannabis contaminated with Lead content.nejm.org/cgi/content/full/358/15/1641 (4) Cescon et al. Invasive pulmonary aspergillosis associate with marijuana use in man with colorectal cancer. *Journal of Clinical Oncology*. Vol 26, No 13 (May 2008). jco.ascpubs.org/cgi/epriint/26/13/2214

Adding tobacco, not cannabis potency, increases risk of dependence

In New York City, researchers set out to investigate the hypothesis that the use of tobacco with cannabis may increase cannabis dependence symptoms. The authors briefly discuss the increase of reports on cannabis addictive disorders and refute the idea of high potency cannabis as a culprit, and infer that tobacco use may be to blame. The researchers thought the practice of using “blunts” and/or “chasing cannabis” with a tobacco cigarette could increase negative symptoms of cannabis use and thus explain the prevalence of adolescents entering cannabis treatment programs. It was previously shown that nicotine interacts with the endocannabinoid system and is thought to enhance “the reward effect.”

A total of 481 cannabis users, age 17-35 were asked to complete the survey. The demographics were 57% male, 43% female; 27% white, 30% Black, 19% Latino, 5% Asian, and 20% “other. The data suggests Blacks and Latinos preferred blunts while Whites tended towards “chasing cannabis”. People who lived in Manhattan smoked cannabis most often alone; those in South Bronx tended to smoke blunts in groups. In fact the authors state “the average Harlem/South Bronx smoker simply prefers blunts for all occasions.”

The authors found that “chasing cannabis” and blunt smoking each contributed in a unique way to cannabis dependence symptoms, even after controlling for cannabis use alone, frequency of use in joint/pipe, tobacco use, and several other factors including race, gender, and socio-economic status. The authors conclude that the treatment of cannabis dependence may be more effective if the issue tobacco use is addressed because nicotine may greatly increase the withdrawal effects of cannabis.

Source: Ream Et al. Smoking tobacco along with marijuana increases symptoms of cannabis dependence. *Drug and Alcohol Dependence* 95 (2008) 199-208.

Tainted sentencing Aug 6

Continued from page 11
count of using a phone to sell a controlled substance. Both await sentencing later this summer. Diallo McLinn and Michael Anderson agreed to misdemeanor plea agreements for their limited roles in the company. Both were given two years probation.

Judge Wayne Brazil commented the issue has “some humane aspects,” but that he, “as a judge, cannot decide which laws to enforce.” Martin and Sanders are face much stiffer sentences for their charges and face sentencing hearing before Judge Claudia Wilken Aug. 6. For info online see freetainted.com.

Study confirms cannabis relieves neuropathic pain

By Bruce Mirken

A clinical trial conducted at the University of California at Davis and published online in mid-April by the Journal of Pain has demonstrated that cannabis can provide significant relief of neuropathic pain (pain caused by damage to nerves) stemming from a variety of causes. This is the second study in just over a year to show that cannabis relieves neuropathic pain, which is notoriously resistant to treatment with conventional pain drugs, including opioid narcotics. A UC San Francisco study published last year showed relief of HIV/AIDS-related neuropathy.

In the new study, 38 patients experiencing neuropathic pain from diabetes, spinal injury, multiple sclerosis and other causes were given cannabis cigarettes of three different strengths: Zero percent THC (placebo), 3.5 percent THC or 7 percent THC. In each session, patients took the same number of puffs, following a standardized procedure to ensure uniformity of the dose received at each strength.

Both doses of cannabis reduced pain significantly, producing marked declines in pain intensity that lasted over five hours. Researchers Barth Wilsey and colleagues wrote that side effects “were relatively inconsequential,” and “psychoactive effects were minimal and well-tolerated.”

Although the scientists did express caution about the neurocognitive effects of the higher dose — reflected in lower scores on some tests of memory and problem solving — the study was not designed to examine the potential for cannabis to allow reduced doses of narcotic painkillers that also cause cognitive impairment, a benefit widely reported by patients. Numerous animal studies have found that opioid drugs such as morphine and codeine act synergistically with cannabinoids, allowing the use of reduced doses (and thus potentially less cognitive impairment from the opioids) in combination therapy.

The study found that there were marked declines in pain intensity that lasted over five hours.

A pilot study of cannabis/opioid combination therapy for treating pain, now underway at San Francisco General Hospital may shed more light on the potential for such combination therapy. Patients on ongoing morphine or oxycodone therapy for chronic pain are still being sought for this trial. Information is available at 415-476-9554 ext. 315.

