

California reduces marijuana penalty

Possession now an infraction

By Dale Gieringer, Cal NORML

A bill to downgrade the possession of one ounce or less of cannabis from a criminal misdemeanor to an infraction was signed into law Sept. 30 by California Gov. Arnold Schwarzenegger. Another new law sets a 600 foot buffer around dispensaries.

The decrim bill, SB 1449 by Sen. Mark Leno, takes effect Jan. 1, 2011. Its major effect will be to spare minor pot offenders the necessity of court appearances and criminal arrest records.

Instead, it treats possession like a traffic ticket, punishable by the same \$100 fine (plus up to \$273 in fees) as presently.

A major benefit of the bill is to save the state's taxpayers millions of dollars in court and prosecution expenses. One disadvantage to offenders is that they will no longer have the right to demand a jury

trial, a threat that often led prosecutors to drop charges entirely. Now they can only ask for a hearing before a judge if they don't want to pay the ticket by mail.

In his signing statement, the Governor said he opposed decriminalizing recreational cannabis and opposed the Prop 19 legalization effort, but "in this time of drastic budget cuts, prosecutors defense attorneys, law enforcement and the courts cannot afford to expend limited resources" prosecuting petty pot offenses.

The bill received influential support from the state's courts and district attorneys. In addition, supporters sent over 2,500 e-mail messages to the governor to sign SB1449 via the NORML website.

Another factor in the decision may have been the impending state vote on Prop 19. By signing SB 1449, Gov. Schwarzenegger undercut the argument that the state was wasting law enforcement resources by criminalizing users.

The cost savings of SB 1449 will likely amount to a few million dollars in court expenses, a small fraction of the estimated \$200 - \$400 million that the state spends on felony marijuana offenses such as cultivation, distribution and sales.

Nonetheless SB 1449 was spuriously
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Arizona becomes 15th medi-marijuana state

By Mike Meno, MPP

In an election that saw the defeat of three other statewide marijuana initiatives, voters in Arizona narrowly approved Proposition 203, a ballot measure making theirs the 15th state in the nation to have an effective medical use law.

The AZ Medical Marijuana Act passed by just 4,341 votes out of more than 1.67 million cast. It will allow patients suffering from cancer, HIV/AIDS, multiple sclerosis and other debilitating conditions to use cannabis with a recommendation from their doctors. It permits the establishment of not more than 124 licensed cannabis clinics throughout the state. Patients who live more than 25 miles from one will be allowed to grow their own medicine.

Rob Kampia, executive director of the Marijuana Policy Project (MPP), which drafted the initiative, heralded the victory as "another blow to our nation's cruel and irrational prohibition on marijuana." MPP played a key role in overseeing the signature drive, and steered more than \$500,000 in contributions toward its passage.

On election day, Prop 203 was trailing by some 7,000 votes, but as the state tallied more than 200,000 late provisional ballots, the gap gradually narrowed until it was clear the measure would pass — nearly two weeks after the vote.

This is the third time Arizona voters have approved a medical use law but neither of the previous two, passed in 1996 and 1998, ever took effect because of problems with the initiatives' wording.

Under the new law, patients are required to register with the Dept. of Health and will be allowed to possess or purchase up to 2.5 ounces of marijuana, but public use remains prohibited. Legal patients from other states will be protected from arrest if they have their patient ID card, less than 2.5 ounces, and don't violate any other restrictions of the law. Out-of-state patients will not be allowed to
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Near-record marijuana arrests in 2009

Nobody gets busted for bud? Better think again, says FBI

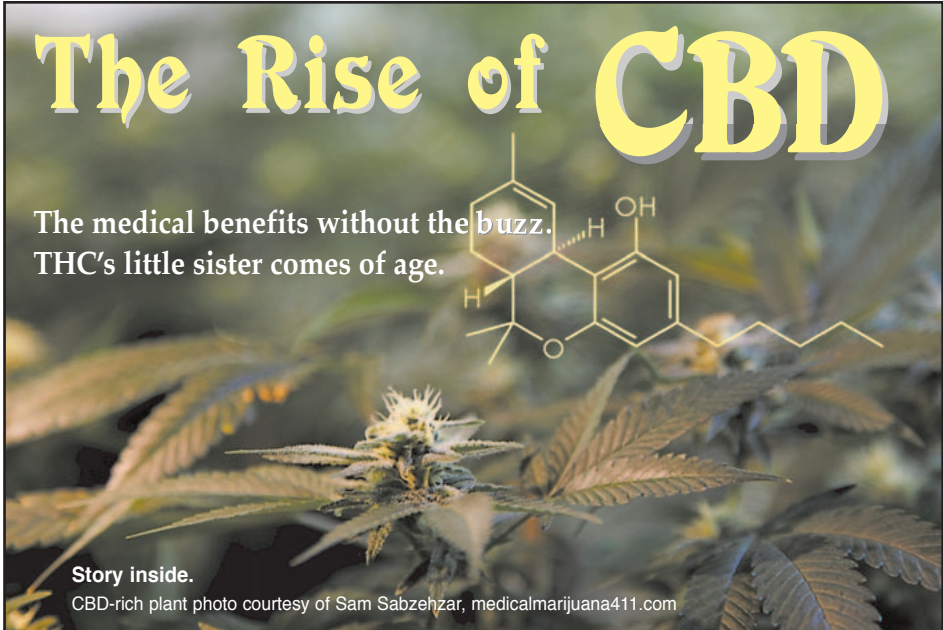
By Paul Armentano, NORML

Police prosecuted 858,408 persons for marijuana violations nationally in 2009, according to the Federal Bureau of Investigation's annual Uniform Crime Report, released in September 2010.

This arrest total is the second highest ever reported by the FBI, and marks a 1.3% increase over the number of 2008 arrests (847,864). The FBI reported 872,721 marijuana prosecutions in the US in 2007, the highest total on record.

According to the report, marijuana arrests now comprise more than one-half (approximately 52%) of all drug arrests reported in the US. A decade ago, marijuana arrests comprised just 44% of all drug arrests. Some 46% of all drug prosecutions nationwide are for cannabis possession.

"The numbers tell the story; the enforcement of criminal marijuana laws



Prop 19 initiative comes within 4% of legalizing adult use in California

Campaign elevated legalization discussion around the world

By Chris Conrad

"The fact that millions of Californians voted to legalize marijuana is a tremendous victory," said Proposition 19's chief proponent, Richard Lee, Nov. 3, 2010. "We have broken the glass ceiling. Prop 19 has changed the terms of the debate. And that was a major strategic goal."

With that, the campaign conceded that California's legalization initiative had not won the election. Nonetheless, the effort made impressive gains. With more than 4.5

million 'Yes' votes, Prop 19 outpolled every Republican running for statewide office. Its 46.4% support was the highest-ever rate of US voter approval for any non-medical legalization ballot measure.

Despite all odds, polls showed Prop 19 having a good chance of passage until the last weeks of the campaign, when the governor signed a law dropping possession to a citation offense similar to a parking ticket, which apparently took the urgency out of the issue for many voters.

Groups like the National Black Police Assn., Nat. Latino Officers Assn., California Council of Churches IMPACT, Cal NAACP, SEIU of CA, United Food and Commercial Workers Western States Council, Latino Voters League, members of the US Congress, local Democratic committees, state legislators and many individual law enforcers, faith leaders, civil rights activists, students, law professors and business leaders endorsed Prop 19.

The initiative had overall support in the medical marijuana community. Prop 19 co-proponent Jeff Jones opened Oakland's first cannabis dispensary even before the
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New studies document disparities in arrests

Blacks, Latinos hit hardest

By Stephen Gutwillig, Drug Policy Alliance

Two new studies were released in October that document extensive race-based disparities in misdemeanor marijuana arrests across California from 2006-2008.

The first report, *Arresting Blacks for Marijuana in California: Possession arrests in 25 cities, 2006-08*, was co-released by the Drug Policy Alliance and the California Conference of the NAACP. It found that, over two years, police in 25 of the state's major cities have arrested blacks for low-level marijuana possession at four, five, six, seven and even 12 times the rate of whites.

The second report, *Arresting Latinos for Marijuana in California: Possession arrests in 33 cities, 2006-08*, was co-released by the W. C. Velasquez Institute.

It found that, over two years, major cities in California arrested and prosecuted Latinos for marijuana possession at double
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and the prosecution of marijuana offenders, in particular minor possession defendants, is driving the present drug war," NORML Director Allen St. Pierre said. "Those who claim otherwise would be better off advocating for a long-overdue re-prioritization of law enforcement resources and concerns.

"It makes no sense to continue to prosecute Americans for their use of a substance that poses far fewer health risks than alcohol or tobacco. A better and more sensible solution would be to legalize and regulate cannabis in a manner similar to alcohol, as was proposed by Prop 19."

Of Americans charged with cannabis violations, some 88% (758,593 individuals) were charged with possession only. The remaining 99,815 were charged with "sale/manufacture," a category that includes virtually all cultivation offenses.

Regionally, the percentage of marijuana arrests was highest in the Midwest (62% of drug arrests) and southern regions (56% of drug arrests) of the US, and lowest in the West, where pot prosecutions comprised only 40% of total drug arrests.

In California in 2009, there were 17,008 felony and 61,164 misdemeanor marijuana arrests, for a total of 78,172. In 2008, there were 17,126 felonies and 61,388 misdemeanors, for a total of 78,514. This was the highest number of arrests in a single year since cannabis was decriminalized in 1976.



FREE MARC EMERY — Supporters of Canada's 'Prince of Pot' Marc Emery gathered in front of the Alabama State House as part of a worldwide day of support Sept. 18. The rallies called on the US government to release the entrepreneur who founded *Cannabis Culture* magazine and directed a cannabis seed empire under the tagline, "overgrow the government." He is serving five years in federal prison. Photo by Chris Butts

National and International Reports

Plea curtails Stacy federal medical marijuana trial

In a surprising turn of events on Oct. 26, 2010, less than a week before trial was set to begin, a deal was struck in the James Stacy federal medical marijuana case with the sentence dropped from life in prison to no jail time. His collective, Movement In Action, was raided Sept. 9, 2009, the same day over a dozen other San Diego County dispensaries were raided as part of District Attorney (DA) Bonnie Dumanis' attack, dubbed 'Operation Green Rx.' Stacy was serious about taking his case to trial and presenting as much evidence as possible to the jury. The US Attorney saw the possibility of jury nullification, as one of San Diego Americans for Safe Access board members was a potential juror and the local chapter planned a jury-nullification campaign and protests. Advocates hope that Dumanis will think twice now before sending another dispensary that is in full compliance with state law to federal court in San Diego. — *Eugene Davidovich*

Oregon patients bridge the gap to get by without dispensaries

The failure of Measure 74 leaves Oregon patients still dependent on one another for access to medicinal cannabis. Since 1998, the only legal ways patients registered in the Oregon Medical Marijuana Program (OMPP) have access to cannabis is to grow it themselves, have someone grow it for them with no compensation, or hope someone will give them some. Patients must teach each other how to grow medicine, with cuttings and clones given freely, and also how to make and use cannabinated butter, oils and tinctures.

Mothers Against Misuse and Abuse teaches patients about the onset and duration of the effects of various forms of cannabis medicine. This enables people to choose the type that is most effective for them. For patients to know how other medicines they use may be affected by cannabis, a good resource is *Complete Guide to Prescription and Nonprescription Drugs* by H. Winter Griffith, MD. — *Sandee Burbank* mamas.org

Hawai'i patients grounded on Big Island with their medicine

Cannabis patients with valid doctors' certifications are increasingly being arrested at Big Island airports while transporting their cannabis to Oahu. Patients frequently need to travel to Honolulu for medical care. Despite state law, patients are having cannabis confiscated and finding themselves in court. Two recent cases involve Alan Lee and nurse Donna Goldsworthy, both with current licenses and fighting second-degree misdemeanor charges of promoting a dangerous drug. Each had less than the amount allowed by law.

There is a hope that the new governor, Neil Abercrombie, will stop these arrests. "We are reasonably confident that when the legislature passes bills favorable to medical cannabis patients that the governor will not veto them, as has been the case in the past," said ASA co-chair Andrea Tischler. "Topping the list will be an order to stop the arrests of patients when they transport their cannabis for inter-island travel." — *Martin Williams*

CAPITOL PROTEST — More than 70 mothers, family members, healthcare professionals and individuals in recovery gathered at the California State Capitol in Sacramento Oct. 13, 2010 to call attention to America's failed drug policies and the havoc they have wreaked on families. Moms United to End the War on Drugs is a project of A New PATH (Parents for Addiction Treatment and Healing) and a growing moms' movement to stop the violence, mass incarceration and overdose deaths that are direct results of drug prohibition. The rally was a culmination of a statewide campaign, with rallies in San Diego, Los Angeles and Santa Barbara, and the launch of a national moms' movement. Speakers included California NAACP President Alice Huffman, Rev. Canon Mary Moreno Richardson of St. Paul's Cathedral, Julia Negron, Gretchen Burns Bergman and Lorraine Rebennack of A New PATH; Denise Cullen of Broken No More; Suzanne Riordan of Families ACT, and Margaret Dooley-Sammuli of Drug Policy Alliance. Photo courtesy of Emilia Moreno



Local medi-marijuana measures popular in Cali

By Kris Hermes, Americans for Safe Access

Proposition 19 was not California's only cannabis-focused initiative on the Nov. 2 ballot. An unprecedented number of medical-marijuana measures appeared on local ballots across the state. From increased taxes on dispensaries, to licensing large-scale cultivation, to bans on distribution of cannabis — voters weighed in on more than a dozen local measures that will significantly affect patients' lives.

Two proposals which would have banned local distribution of cannabis were soundly defeated in Santa Barbara and Morro Bay. The results from these races seem to indicate that a majority of voters understand the need for safe access and are willing to oppose laws aimed at curtailing such access. Advocates hope these results will discourage other localities from attempting to ban distribution by voter initiative in 2012 or later.

To whatever extent California voters favor local distribution, they support

cannabis taxation even more. Local tax measures were passed in ten cities: Albany, Berkeley, La Puente, Long Beach, Oakland, Rancho Cordova, Richmond, Sacramento, San Jose, and Stockton. Most passed by wide margins. The levels of taxes imposed by these initiatives ranged from 2.5% in Berkeley and Stockton to 10% in San Jose and La Puente.

These local taxes will be imposed on top of the state sales tax, further increasing the cost of medication. Because cannabis is quasi-prescribed — not readily available over the counter — and because it's already prohibitively expensive for many patients, Americans for Safe Access (ASA), the country's leading medical-use advocacy group, has strongly and consistently opposed such taxation.

"Patients are overtaxed and underprotected," said ASA Executive Director Steph Sherer. "The budgets of cash-strapped localities in California should not be

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Oregon vote leaves patients without access

Measure 74 falls short

By Anthony Johnson,* Oregon Green Free

Oregon cannabis activists hoped they would join California and a handful of states that have legal dispensaries, but Measure 74 lost at the ballot box, with 591,386 Yes votes, just over 44%. While it did not win, 74 did move cannabis issues into the mainstream, and political activists are planning another run in 2012.

Voter turnout in Oregon was 70.45%, down more than 15% from the 2008 presi-

port of 74. Potter recorded a radio ad and authored an op-ed piece in *The Oregonian* supporting safe access for patients.

Unfortunately, Oregon was not immune to the conservative wave that hit the nation in 2010. Democrats did manage to keep all statewide offices, but the race for governor was extremely close. Republicans managed to split control of the House, and Dems have just a two-seat advantage in the Senate. Measure 74 likely helped Democrat John Kitzhaber win his election, as late votes from Multnomah County carried him to victory.

The Dems did, however, keep control of the Senate with a 257-vote victory by Alan Bates, who squeaked by on late votes from Ashland. Residents of Multnomah County and Ashland are overwhelmingly in support of cannabis-law reform. The fight for safe access now moves to the legislature, as Rep. Peter

Buckley of Ashland recently announced plans to introduce a dispensary bill in the upcoming legislative session.

Measure 74 supporters will have a vocal and influential presence there, working to ensure that any dispensary bill will be representative, effective and protective of patients' rights, such as the right to have a medical garden.

The campaign team was relatively pleased with its low-budget, grassroots effort, and proud to have joined California Prop 19 in helping move cannabis reform into the mainstream.

Oregon activists, like many others across the country, hope 2012 will offer a better political climate and hope to put another measure on the ballot, bolstered by a larger turnout, particularly among younger voters.

* Johnson is political director of Progressive Reform of Oregon, clinic director for Oregon Green Free, and was a co-author and co-chief petitioner of Measure 74



dential election. In 2004, Measure 33, another dispensary measure, earned just less than 43% of the vote in a year with a turnout over 85%. Measure 33 carried only Multnomah County, whereas 74 was also narrowly carried in Lane County, so some progress has been made with voters.

Measure 74 received the endorsement of the Democratic Party of Oregon, possibly the first time a state Democratic party has endorsed a cannabis measure.

Not only did the Dems endorse the measure, they actually provided assistance to the campaign, donating the use of the party's automated-dialing phone banking system to call voters.

The Democratic Party was joined by former state Supreme Court Justice Betty Roberts, former federal prosecutor Kris Olson, and former Portland mayor and police chief Tom Potter, all of whom submitted voters' pamphlet arguments in sup-



SPECIAL NEEDS — Joey Perez, front, with his mother, Mieko, their attorney Jeremy Joseph, and Joshua Shelton, a lawyer for HOPE Wellness Collective in Westminter CA, spoke at a press conference where Mieko explained how Joey barely survived almost a decade of pharmaceutical drugs that left his body at a mere 46 pounds. Joey, now 11 years old, is being treated with medical marijuana and has more than doubled his body weight. The collective has been providing medicine and other crucial services for special needs children, but was told to shut down immediately. Mieko and other families of special needs children fear there will be no safe location for them to obtain cannabis if the city closes the collective. The city later softened its position and said it will provide HOPE with the framework for discussions with the city about how to move forward.

Photo and report by Sam Sabzehzar, medicalmarijuana411.com

Santa Barbara voters support local dispensaries

Voters also approve Prop 19

By Ethan Kravits* Sensible Santa Barbara

Despite attempts to characterize the issue as heated and contentious, City of Santa Barbara voters delivered a simple message when they overwhelmingly defeated Measure T on election day.

The message: Citizens support safe access to cannabis. Measure T was a proposed zoning ordinance that would have prohibited the operation of storefront medical cannabis dispensaries. If passed, it would have replaced the current city ordinance that limits Santa Barbara to three non-profit dispensaries. A resounding 61% of voters rejected the outright prohibition and opted to keep the existing regulations to maintain safe access through a limited number of dispensaries.