In the new neuropathy study, issues of cognitive impairment may have been exaggerated by the test procedure, which required participants to smoke a set number of puffs, each held for a specific length of time, regardless of the strength of the cannabis used. In practice, patients generally self-titrate, smoking or vaporizing until the relief is adequate but before excessive psychoactive effects kick in.

Although the study received only a smattering of press attention, medical marijuana advocates immediately recognized its importance. “This is yet more proof that the American College of Physicians was right, and that US government policy on medical marijuana is totally divorced from scientific reality,” said Rob Kampia, executive director of the Marijuana Policy Project. “Congress needs to act to end the federal war on medical marijuana, but in the meantime states without medical marijuana laws should act on their own to protect cannabis patients from arrest, as several states are considering right now.”

SAFER campaign says since cannabis is safer than booze, punishments should be equivalent

By Mason Tvert, Director of SAFER

Safer Alternative For Enjoyable Recreation (SAFER) is gearing up for new endeavors in Colorado and nationwide. The Denver-based organization that was behind the successful cannabis reform initiatives in the Mile High City, is joining forces with other organizations and activists around the state to build a broader coalition for reforming local and state cannabis laws. SAFER is working alongside its partner organization Sensible Colorado to recruit and train activists in cities and towns around the state, building an army of supporters that will ideally be in place for another effort to change the state cannabis law down the line.

In April, Ohio State Univ. became the latest college where the student body adopted a SAFER referendum, calling on the university to no longer impose harsher punishments for student cannabis use than for student alcohol use. Also that month, students at the College of DuPage, the midwest’s largest community college, approved a similar SAFER referendum, making it the first community college to carry out a SAFER campaign.

SAFER launched a new web site, SAFERchoice.org, and is working to build its network of supporters around the country. Interested supporters are encouraged to contact them through the site.

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WEST COAST LEAF Calendar and Community Directory

June 12: MPP Playboy Mansion benefit, CA
Support reform and hobnob at the Playboy mansion. Tickets and info at mpp.org

July 18-20: Emerald Empire Hemp Fest, OR
Emerald Empire Hemp Fest, Eugene, Oregon; emeraldempirehempfest.com. Get in on the fun, and give much-appreciated assistance to a cause you can really believe in. 541-434-2377.

Aug 16-17: Seattle HempFest, WA
Two days, five stages, 1500 volunteers, 150,000 folks, Myrtle Edwards Park. Seattle HempFest is third weekend every August. hempfest.org

Aug 25- Sep 1: Burning Man, NV
Burning Man, Black Rock Desert Nevada. Email: questions@burningman.com; burningman.com

Sept 6-7: Portland Hempstalk, OR
Sat 10-10, Sun 10-6, Eastbank Esplanade, 2 SE Main St. (nr Salmon), John Trudell, music, speakers, vendors, presented by The Hemp and Cannabis Foundation. hempstalk.org

Sept 26-28: Critical Resistance, Oakland CA
Conference to abolish the prison industrial complex. criticalresistance.org, 510-444-0484

Sept 27: WammFest V, Santa Cruz CA
MMJ, celebration/ fundraiser; noon to 5pm, San Lorenzo Park. Santa Cruz, wamm.org 831-425-0580

Oct 19-20: Hemp Industries convention, MA
15th HIA Convention & Annual General Meeting, Best Western Roundhouse, Boston MA, after Natural Products Expo East & BioFach America.

Registration Fees: \$200 / person thru July 15, \$250 thru Sep 19, then \$300. 707-874-3648

Oct 17-19: National NORML Conference, CA
Annual NORML Conference 2008 will convene in Berkeley. Great networking opportunity. Norml.org

Regular Local Meetings

ASA local chapters See box on this page

SF Axis of Love Every Tues 4pm, 223a Ninth St. at Howard, San Francisco

Oakland Cannabis Regulation and Revenue Oversight Committee third Thurs/ month, 6 PM, City Council Chambers, City Hall to discuss the future of cannabis rules. Time for public comment. Pre-meet at Bulldog Coffeeshop.

California Coalition Against Prohibition fourth Thurs/ month, 1734 Telegraph Ave. Oakland,

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

Compassionate Coalition, Sac. third Tues/ month at Crusaders Hall 320 Harris Ave # H Sacramento, 7-8pm. Nathan@compassionatecoalition.org.