Measure T proponents claimed that dispensaries "send the wrong message to kids" and increase availability of marijuana among high school students. They consistently referred to storefront collectives as "marijuana stores" to discredit their medical purpose. John D. Wrench, M.D., a ballot signatory for Yes on Measure T, wrote an op-ed claiming that only 40 people in Santa Barbara truly needed cannabis for medical purposes and those who did

should simply order it online.

The campaign gained its most media attention when two press conferences were held after 'Yes on T' yard signs were allegedly stolen or vandalized. The sign owners claimed they were being targeted by a "criminal element" associated with dispensaries and medical use. The events were attended by Councilmember Dale Francisco, who fought to put T on the ballot, and Assemblyman Pedro Nava, the former Fresno County Deputy District Attorney who headed its countywide Drug Crime Task Force.

Measure T opponents, who support safe access and sensible regulations for cannabis, dismissed the vague allegations made at the press conferences, noting that it is not unusual to see some vandalism of yard signs during a campaign.

Santa Barbara County also approved Prop. 19 by 51%, five points above overall statewide results.

In a 2006 vote, Santa Barbara citizens approved Measure P by over 66%, making adult marijuana offenses the lowest police priority. At least in Santa Barbara, cannabis prohibition is on its way out.

* Kravitz was campaign manager for No on Measure T and cofounder of Sensible Santa Barbara, sponsor of Measure P.

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Dr. Mollie Fry and her husband, Dale Schafer, confront the news cameras regarding their federal medical marijuana case.
 Photo by Vanessa Nelson

Mandatory federal sentences affirmed

By Vanessa Nelson
medicalmarijuanaofamerica.com

Former medical marijuana doctor Marion 'Mollie' Fry and husband Dale Schafer lost a crucial battle in their appeal in November. Rejecting the couple's arguments about entrapment and medical necessity, the 9th Circuit Court decided to leave all the lower court's rulings intact.

A federal jury found Fry and Schafer guilty on cultivation and distribution charges in 2007. They've been free on bail since then, but must surrender to five-year prison terms once their appeals are exhausted. In that regard, the new ruling was a brutal loss for the couple.

Amongst other claims, their appeal contended that Fry, a breast cancer survivor, and Schafer, a hemophiliac, were entitled to a medical necessity defense. California's medical use protections are usually restricted to state court, but Fry and Schafer argued that their offenses occurred during a period in which federal courts tentatively and temporarily recognized a medical necessity defense in a precedent case. The circuit court invalidated that theory in its November ruling, saying the time frame of their conduct exceeded this specific time window.

November's ruling similarly rejected various arguments about entrapment.

These claims centered around sheriff's deputies that Fry and Schafer had invited to their home for what they thought were annual cannabis-compliance checks. That illusion was shattered when their home, garden and office were raided in September 2001.

The friendly sheriff's deputies had been working with the federal government, and Fry and Schafer asserted that those deputies had pronounced the cannabis garden legal under federal law. The couple considered this to be entrapment by estoppel, but the circuit court decided that the defense didn't apply because Fry and Schafer were never deceived into believing federal law permitted medical cultivation. As the court noted, Fry issued cannabis recommendations with the following disclaimer: "Cannabis remains illegal under federal law."

The appeal also argued sentencing entrapment, saying that yearly approval from the deputies led Fry and Schafer to grow more cannabis and thereby face a harsher punishment. Only 34 plants were seized during the raid, but prosecutors increased the total by adding in the plants the deputies had observed during the two years prior to the raid. This strategy edged the count close to a hundred plants, a threshold that triggers a mandatory minimum five-year prison sentence.

Fry and Schafer wanted a reduced sentence, but the circuit court ultimately decided there wasn't enough evidence of active inducement for sentencing entrapment. If the deputies had "directed [Fry and Schafer] to grow more cannabis or offered them something in exchange for the production of a higher amount of plants," the circuit court might have ruled differently. Instead, Fry and Schafer were encouraged more passively.

They've stayed out of prison so far, but time is getting tight for the pair. They may have to depend on the slim chance the Supreme Court agrees to hear their case and reverses two lower court rulings.

Fry, a devout Catholic, doesn't give up hope easily. "Miracles happen every day."

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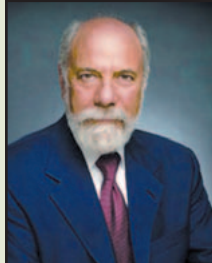
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Partly sunny and hopeful in the Evergreen State

By **Martin Martinez**, *Lifeline*

Washington State has seen a wide spectrum of responses to the use of cannabis as medicine. The Medical Use of Marijuana Act of 1998 was intended to shield qualified patients from drug-law enforcement, but many cases have done the opposite. Cannabis patients have become easy targets for drug police. Patients and providers have had no uniform rules to follow, as different communities follow various interpretations of the law.

The seemingly conservative city of Port Angeles surprised the state by announcing plans in October to license a cannabis dispensary on the peninsula. In other parts of WA, Spokane and Vancouver have closed all known dispensaries. Those police agencies contend that state laws protecting qualified patients do not legalize cannabis sales under any circumstances. Providers learned that Tacoma is another bastion of intolerance, as every local dispensary was closed by threat of arrest last summer. These cases provide a sharp contrast to the markets in Seattle. While technically illegal, dispensaries abound in the Emerald City, with dozens open in many sections of the largest city in the Northwest.

Even Seattle hits occasional bumps in the road for patients and providers. In

November, police battered down the door of a patient and entered with guns drawn, but found only one sick patient and two puny plants. To their credit, a meeting between the mayor's office and police officials was convened immediately, resulting in new protections for patients being unveiled in a flurry of local news reports.

The seemingly conservative city of Port Angeles announced that it will license a cannabis dispensary

While State Senator Mary Lou Dickerson has pledged state legislation to tax and regulate non-medical cannabis sales, long-time medical use proponent Senator Jeanne Kohl-Welles has drafted a comprehensive approach to resolving the many disputes that have plagued cannabis patients for more than a decade.

The new bill seeks to protect medical users with tighter rules. No longer would cannabis growers be subject to arrest and seizure by police under the onerous legal burden of the affirmative defense. Another change would protect patients with children who face legal challenges to their custody rights. Collective gardening is also a candidate for legitimization, by allowing small-group gardens for up to seven patients possessing up to 90 plants. But the most sweeping change would establish a dispensary licensing program under the State Dept. of Health and a licensing system for large growers, who would supply licensed dispensaries overseen by the Dept. of Agriculture.

While some critics fear the onslaught of regulations, others welcome the new era.

Many providers hope that the state agencies will determine fair rules and establish security for those who have been negotiating amid the shifting sands of legal interpretation and local tolerance.

Some still decry the quantity limits set in 2008 by the DoH, yet it is important to remember that the Evergreen State enjoys the greatest allowable limits of any medical-use state. Doctors, lawyers, police and patients are now discovering the many benefits of nature's greatest medicine.

Five-year federal sentence for Colorado patient

HR3939 reform in Congress

By **Laura Kriho**, *Cannabis Therapy Institute*

Colorado patient Chris Bartkowicz was sentenced to five years in prison in October after pleading guilty to federal felony cannabis cultivation charges. The 37-year-old Highlands Ranch resident was arrested by the DEA after a local television station interviewed him about medical marijuana. Bartkowicz showed proof that his garden was compliant with state law, but the DEA seized his 200 plants and charged him. Because of prior convictions and the proximity of his garden to a school, he was facing a possible 60-year mandatory minimum sentence.

Bartkowicz said he was offered a two-year plea arrangement if he turned someone in, or five years if he refused to snitch. In September, he was denied the opportunity to present a medical defense in federal court, leaving him few options. Bartkowicz refused to work with the DEA, so he was given a five-year sentence and immediately incarcerated.

At Bartkowicz's motions hearing in September, it was clear that the feds have stacked the deck effectively against state rights to regulate cannabis, despite assurances from the Obama administration of a changed policy. US District Judge Philip Brimmer ruled against the court-appointed defense attorney, Joseph Saint-Veltri, on almost every point.

The prosecutor in the case, Assistant US Attorney M.J. Menendez, said that cannabis had been on the controlled substances list "since the beginning of time" and that the feds recognize no exemption for cannabis, even if cultivated in compliance with state law.

The defense argued that Bartkowicz's case was selective prosecution, given that there are hundreds of people in CO cultivating cannabis and advertising openly who have not been raided by the feds. It also argued that he was acting in good faith and a sincere belief that he was in violation of neither state nor federal law. Bartkowicz testified that he relied on statements from US Attorney General Eric Holder that he would not prosecute dispensaries and on a memo from Deputy Attorney General



Protest against federal prosecution of cannabis patients at federal courthouse in Denver at a Sept. 21, 2010 hearing for Chris Bartkowicz. Photo by colorado420.com

David Ogden stating that medical-use cases were "unlikely to be an efficient use of limited federal resources."

Menendez said the feds have every intention of continuing to prosecute patients and providers, regardless of state laws. She stated that the DEA has reached "no accord" with Colorado's Dept. of Revenue Medical Marijuana Enforcement Division regarding federal prosecutions of patients or providers, despite DoR statements to the contrary.

She declared that the Holder statement in March 2009 was just a "loose remark," and that the Ogden memo clearly states: "This guidance regarding resource allocation does not... provide a legal defense to a violation of federal law." Menendez concluded that, "Every statement in the record by the federal government says the government will continue to prosecute" cannabis patients and providers.