Riverside Friday night seminars on Health and Medical benefits of Cannabis, Every Fri 7:30-8:30, THCF Medical Clinic, 647 N. Main St., Riverside CA 92501, 760-799-2055

PLAYBOY BENEFIT FOR MPP

— Comedian and political pundit Bill Maher accepted Marijuana Policy Project's *Public Face of Reform Award* from director Rob Kampia at last year's fundraiser. This year's gala at the Playboy Mansion is set for June 12; see mpp.org for info.

Photo courtesy of Mark Hughes, MPP



Marijuana Anti-Prohibition

Project MAPP Palm Springs Sat, July 5, Aug 2, 3 pm, Copykatz Showroom, 210 S. Palm Canyon downtown. **Riverside** Wed, July 2, Aug 6 7:30 pm, THCF Medical Clinic, 647 N. Main St. **High Desert** Sat July 12, Aug 9, 760-799-2055.

Orange County NORML third Thurs, Giovanni's

Local and regional Americans for Safe Access meetings

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

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

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

LA ASA third Sat, 1 PM, Patient ID Center, 470 S. San Vicente Bl., LA 90048, Don@americansforsafeaccess.org

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

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

Pizza 922 W Williams, Fullerton 92832 ocnorml.org

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

Community Landmarks and Transitions

NORML's Paul Armentano family welcomes new arrival

National Organization for the Reform of Marijuana Laws Deputy Director Paul Armentano and his wife Beth celebrated the birth of their son, August Rex Armentano on April 11, 2008. The 10-pound baby is the couple's first child and he arrived in good health; both mother and child are doing fine. Many readers may know Paul from his news reporting as well as from his reports on scientific studies.

Right: Paul holds August Rex Armentano



Humboldt County Supervisor Rodoni dies mid-campaign

Humboldt County Second District Supervisor and erstwhile ally of cannabis reform Roger Rodoni died April 24 in a vehicle accident near the town of Rio Dell. He was a friend to the environment, environmentalists, science and patients. Rodoni advanced the advisory panel that gave the county its patient guidelines of three pounds of bud and 100 square feet of flowering garden area. Roger served three terms as Supervisor, and was campaigning for a fourth and



driving Hwy 101 on his way to a fundraiser when his truck was hit by another vehicle and pushed off the road. Rodoni died at the scene. His wife, Johanna Rodoni, was appointed by Gov. Schwarzenegger to finish his term. Roger's name is still on the ballot with strong support. If he wins, it is expected that Johanna will fulfill his term of office.

Albert Hoffman, Father of LSD

Dr. Albert Hofmann, who died on Jan. 1 at age 102, synthesized lysergic acid diethylamide (LSD) in 1938 and became the first person to experience a full-blown "acid trip" on April 19, 1943, which

became known as "Bicycle Day" because Hofmann experienced the most intense symptoms while bicycling home from his laboratory that day.

Mae Nutt 'Grandma Marijuana'



Mae Nutt, known as "Grandma Marijuana", passed away Jan. 1, at age 86. Mrs. Nutt, motivated by the sickness of her son Keith after she saw his increased quality of life using cannabis for his terminal cancer, began distributing medical cannabis to other ill and dying patients in Beaverton, Michigan, her home town. She and her husband were instrumental in the passage of the first medical marijuana legalization bill in Michigan in 1979. They were 1990 recipients of the national *Citizens of the Year* award from The Drug Policy Foundation in Washington, DC. She was Vice-president and co-founder of the Alliance for Cannabis Therapeutics, the first organization in the modern US to advocate for a patient's right to medical marijuana.

Don Fiedler, directed NORML

Don Fiedler practiced criminal defense in Nebraska from 1970 with a brief sojourn in DC as the National Director of NORML. He was a past president of the Nebraska Criminal Defense Attorney's Assn, and served on the NACDL Board of Directors.

Catch the Buzz...

NORML Conference
October 17-19, 2008
Berkeley, CA

For details
Visit norml.org
Call 888-67-NORML



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HUMAN RIGHTS AND THE DRUG WAR

www.hr95.org/ This project puts the drug war into the perspective of preserving and respecting human rights for all.

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

LEGAL SRVICS FOR PRISONERS W/ CHILDREN

www.prisonerswithchildren.org/ Advocates for the human rights and empowerment of incarcerated parents, children, family members and people at risk for incarceration.