In the end, Judge Brimmer ruled that Bartkowicz cannot present a medical use defense at his trial. "Anyone reading (the memos) would quite clearly understand that cultivating marijuana is a violation of federal law," Brimmer said.

Colorado federal Representative Jared Polis is a co-sponsor of HR3939, the Truth in Trials Act, which would provide an affirmative defense for the medical use of cannabis in federal court. Colorado activists are urging people to contact their federal representatives to ask for support for this bill. For more information visit cannabistherapyinstitute.com.

Arizona medical law

Continued from page 1

purchase from the dispensaries.

Throughout the campaign, opponents sought to undermine the large and growing body of research demonstrating cannabis' medicinal value, while claiming the law would be prone to abuse.

Andrew Myers, campaign manager for Arizona MPP, the local affiliate, told the Associated Press that the law is "written to be incredibly restrictive."

"We're talking only about seriously or terminally ill patients," said Myers. "Moving forward it's our responsibility to help implement a program that Arizona can be proud of."

MPP estimates that with the passage of this law, about 30% of Americans live in a medical marijuana state.

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Silicon Valley access comes under seige

By Lauren Vazquez, Director Silicon Valley ASA

Medical cannabis patients and providers in California’s Silicon Valley are experiencing a series of attacks from a task force of local and state police. In early October, the task force, known as SCCSET, arrested 22 patients associated with various delivery services during a sting operation. Now known as the Compassionate 22, police claim they failed to provide caregiving services and were therefore engaged in unauthorized distribution. State courts, however, have made it clear that caregiving is not required for patients to collectively distribute medicine.

After the first sting, SCCSET raided three storefront dispensaries in San Jose and Santa Clara. New Age Healing Collective, Angel’s Care Collective and San Jose Patients’ Group were each raided about a week apart from one another. Angel’s Care was raided again when they refused to close after the first attack. Patients and providers fear the raids will continue in an effort to force all South Bay dispensaries to close. In fact, several dispensaries, including Harborside Health Center, did close temporarily in November as a precautionary measure.

Patients have since learned that SCCSET has been operating under a federal grant for methamphetamine enforcement. But instead of going after dangerous drug gangs, the task force used its resources to target medical cannabis providers.

Also worrisome for patients, San Jose is prepared to levy a tax of up to 10% on medical cannabis. While the city has been working for almost a year to develop an ordinance to regulate dispensaries, the city attorney’s position is that all the storefront dispensaries are currently illegal. “This is

taxation without representation and it has to stop,” demanded Pat Knoop, director of Holistic Health Care Coop in San Jose.

Patients are fighting back, and there seems to be hope about new Santa Clara County District Attorney Jeff Rosen, who takes office in January. During his campaign, Rosen declared to Silicon Valley ASA that if elected he would “absolutely respect the rights of qualified medical cannabis patients and their caregivers.” Patients will be looking for a show of good faith in the near future.

CAMP eradicates 4.3 million plants: More than state’s full estimated consumption

By Dale Gieringer, California NORML

California’s CAMP marijuana eradication program reported 4,320,314 plant seizures in 2010, slightly less than last year’s all-time record of 4,463,917.

CAMP estimates the wholesale value of the destroyed crop at \$17.2 billion - enough to qualify for agricultural disaster aid for any other crop. This works out to \$4,000 per plant, nearly two pounds of bud per plant. At this rate, the amount of marijuana destroyed by CAMP totals more than four times the estimated consumption of the entire state of California, roughly one million pounds a year.

The annual CAMP harvest has soared tenfold since 2002-2003. The leading counties this year were Mendocino (572,680), Tuolumne (411,004), Lake (374,958), Shasta (325,480), Tehama (312,574), Sonoma (311,147), Tulare (227,002), San Bernardino (171,258), Riverside (155,209) and Humboldt (140,911).



WELCOME COMPETITION — Harborside Health Center, Blue Skies Coffeeshop and two other cannabis collectives who have been asking Oakland to license new dispensaries will finally get the competition they have been hoping for when the number of licensed cannabis outlets goes to eight next year.

Photo courtesy of Harborside Health Center.

Oakland votes to double number of dispensaries, finalizes cultivation regulatory ordinance

By Mickey Martin

Medical marijuana has been so good to Oakland that the City Council decided to double down on the number of dispensaries in town, from four to eight. In so doing, Oakland became the first city in the nation to pass an ordinance regulating commercial cannabis cultivation.

Just one week after Prop 19 lost at the ballot box, Oakland officials moved forward Nov. 9 with their pioneering efforts to expand the medical cannabis industry in the city. They voted unanimously to approve an ordinance outlining regulations for four commercial cultivation sites, and approved an effort to move forward with licensing four new dispensaries. The Council hopes that these new businesses will add needed revenue to city coffers.

The cultivation ordinance defines “industrial cannabis cultivation processing and manufacturing facilities” as any grow space over 96 square feet. The permit application costs \$5000, with the four organizations that are permitted being liable for annual regulatory fees of \$211,000 each. These large sums have caused concern for many ‘mom and pop’ growers in the community, who see the costs as prohibitive and view the four large-scale facilities as a major threat to their livelihood. Council

has discussed licensing and regulating small and medium commercial grows, but has taken no action to do so.

The four dispensary permits are expected to go to a request-for-proposal process, and hundreds of applicants are said to be on a waiting list to apply.

Measure V passed in Oakland Nov. 2, meaning the tax rate on medical cannabis businesses jumped from \$18 per \$1000 gross (1.8%) to \$50 per \$1000 gross (5%).

Patients and providers are concerned that these tax increases will result in more expensive medicine and fewer complimentary services. Some dispensaries have already begun to limit donations and care packages to avoid raising fees.

Harborside Health Center held a meeting with cultivators asking them to bear half of the burden of the 5% increase by lowering the price of the medicine they provide to help offset the cost to patients. Others have discussed increasing their margins as a result of the tax.

The city hopes the increased fees and tax revenues will bring in a couple of million dollars to the general fund. It risks causing a backlash among patients and providers who might travel elsewhere for more reasonably priced cannabis.

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‘Worst ever’ raids hit Covelo and reservation

Isolated neighborhoods home to many subsistence farmers

By Pebbles Trippet,

Mendocino Medical Marijuana Advisory Board

Covelo has become ground zero in the California marijuana wars.

It is the most impoverished and isolated community in Mendocino County, with one road into town and no other way out except dirt roads through the National Forest. The nearest towns, Laytonville and Willits, are over an hour away. With 27% of Round Valley residents living below the poverty line, an estimated 90% of its 1000 households grow pot to survive.

Law enforcement conducts raids there every year, generally at harvest when they can do the most harm. It’s easy for sheriff’s deputies to slide in, with or without a warrant, ignore a doctor’s note and seize a family’s plants, children, cash, bank accounts, all the trimmers in sight, and call it a good day for police budgets.

This year’s mass raids and terrorizing of the Indian Reservation and townspeople lasted three days, Sept 28-30, as separate law enforcement teams fanned out into the National Forest with sheriff’s deputies, federal agents and embedded media side-by-side. *National Geographic* and *Rolling Stone* magazines were media of choice.

While police wreaked havoc on the townspeople and reservation, media focused on the noisy drama of cutting down thousands of plants from public forestland, pointing fingers at mass commercial grows and distracting from the tornado that flattened the town.

“They come every year but this time it was 100 times worse, over 50 arrests, all our medicine gone,” said one witness to the attack. “The Reservation was hit hard-

est. The town is devastated. We are already very poor and now what little we had has been taken.”

Locals describe the raid as unprecedented in scope — relentless fly-overs with four helicopters hovering low over gardens or just above tree tops to gather pre-raid information and terrorize people with a show of force from the air before their homes were invaded.

Many people expressed panic that the helicopters would land in their backyards and arrest them. Several left their homes to escape potential arrest. One couple had scratches on their arms from hiding in the blackberry bushes overnight.

Victimization of Native Americans has gone on for centuries, since Columbus invaded America. These cannabis raids are the modern version of that age-old invasion, using unconstitutional marijuana laws to gain access into people’s homes and gardens and ruin their lives.

People expressed fear for their future (“Maybe we shouldn’t have moved here.”) and fury at law enforcement (“They may as well just send in the drones.”).

The multi-agency raids leave responsibility lines blurred. Sheriff Tom Allman said there were no medical grows.

However, the Mendocino Medical Marijuana Advisory Board met many cannabis patients who were sure they were compliant with local and state guidelines, yet were still arrested and prosecuted.

They asked, “Do our doctor’s authorizations mean nothing? Do the sheriff’s promises of protection if we follow the guidelines mean nothing?”

Due to Covelo’s isolation, little of what’s happening there is covered by commercial news outlets for people to hear.

Sacramento warms up to its patient community

By Vanessa Nelson

medicalmarijuanaofamerica.com

During the years when other cities were deciding whether to write rules for dispensaries or just ban them, Sacramento did neither. It had a handful of dispensaries up until 2008, and it mostly ignored them. Regulation seemed like it was a long time in coming.

But in 2009, following Sacramento’s dispensary boom, the city council decided it was time to formalize some rules. At first, it was headed towards a plan to limit the city to 12 dispensaries, a cap that would have shut out the majority of Sacramento’s established facilities.

Yet as 2010 played out, councilmembers reconsidered and unanimously approved an alternate proposal designed to give the city’s 30-some existing dispensaries a good chance at getting licensed.

The regulations even earned the vote of Councilmember Robbie Waters, a former sheriff known as the council’s most active medical marijuana opponent.