MARIJUANA POLICY PROJECT MPP

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

MEDIA AWARENESS PROJECT

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

MAMA

Mothers Against Misuse and Abuse, for honest, responsible drug education mamas.org

MAPS

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

NORML

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

NOVEMBER COALITION

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

OREGON NORML www.ornorml.org

SAFER

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

STUDENTS FOR A SENSIBLE DRUG POLICY

www.ssdp.org/ Students seeking to reduce the harms caused by drug abuse and drug policies.

VOTEHEMP

votehemp.com/ Industrial, horticultural hemp.

VOTER POWER (OREGON)

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“My toke on it”

Who’s hot, who’s not
... and who’s

Smoking Pot

By Ellen Komp veryimportantpotheads.com
Dallas Mavericks forward **Josh Howard** outed himself and the NBA during an April 25 interview on *The Michael Irvin Show* on the ESPN radio affiliate in Dallas. “Most of the players in the league use marijuana and I have and do partake in smoking weed in the off-season sometimes,” Howard said. “That’s my personal choice and my personal opinion. I don’t think that’s stopping me from doing my job.” Arguably so. Howard averaged 19.9 points this past season and helped take his team to the playoffs. Howard’s admission brought one from commentator and T-Mobile spokesperson Charles Barkley, who put his use squarely in the court of his past. In 1993, the year he was voted the NBA’s most valuable player, Barkley made national news when he wrote the text for his “I am not a role model” Nike commercial.

“Most players in the league use marijuana and I have and do partake in smoking weed in the off-season sometimes,” Howard said.

Actor **Jeff Bridges** was asked by USA Today if he was a major pothead like “The Dude,” the character he plays in the Coen Brothers’ 1998 comedy, *The Big Lebowski*. “Oh, yeah,” Bridges replied. “Big time.” Also for Bridges, in the past.

Dawn Wells, who played Mary Ann on TVs *Gilligan’s Island*, was sentenced to six months’ unsupervised probation after the 69-year-old actress was caught with pot in her car. Ten years ago, Wells was rumored to have been the person who mailed her co-star Bob Denver a package of pot to his West Virginia home. Denver played the title role of Gilligan and was beatnik Maynard G. Krebs on TV’s *The Many Loves of Dobie Gillis*.

Madonna 49, grabbed headlines away from her fellow Rock and Roll Hall of Fame inductees by using her acceptance speech to reveal she took ecstasy and smoked pot on her way to the top. After accepting her award on March 10, Madonna said, “The night I met **Michael Rosenblatt**, who signed me to Sire Records, I jammed my demo tape into his hand, we both did a tab of ecstasy and then we danced the night away.” She then recalled the night she met long-term publicist **Liz Rosenberg**, saying: “We smoked a joint together.”

Actress **Danneel Harris**, who stars in the hit sequel *Harold and Kumar Escape from Guantanamo Bay*, told *High Times* magazine she gets high. Among her other roles, the 28-year-old actress has played Rachel on 42 episodes of the high school show *One Tree Hill* on the CW network.

As British Home Secretary **Jacqui Smith** announced that she will crack down on UK cannabis smokers, it’s interesting to recall that Smith said in a 2007 television interview that she tried cannabis as an Oxford undergraduate in the early 1980s. Her admission prompted similar ones from Chancellor Alistair Darling, Treasury Chief Secretary Andy Burnham, Transport Secretary Ruth Kelly, and Business and Labor Enterprise Secretary John Hutton. Several senior Tory and Labor politicians, including former Home Secretary Charles Clarke, previously admitted to smoking it.

Tips for cannabis consumers

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

WILL HE LAST? — Watch what you joke about: It just might come true! Comedian Doug Benson goes up against a challenge of his own making, in *Super High Me*.

Documentary film
takes comic from
cannabis fast to feast
with surprising
results...

By John Thomas Ellis

On April 20 at 4:20 pm, *Super High Me* was screened across the nation in 1100 theaters. In Oakland’s Parkway Speakeasy Theater, the room was filled mostly by smiling people sitting in comfortable couches and table seating that beckoned us to enjoy a new and growing trend for filmgoers, small intimate dinner movie theaters. This crowd should have been filled with hippies or the hip hop crowd but actually showed a promising breadth of viewers that shows how widely cannabis use is now integrated into the mainstream and subcultures.

The movie opened with Benson walking into a medical marijuana dispensary in California and checking out all of the different kinds of cannabis they have for sale. This gives those who have never seen over-the-counter cannabis sales a glimpse into the California collective realm. With receptionist areas, glass display cases and mason jars, the low budget production values made all the dispensaries look mostly the same, which they are not.

Benson stares like a bewildered child at Christmas at the many different kinds of cannabis product qualified patients can buy today. This is just a taste of what is to come.

But first the setup: Based on Benson’s joke about Morgan Spurlock’s 30-day fast-food-eating experiment as seen in *Super Size Me*, stand-up comedian Doug Benson and filmmaker/comic Michael Blieden put together a parody mockumentary with ganja smoking as the foil.

Benson, named the #2 pot comic in the



USA by *High Times* magazine, volunteered to stop smoking for 30 days, then burn constantly for the following 30, to see how his body and mind would hold up; all the while taking a barrage of aptitude tests, being monitored physically and studying the medical marijuana laws and how they’re enforced. He complies with California law by securing a valid doctor’s approval for back pain.

Super High Me wasn’t meant as a political statement and is not particularly enlightening; but for those who like laughing at those who get high, then it’s just a fun romp like Cheech and Chong or even the Three Stooges. This film is not for the overly-sensitive cannabis toker or for too-serious film critics, but it hits its stride somewhere in between and keeps the audience hanging on for the ride.

Turns out, Doug Benson is funnier when he’s going through withdrawal but smarter when he’s high as a kite — proof, perhaps, that pain can create laughter and pot can make you smart. Benson is one of a long line of comics that have hooked their careers to the counter-culture or to alternative lifestyles of various generations. He’s no Mort Sol or Lenny Bruce, but he is a courageous man who shares his passion for weed openly and by challenging the morays and the laws of our times he deserves a place with the best of them.

Patient Support and Services

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

Eco-hemp poised for breakout year in fashion

By Adam Eidinger Capitol Hemp Clothing, Washington DC, www.capitolhemp.com

Hemp, long known as a sustainable, practical fabric to the eco-set, has found a new home with top couture designers — and they are taking hemp clothing from enviro-niche to the glamour and bright lights of the runway.

At New York’s fashion week earlier this year hemp fabrics were featured by numerous mainstream designers such as Donatella Versace, Behnaz Sarafpour, Ralph Lauren, Donna Karan International, Isabel Toledo and Doo.Ri wove their magic with everything from hemp/organic cotton jersey knits to hemp/silk charmeuse.

Hemp fabric in the mainstream fashion world is a crowning achievement for the pioneering hemp entrepreneurs that struggled for years to literally stitch together a way to make hemp clothing even though raw materials must be imported because farmers have not been able to legally grow the crop in the US for the last 51 years.

“We see 2008 as a breakthrough year for hemp fashion, thanks to more than a decade of work by members of the Hemp Industries Association (HIA),” says Summer Star Haeske, Sales Manager for EnviroTextiles, LLC. “Hemp/silk shiny charmeuse, one of my favorite fabrics, has been the hit for top couture designers,” adds Haeske.

EnviroTextiles is joined by many other innovators including Los Angeles based Hemp Traders, which supplies numerous small and large scale clothing designers with hundreds of varieties of hemp blended. In the past few years hemp clothing has used by an ever greater number of US designers.

Some of the leading hemp clothing brands include: Livity, Swirlspace, Ecolution, Two Jupiters, Jung Maven, Satori Hemp, Mountains of the Moon, Envirotextiles, Hemp Hoodlamb, The Hempest, Sweet Grass, Hemp & Chocolate, Hemp Sisters. Hemp is also

being used by shoe companies including, Simple, Black Spot and Adidas.

The HIA estimates that the North American retail market for hemp textiles and clothing exceeded \$100 million in 2007 and is growing around 10 percent per year, about the same rate as the general hemp market. Hemp is better for the environment because it does not require pesticides and improves soil quality. Unfortunately, makers of hemp clothing must import their raw materials from overseas because US farmers are not allowed to grow industrial hemp. The DEA wrongfully considers hemp to be a drug crop under their interpretation of the Controlled Substances Act (CSA), even though drug varieties of Cannabis are significantly different from oilseed and fiber varieties (industrial hemp). The industrial varieties are low in THC and high in CBD, making them useless as a recreational drug.



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