Saying he had finally been able to see past “the cop view” of drug distribution, Waters shocked advocates in a dramatic turnaround by warmly thanking them for years of educating him about the importance of medical marijuana.

It wasn’t just Waters. Once the council was working on a final draft, there was clearly an increase in enthusiasm and willingness to innovate. As a result, the final form of the ordinance was an agreeable compromise.

The new dispensary rules prohibited on-site marijuana smoking, charged each facility almost \$40,000 in up-front fees for the permitting process, and excluded minors and felons as employees.

Advocates weren’t entirely pleased with those details, but the jewel of the compromise was that the existing dispensaries could apply for special permits at their current locations, in spite of the fact that most of them are closer than is otherwise allowed for sensitive uses like schools, rehab centers and parks.

In a separate project, the council won permission from voters to tax medical marijuana businesses at a maximum rate of 4%. Those city taxes seemed trivial in comparison to one passed by a neighbor city on the same day. Rancho Cordova voters approved a citywide pot cultivation tax of \$600 per square foot, even for personal medical gardens. This outrageous measure is not likely to survive the legal challenges that would accompany its implementation.

In 2011, the city of Sacramento will work on its own cultivation ordinance. The county, meanwhile, might finally finish work on the dispensary ordinance it started six years ago. Since then, there have been many dispensaries in the county, but most don’t last long before code enforcement shuts them down.

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Fresno-area collective carves out its rural niche



HHP opened in Oakdale, where it has felt welcome, but operating a cannabis collective in a rural area has its own set of challenges.

Another group in the same county was closed and forced to move after local zoning officials started fining and holding the landlord accountable.

Holistic Healing Products, located on the way to Yosemite on Hwy 41, is

not in Fresno, but Central Valley governments tend to band together, and Fresno may be setting a precedent. HHP opened its doors to the public in May 2009, greeted with open arms by the community at large. A place for patients to get quality medication without having to travel for hours is of great benefit to members. In an atmosphere where patients and their medications are top priority, members enjoy a caring and comfortable experience.

The public and customers also see that having a collective allows local growers to prosper, and patients to partake in the hundreds of uses and remedies cannabis has to offer. The effect on the local economy is positive and powerful. As an alternative to a back-alley dealing, HHP provides relief to those who have long worried and stressed about getting their medication.

The HHP takes it one day at a time with regard to local authorities, while maintaining a calm and peaceful setting. Despite a few bumps along the way, including push-back from a 'religious right' group, HHP sees a positive future under state guidelines for providing service to patients.

An MCD in small town USA

By Tucker Talks

The quaint little mountain town of Oakhurst CA has all the beauty and flavor of small-town Mayberry USA, of Andy Griffith television-show fame.

Oakhurst has it all — including conservative, out-of-touch political representation. When it comes to medical marijuana, the political landscape is very similar to that around the state, as municipalities try to roll back guidelines by passing local ordinances to disallow and deny patients safe and limit access to medication.

A newly imposed ordinance went into effect in the Fresno area Dec. 1, 2010 to ban patients from growing in their back yards. Fresno has had thefts from personal gardens and associated violence this season.

There have been many debates with local government as collectives tried to open. One group hoping to open last year in nearby Coarsegold was shut down before it even opened. The County refused to grant it a business license. Although the matter was brought to a public hearing, officials would not allow it to proceed.

Medical marijuana vote gives Harris razor-thin margin of victory in CA Attorney General race

Cooley election would have hurt collectives, local gardens

By William Dolphin, Americans for Safe Access

Democrat Kamala Harris narrowly defeated Republican Steve Cooley to become California Attorney General in the closest statewide election in decades. Cooley conceded defeat Nov. 24, three weeks after the vote. The race set two very different district attorneys against each other, from San Francisco and Los Angeles respectively.

Medical use advocates who targeted Los Angeles DA Cooley for defeat claimed victory, not only for preventing him from becoming the state's top law enforcement officer, but also for successfully exercising political clout, a patient force that refused to be marginalized. The future of cannabis dispensaries, licensed gardens, collective gardens and the various patient guidelines that provide safe harbor for patients were all on the line in the race.

Cooley had led in all the pre-election polls, but medical cannabis activists led by Americans for Safe Access (ASA), partnered with the American Cannabis Research Institute (ACRI), launched a campaign to defeat him that went viral, even as Republican operative Karl Rove sank \$1 million into ads on Cooley's behalf.

"This remarkable result for Kamala Harris shows the political strength of patient advocates," said ASA California Director Don Duncan.

"Our efforts to educate the public about Steve Cooley's record made the difference, particularly on his home turf of LA, where he lost by 14 points."

Harris hailed from San Francisco, where her district attorney's office has coexisted with and even nurtured the licensing and regulation of scores of cannabis dispensaries, although patient gardens have still been targeted.

Cooley drew the ire of patient advocates when he tried to criminalize distribution and undermine the efforts of the LA City Council to regulate medical cannabis dispensaries. ASA created a website, NotCooley.com, to educate the public on not just his opposition to California's medical cannabis program but also his poor record on environmental issues, women's rights, and marriage equality.

As LA District Attorney, Cooley orchestrated dozens of raids on local dispensaries, prosecuted state-qualified patients and their providers, and has claimed that medical cannabis cannot be legally sold. Cooley is also a long-time ally of the California Narcotics Officers Assn., a group that denies the therapeutic efficacy of cannabis and has called for the "eradication" of dispensaries.

By contrast, as San Francisco DA, Harris created a medical marijuana advisory group, and called for statewide regulatory standards for dispensaries, something that could improve access for patients in many areas of the state where officials have been hostile to establishing reasonable local distribution policies.

Cooley initially claimed victory in the count, then retracted it when Harris took the lead. Then she claimed victory, but had to retract that when he briefly retook the lead until she came from behind to win.

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Racial disparity still rampant

Continued from page 1

to nearly triple the rate of whites. The reports were prepared by the Marijuana Arrest Research Project and co-released by the Drug Policy Alliance. Their primary author is Queens College sociologist Prof. Harry Levine, a national expert on marijuana laws.

Among their findings:

- The City of Los Angeles has 10 percent of California's population and arrested blacks for marijuana possession at seven times the rate of whites. LA police arrested Latinos for possession at twice the rate of whites.
- Latinos are 31% of the population in San Jose, but 54% of those arrested for possession.
- In the state capital of Sacramento, blacks are 14% of the population but account for more than 51% of all the people arrested for possessing marijuana.
- From 1990 to 2009, the marijuana arrest rate for Latino teenagers in California more than tripled.

The report further warns that keeping marijuana possession an offense while changing the penalty from a misdemeanor to an infraction, as goes into effect in California in January, 2011, does not change the double standard of enforcement.

* The reports are online at: drugpolicy.org/statebystate/california/marijuana/

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HONORED — Craig Reinman, PhD, (l) and Harry Levine, PhD (r) professors and researchers who have written important sociological studies on cannabis received the Lester Grinspoon Award for Outstanding Achievement at the 2010 National Organization for the Reform of Marijuana Laws conference held in Portland, OR Sept. 9-11. Marsha Rosenbaum, PhD, (c) was the recipient of a well-deserved Lifetime Achievement Award, for her extensive body of work as a researcher, writer, and respected drug policy reformer who was California Director of the Lindesmith Center and the Drug Policy Alliance. Photo by Mikki Norris

Berkeley voters follow Oakland's lead, approve large medical cannabis gardens for city

By Amanda Reiman, Berkeley Patients Group

Amid all the local ballot measures across California was an initiative on the Berkeley city ballot that, among other things, licensed large-scale cannabis cultivation.

A few weeks prior, a highly contentious Oakland City Council voted to license four cultivation sites in the city, a decision that was applauded by some as a revenue generator for the city, and criticized by others as an elitist move to benefit only those with the enormous capital required to apply for a license.

Meanwhile, Berkeley City Council had just quietly wrapped up a two-year-long examination of its cannabis policy, a process that led to the passage of local cannabis tax Measures T and S, which added a 2.5% medical marijuana tax.

Measure T allows for a fourth dispensary in Berkeley and licensing for six locations in the city's manufacturing district for large-scale cultivation (up to 30,000 square feet per location). It also defines 200 square feet or 25% of a residence (whichever is smaller) for cultivation as incidental to residential use. Additionally, it reconstitutes the Berkeley Medical Cannabis Comsn. (BMCC) to be in line with other city commissions, with members appointed by the Council, and gives the Council the ultimate

say regarding medical cannabis issues. [As current Chairwoman of the Commission, I support bringing more voices to the table, especially cultivators, bakers and others in the industry striving for legitimacy, because of the unique knowledge held by people in this industry.]

As its last task, the current BMCC, with input from the public, has been developing recommendations for Berkeley as to how the new dispensary and cultivation applications should be considered. For cultivation, energy offset is a concern of both the Council and the citizens.

The BMCC recommends that consideration be given to applications outlining innovative and green energy plans. For the fourth dispensary, BMCC recommends that preference be given to applicants with plans to assist low-income patients. While proponents were crafting Measure T, concern over the price of medicine was a common theme. Given the increased taxes on cannabis, the BMCC encourages dispensaries to develop and/or expand programs aimed at providing low-cost or free medicine. With both the cultivation and dispensary applications, consideration should be given to the applicants' ties to the Berkeley community, history of public service, and declarations of character.

Family physician relationship forges a bond of trust that goes beyond medi-marijuana approval

Having a trusted family physician allows honesty

By Frank Lucido, MD*

Health care providers should be a source of well-informed and honest advice about all aspects of health-related behavior.

How does a person get wise advice on sensitive or potentially embarrassing medical matters?

People who engage in diverse expressions of sexuality or in recreational drug use often are not identifiable except through self-disclosure. As a result, people seeking health care sometimes conceal beliefs, habits and practices about which they may have concerns until they are sure it is safe to trust the physician.

The decision whether or not to disclose socially sensitive personal history to a physician (or health care provider), where it may influence the treatment or recommendations provided, involves determining how that person will react and what use they will make of the information.

A patient may want to know something about the physician's perspectives before disclosing sensitive information.

The following are some of the traits that are important to patients seeking what Dr. Arnold Trebach* characterized as a "trusted family physician."

A health care environment should provide safe health care, and be as free as possible from medical reprisals and personal rejection.

Dependence on alcohol, tobacco or other drugs is a health risk that is related to many physical, psychological and social problems; patients in recovery should be supported in any way possible. While supporting those who choose to abstain, those who choose to use alcohol, tobacco or other drugs should have access to information about safer use and to an informed social network that teaches

shared norms and informal social control.

Health care providers should be fully trusted by their government in selecting treatments for their patients, particularly for those who are in pain. Many persons obtain beneficial medical effects from the use of medical cannabis.

Any form of consensual sexuality between adults can be considered healthy if practiced in a safe and responsible manner: safe, sane and consensual.

Physicians should take a particular interest in these sensitive matters as professionals, and work to stay current with developing knowledge and recent research in these areas.

How does a person get wise advice on sensitive or potentially embarrassing health-related matters?

He or she should be available for consultation on any topic, and help patients to find knowledgeable, non-judgmental referrals if they lack the information or expertise to deal with a specific issue.

These positions are integral to the physician's larger goals in health care and as a citizen: to practice the profession with conscience and dignity; to work for peace and social justice; to respect the secrets that are confided in them; to cooperate with patients in achieving self-determination; and to hold the health of their patients as their first consideration in all encounters with them.

* Dr. Lucido is a family health care practitioner in Berkeley, CA, a medical marijuana recommending physician, and an expert witness. DrLucido.com. Reference: Trebach, Dr. A. S. (1984). 'The trusted physician in a humane drug control system.' *Journal of Psychoactive Drugs*, 16(2), 141-160.

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Salmon-safe sinsemilla label: Coming to a dispensary near you?

Medical marijuana growers address eco-impacts of crop

By Kim Nelson,* teahousecollective.org

As the medical-cannabis industry in Humboldt steps into the light of legalization, some growers are addressing the environmental impacts of cultivation, tying ecological health to a ‘Humboldt Brand.’

“This county has long been synonymous with both the world’s finest marijuana and a passionate environmental commitment,” says Liz Davidson, a community activist in southern Humboldt (SoHum) and a principal organizer of the Tea House Collective. “Linking the two is very natural, and if we do it successfully, we can create a means of addressing the environmental impacts of cultivation.”

Humboldt county “has long been synonymous with both the world’s finest marijuana and a passionate environmental commitment”

Like any industry, cannabis growing has an environmental footprint. Indoor growing uses significant amounts of fossil fuels and generates large amounts of

greenhouse gases for every pound it produces. Outdoor growing can have impacts on soil health, water and wildlife, like any other form of agriculture.

“Throughout rural California there are many thousands of cannabis growers, indoor and outdoor, legal-medical and not. Talking to them about their practices presents a unique challenge,” Davidson says.

“Humboldt can use the changing economics of the medical marketplace to reward best practices by establishing a powerful environmental brand. Like fair-trade coffee or dolphin-safe tuna, people want high-quality products that they know are produced responsibly.”

The Tea House Collective was formed to offer high-quality Humboldt cannabis that is sustainably grown. Its growers, small producers who are conscious of their impact, include expert breeders and environmental activists.

“Sustainable cultivation begins with energy use,” says Davidson. “It makes no sense to use fossil fuel energy to grow an herb that will grow naturally in the sun. We also use permaculture techniques, creating compost, growing and feeding soil naturally rather than buying dirt and fertilizers in plastic bags.

“It also means conserving our most precious resource — water. Our growers know that every drop they use, they take from the fish. Our farmers use water-wise growing techniques; our highest level of certification, ‘Salmon Safe Sinsemilla,’ is awarded to growers who use only stored water and do not pump from springs, creeks, or wells during habitat-critical late summer months.”

Salmon protection is a huge issue in

California counties from Santa Cruz to Del Norte. Coho salmon are listed as threatened under the Endangered Species Act, and salmon protection has been championed by Congressman Mike Thompson. Despite 30 years of efforts, the once bountiful fisheries are depleted.

“Old timers and even the ‘new settlers’ of the 60s and 70s tell stories of salmon runs so huge they said ‘you could walk

across the river on their backs.” Davidson says. “Now salmon activists count their runs in the hundreds — and even less in many watersheds.

“Logging, dams, road building and other human activities all have their damaging impacts. It’s time to recognize that cannabis cultivation, especially water diversion and fertilizer run-off, also impacts salmon and other species. Unless we talk about it, we can’t fix it.”

*Nelson is a medical cannabis advocate and community radio activist in Humboldt County.

The Zen of providing affordable access to patients

Navigating the land use maze

By Nicholas Smilgys, SPARC

The first new dispensary to make it through San Francisco’s rigorous medical cannabis permitting process opened its doors recently at 1256 Mission St. The San Francisco Patient and Resource Center (SPARC), received unanimous approval from the City and was recently featured in the *New York Times* as one of the “dispensaries of the future.”

The collective originally began by serving chronically ill patients at Maitri, a Buddhist end-of-life care facility that was founded by Issan Dorsey, a Zen monk who greatly influenced its co-founders. After providing cannabis at no cost for 10 years at Maitri, the collective began to think about making high-grade cannabis more affordable for patients generally.

“One of our mottos at SPARC has been ‘Taking the profit out of pot,’” said Erich Pearson, one of its founders.

“As a not-for-profit, we oversee much of the cultivation of the medicine we provide, so our members can obtain affordable, high-quality cannabis when it’s available at key times during the year. We cur-

rently have high-grade outdoor starting at \$140 per ounce.”

Asked about the future of medical cannabis in California after the near passage of Prop 19, Pearson said, “I think the movement needs to ally itself with alternative medicine, where it belongs. Medical cannabis is where acupuncture was 35 years ago, when it was just getting recognition as an important health alternative but it was still illegal.”

The SPARC collective recently began a partnership with Quan Yin, one of San Francisco’s premier eastern medicine health providers. SPARC members who bring their membership cards to Quan Yin once a week can receive acupuncture treatments for just five dollars. SPARC’s hours, services and calendar are listed online at sparcsf.org.

When asked to share any important lessons learned from going through the permitting process, Pearson responded, “Make sure you understand land-use and zoning issues. Get some good advice from someone who understands these two areas. It’s important to be prepared for a long process.”

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Tax return is still at issue in Naulls case

By Kandice Hawes,
OC NORML

Ronnie Naulls was a young, intelligent, family man who took a risk and opened a cannabis collective in the early days of storefront locations. The city he chose to serve was Corona in hostile Riverside County. It wasn't nuisance complaints that put him on the radar of the federal government, but rather his success and payments of thousands of dollars to the State Board of Equalization.

The Healing Nations Collective was a non-profit mutual benefit corporation that donated to cancer organizations and was a member of the city Chamber of Commerce. Naulls hired attorneys and a CPA to make sure that he was operating legally.

July 17, 2007 was a beautiful day until authorities smashed into his home, turned his life upside down and broke up his family. The children were taken from him after police found an unlocked freezer in the garage with medicinal edibles for the HNC. After Anisha, Naulls' wife, pled guilty to child endangerment the children were returned and Naulls was placed on house arrest, and ordered to wear an ankle bracelet until his court date.

Three years later, still on house arrest, his' case has been narrowed down to one count of 'filing a false tax return.' His CPA claimed expenses for the collective that allegedly were not deductible.

As part of his agreement Naulls was ordered to pay restitution of \$14,557 and was ordered to pay a large sum quickly to the court to guarantee he not be sent to the Federal Bureau of Prisons.

With court restrictions it has been hard for Naulls to provide for his family of six. Several local non-profit groups have adopted his cause and stepped up to help his family make this crucial deadline, raising \$6,581 through spaghetti cookouts,



drag shows, 420 bingo and generous donations by compassionate people.

Although the threat of prison time is not imminent, many non profit organizations are still working to help spread the word about the Naulls case and help his family pay off the Federal Government.

To help the Naulls family donations can be made to pay off his fine directly to the Federal Government and must be issued in cashiers check or money order to: US District Court Clerks, 312 N. Spring St. Room 529, Los Angeles, CA 90012, Case # EDCR07-00097

Riverside patient farmers' market defends itself

Law firm guiding attacks on collectives throughout IE area

By Lanny Swerdlow, RN

The Inland Empire Patients Health and Wellness Center (HWC), a cannabis collective in the city of Riverside, follows the only full-fledged farmers' market model of cannabis distribution in the state of California — perhaps the world.

Although Riverside bills itself as 'The City of Arts and Innovation,' it has filed a temporary restraining order seeking to shut the collective down.

At a Nov. 24 hearing, Judge John Molloy ruled against the collective citing the *Kruse* and *Nulls* decisions by the 2nd Dist. Court of Appeals, ignoring contradictory rulings by the 4th Dist. Court regarding federal law and moratoria versus bans. Molloy granted HWC a two-week stay on the injunction while an appeal is filed with the 4th District Court of Appeals.

Riverside's zoning ordinances do not allow any "facility where marijuana is made available for medical purposes in accordance with Health and Safety Code Section 11362.5 (Proposition 215)," thereby banning all cannabis collectives. The city is seeking a preliminary and permanent injunction, branding the HWC, which has

over 5,000 members, a "nuisance."

Filing on behalf of the city is Best, Best and Krieger (BB&K), a Riverside-based mega-law firm with ties to over 30 Inland Empire cities. Rather than encourage local governments to meet with patients and negotiate acceptable ordinances to regulate and license collectives, BB&K advises them to pass bans, with support from local law enforcement. Almost every Inland Empire city has done so; BB&K sells them model ordinances, legal services and support.

Representing the collective that is challenging BB&K's attack, attorney J. David Nick filed a brief citing numerous court rulings and arguing that the Court of Appeals 'qualified patients' decision nullifies the claim that collectives can be banned because they are illegal under federal law.

"At issue in this case is the very right to have a collective," said Nick. "Knowing that the conduct is legal, various municipalities continue to defy state law using legal sophistry to argue they can ban outright what state law permits."

"Those collectives operating lawfully and within the confines of the attorney general's 2008 guidelines should resist these unlawful ordinances and take appropriate action to legally challenge these ordinances in court."

Springtime showers led to bumper outdoor crop in Mendocino County

By Carole Brodsky

"I've never seen so much cannabis," marveled Tim Blake, one of just over a dozen medical-marijuana farmers who obtained a permit from Mendocino County to grow up to 99 plants per parcel.

A rainy spring wreaked havoc on starts. "Many plants that show sex in March and April went into full flowering and never came out," notes Marv Levin, president of the Mendocino Farmers Collective, a grower-based cannabis cooperative. Early-bird farmers who planted in late spring watched helplessly as their babies got snowed upon twice in May, with rains continuing into June. "The plants freaked out a bit. They flowered early but it all came back together," Blake noted.

"More new people grew this year.

Seasoned growers planted more," said Blake. "Trinity County had hillsides of it," added his friend. "Ruth Lake was plastered. The Siskiyous were off the faheezie."

"The challenge this year was with our early harvest strains like the Purple Dragons. The weather was very hard on those strains," Blake noted. He planted more than 20 different varieties with his permit, including Maui Diesel crosses, Cherry Pie Kush, White Romulan and Master OG. "We had to apply different techniques to each strain, but smelling all the varieties has been fantastic."

Luckily, the October sun shone for three weeks — enough good weather to catch up and allow flower maturation in full sun. Those growing sativa-dominant strains gambled on how long to keep the

plants in the ground. Late October rains were followed by more warmth, allowing for full ripening and the potential, after the rigors of curing and drying, for quality 'A-Grade' material.

Many farmers don't expect trimming to be completed until late January. Salaries for trimmers range from about \$150 to \$250 per pound.

Mobile trimming businesses — some using equipment designed for processing hops — are making the rounds throughout the region. One vendor noted that at his last assignment, two workers alone processed 26 pounds of cannabis in six hours, costing the farmer about \$1,400 — a net savings of nearly \$4000.

"The 2010 harvest will be remembered as one of the finest in years," said Levin.



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Students for Sensible Drug Policy held its West Coast Regional Conference Oct. 16 at San Francisco State University and organized support for Prop 19 on campuses.

Photo by Mikki Norris



Cal legislature sets 600' limit on dispensaries

Continued from page 1

cited by some commentators as a reason to oppose legalization, as in the *San Francisco Chronicle*: "This new law takes the wind out of one of the most important arguments for Proposition 19 – the incredible cost of jailing and prosecuting people for simple possession."

This is the first cannabis-penalty reduction approved by the legislature since the Moscone decriminalization act of 1975. Sponsors of the Moscone Act had originally tried to make petty possession an infraction, but at the insistence of law enforcement it was made a unique kind of misdemeanor, the only such offense under state law not punishable by booking or jail time, if proper ID was shown.

Offenders will no longer have a criminal arrest record under SB 1449. Under the previous law, misdemeanor possession convictions were theoretically expunged after two years, but in reality arrests remained on people's records.

Attorneys say the new law will probably not save students from losing federal student aid if they are cited for possession.

California misdemeanor possession offenses have mounted in recent years, reaching 61,388 in 2008, the highest level since 1975.

Dispensaries addressed

In other legislative action, Schwarzenegger signed AB 2650, which bans cannabis collectives from operating within 600 feet of a school as of Jan 1. It is the first state law to specifically mention the term dispensary.

The author of the bill, Assembly member Joan Buchanan (D-San Ramon), originally proposed a 1,000 foot buffer zone around schools, parks, and churches, but the bill was modified at the insistence of medical-use advocates, who pointed out that 600 feet from schools is the standard limit for liquor stores.

The bill covers all activities by dispensaries or other providers that have a storefront location or mobile outlet and which are required to have a business license. It grandfathered dispensaries that already have permits to operate closer to schools issued under existing local regulations.

Medical use resolution dies

The CA State Assembly failed to pass Resolution SJR 14 by Sen. Mark Leno, which would have called on the federal government to respect state medical marijuana laws. The vote was 37- 29, four votes short of the 41 required. A similar resolution, also by Leno, was approved by the Legislature in 2003. This year's vote was hampered by absences and abstentions.

Marijuana may offset alcohol-induced cognitive impairment among teens

By Paul Armentano, NORML

Compounds in cannabis may offset some of the adverse effects of alcohol on the adolescent brain, according to clinical trial data published online in October by *The Journal of Studies on Alcohol and Drugs*.

Investigators at the University of California at San Diego assessed the cognitive performance of 130 adolescents ranging in age from 15.7 to 19.1 years (65 with histories of heavy marijuana use, and 65 non-using controls). Authors reported that the use of marijuana appeared to moderate the adverse effects of alcohol on verbal learning and memory.

Researchers determined, "Regression models revealed that greater alcohol hangover symptoms predicted worse verbal learning and memory scores for non-marijuana users, but alcohol hangover symptoms were not linked to performance among marijuana users."

They concluded: "Results confirm previous studies linking adolescent heavy drinking to reduced verbal learning and memory performance. However, this relationship is not seen in adolescents with similar levels of alcohol involvement who also are heavy users of marijuana."

A previous study published in 2009 reported that binge drinkers who also used cannabis experienced significantly less white-matter damage to the brain than those who consumed alcohol alone.

"Binge drinkers who also use marijuana did not show as consistent a divergence from non-users as did the binge-drink-only group," investigators concluded. "[It is] possible that marijuana may have some

neuroprotective properties in mitigating alcohol-related oxidative stress or excitotoxic cell death."

Commenting on the findings, NORML Director Allen St. Pierre said, "Alcohol and cannabis appear to have contrasting effects on the human brain," he said. "Ethanol is clearly toxic to healthy and developing cells whereas moderate doses of cannabinoids appear to be relatively non-toxic and possibly even neuroprotective."

Worm tea enlivens the soil

By Michael Baldwin

Since ancient times, mankind has known the benefits of sustainable ecology. In the natural world everything has purpose.

Earthworms digest organic matter into plant nutrients. In the 1940s and 50s, petrol-based chemicals were introduced to agriculture, and since then vast areas of earth have been laid waste. Many have learned that organically grown plants are superior in quality, aroma and flavor.

The purity and quality of nutrient sources used to feed the cannabis plant affect the more complex and delicate cannabinoids that provide relief from a wide array of medical conditions. A balance of light, water and micro-organisms living in the root zone is the key to clean, potent medicine.

A home-brew earthworm-casting tea kit from CannabisWormTea.com comes complete with air pump. Anyone can brew up a fresh batch of organic worm tea plant food right at home. It is always fresh, and teeming with microbial life.

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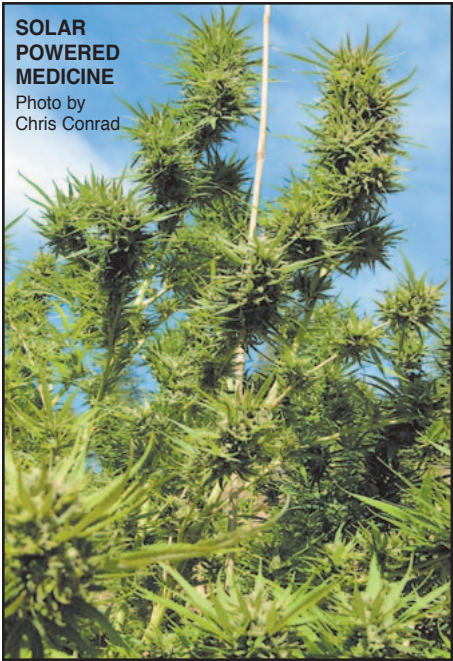
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Tax measures win big in Cali

Continued from page 2

balanced on the backs of patients.”

One particular tax measure, passed by voters, Rancho Cordova’s Measure O, will impose a license fee of up to \$900 per square foot on cannabis cultivation. That means for a modest indoor garden of 200 square feet, a patient there will be required to pay up to \$180,000 annually. Needless to say, this discriminatory fee amounts to a *de facto* ban on cultivation and will make out-laws out of patients.

ASA is considering a legal challenge to Measure O, as are others. Regardless who files suit, the initiative is unlikely to stand up to legal scrutiny.

While the trend to tax medical marijuana may not be over — as evidenced by an effort in Los Angeles to impose yet another tax — ASA remains committed and determined to fight against such increased costs for patients.

Grow it in the sun, urges new organization

By Liz Davidson, growitintheshun.org

Grow it in the Sun, a group of Humboldt County and Bay Area environmental activists, has formed to educate medical cannabis patients about pollution issues associated with cannabis cultivation.

“Grow it in the Sun wants patients to make informed choices when obtaining medical cannabis,” said Ken Miller, MD, a medical cannabis practitioner since 2001, and a medical advisor to GIITS.

The campaign encourages responsible, small-scale, water-wise and salmon-safe, organic outdoor marijuana cultivation, and opposes the industrialization of marijuana growing, indoors or out.

“Growing medicine should not add to

environmental pollution or create toxic waste. Naturally grown MJ is healthier for patients, growers, watersheds, and the planet,” Miller said.

One pound of marijuana grown artificially under grid-tied lights releases up to a ton of carbon dioxide emissions, the principle greenhouse gas — if one assumes that the best new technologies are used to create electricity from natural gas. If the power is made from coal, each pound of indoor pot would also emit six pounds of sulphur dioxide, the principle cause of acid rain, and 6.5 pounds of nitrogen oxide, which causes smog and acid rain. Beyond these greenhouse gas emissions, the damaging mining and drilling methods used to

extract fossil fuels increase the environmental impact of grid energy use.

If the indoor uses off-grid diesel generators, additional problems with motor-oil disposal and particulate, noise and water pollution occur, as do occasional disastrous fuel spills. The energy-intensive technologies of indoor pot growing were invented to hide marijuana cultivation from CAMP helicopters. Now that medical use is legal, GIITS questions why expensive and polluting technologies of concealment should be the norm for California’s burgeoning marijuana industries.

Oakland’s proposed mega-gardens would create the biggest electricity user in that city, according to GIITS, requiring otherwise unneeded electrical infrastructure and releasing millions of pounds of greenhouse gas pollution from unnatural and ecologically destructive practices — in the state known around the world for its superlative natural agricultural bounty.

Mendocino County’s recent groundbreaking marijuana regulations make indoor cultivation of more than 100 square feet illegal anywhere in the county. Similar laws restricting commercial indoor residential cultivation in Eureka and Arcata, Humboldt County’s two largest cities, create regulatory opportunities for growing medicine responsibly and safely.

Grow it in the Sun encourages patients to ask where their cannabis comes from — does it come from responsible growers, or from factory farms or destructive plantations in the national forests?

Patients have a choice, and making their choice known can reverse the trend toward destructive and polluting practices. California can cultivate a natural, sustainable, honorable, and profitable industry simply by doing what it does best:

Grow it in the Sun.

Oakland police shoot man holding a digital scale

By Mickey Martin

People who feel that the dangers of marijuana prohibition are minimal should talk to the family of Derrick Jones, a man who was shot and killed by Oakland Police Dept. personnel while reaching for a shiny silver marijuana scale. Officers were pursuing Jones Nov. 8 when he allegedly tried to ditch some marijuana and a scale that would have locked him up for parole violation. The officers say they mistook his attempt to dump the items as a threat to their safety and opened fire on Jones, killing the 37-year-old.

In the wake of the Oscar Grant shooting and Johannes Mehserle sentencing, the Oakland community is already on edge regarding police violence. The shooting of an unarmed man over his attempt to avoid going to jail for cannabis has sparked outrage in the community. About 100 people marched from the barber shop Jones

owned to the nearby BART station where Grant was killed, shutting it down for more than an hour.

The police assertion of mistaking her brother’s scale for a gun and killing him outraged Jones’s sister Tonya Saheli, 34. “My brother is gone over the fact that he had weed,” Saheli said. “And they said they didn’t want to reveal what it was because it would be embarrassing to my family? Are you serious? It just magnifies my sentiments on the fact that they should not be given a pass. The fact that it was an electronic scale, it just really hurts.”

The officers were put on administrative leave and the Oakland Police chief is “bettering” the department’s policy on dealing with people who may be reaching into their waistband or clothing. Regardless, Jones lost his life because he feared arrest for marijuana — and the Drug War has senselessly claimed another life.

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A special thanks to our new allies, the United Food and Commercial Workers Union #5 and the NAACP California Chapter, as well as long time allies NORML, Students for Sensible Drug Policy, Law Enforcement Against Prohibition, the Drug Policy Alliance and the West Coast Leaf. The fight continues. Polls show that we are poised to win in 2012. In the coming months, we will begin work on the next campaign.

Sign up at taxcannabis.org and we will email you periodic updates which will provide opportunities for online and offline advocacy so you can stay active and engaged in this battle for cannabis consumers and industry workers rights.

Thank you so much for being part of something so special. We didn't get the result we wanted, but one thing is clear - that it's no longer a matter of *if* we'll end cannabis prohibition -- it's simply a matter of *when* and *how*.

Sincerely,

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PROP 19 CAMPAIGN — (Top row, l-r) Amanda Rain Brazel with news and supporters at LA election night party; James Rigdon, Prop. 19 field director with Kenya Wheeler, Courage Campaign; Bob Lee (Richard's father) addresses the crowd on election night. (Second row, l-r) Neill Franklin, LEAP; Stephen Gutwillig, DPA, Dale and Jeff Jones at wedding-fundraiser; Dale Sky Jones, spokesperson; Michael Whitney, Firedoglake; Courage Campaign volunteer. (Third row, l-r) election attorney Jim Wheaton with consultant Doug Linney, The Next Generation; Gianni Feliciano, Prop. 19 intern. (Fourth row, l-r) Ann Lee (Richard's mother) with, Dale and Jodie Emery; Dale, Hannah Dershowitz and Mauricio; Campaign Director Mauricio Garzon with initiative proponent Richard Lee; firetruck sponsored by David Bronner; Dan Rush, UFCW union. (Bottom) busy campaign office works to get out the vote.

*Thank you, Richard Lee
and the Prop 19 team!*



We at Medi-Cone would like to thank the hard-working organizers and activists who campaigned for Prop 19 and all the millions of California voters who came out to support rational, responsible cannabis reform.

We'd especially like to thank Jeffrey and Dale Sky Jones and Richard Lee of Oaksterdam University for their unwavering dedication to the movement.

Moving forward, Medi-Cone will continue to stand with all those committed to ending the injustices of cannabis prohibition to protect patients, caregivers, and ordinary citizens alike.



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Proposition 19 sparked a global shift

Campaign made history

Continued from page 1

1996 passage of Prop 215. In the midst of the campaign, he married Prop 19 spokesperson Dale Sky Clare, of Oaksterdam University, who became a familiar face and a calm voice of reason on news programs around the world. Lee also has a licensed medical marijuana dispensary in Oakland, Coffeeshop Blue Sky.

The campaign pressed its theme that legalizing personal adult use and cultivation, then taxing and regulating retail sales like alcohol, is a common-sense way to control cannabis. Creating licensed outlets where proof of age is required for a purchase would reduce access to teens. There

would be major tax savings on enforcement and incarcerations, while billions of dollars in new revenues would come from taxing the already existing industry in non-medical cannabis sales. This would in turn bring down prices and eliminate high profits in the illegal marijuana market, resulting in reduced crime and violence, both in California and in Mexico.

Mexico's former President Vincente Fox prayed aloud, "May God let it pass."

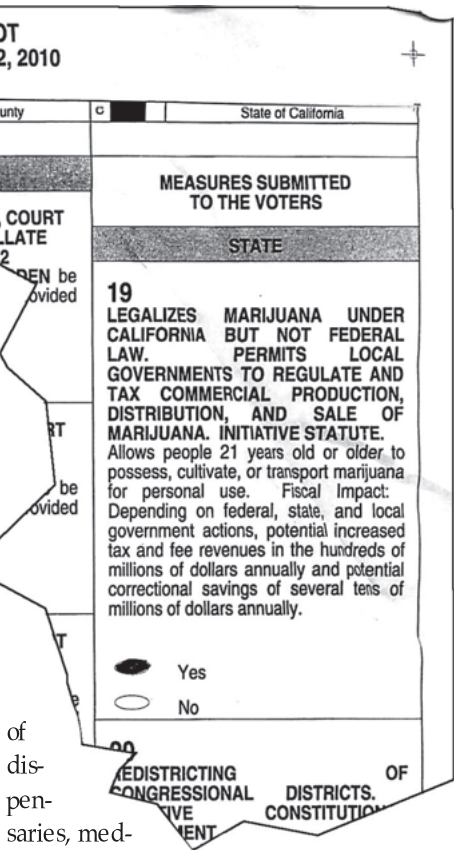
While Prop 19 fared well in the San Francisco Bay area, however, the fact that the initiative did no better in the marijuana-rich Emerald Triangle counties, Humboldt, Mendocino and Trinity, than it did in the rest of the state showed that the economics of legal medical marijuana amid

social prohibition has shifted the political playing field around legalization.

The official opposition to Prop 19, Public Safety First, was funded by the California Beer and Beverage Distributors, California Narcotics Officers Association, District Attorney Assn., Police Chiefs Assn., Peace Officers Assn., and the prison guard-based Correctional Supervisors Organization, among others.

The federal 'drug czar,' DEA officials, and US Attorney General Eric Holder came out against it, as did every major corporate daily newspaper editorial board except the *Orange County Register*.

To the surprise of many, an organized opposition emerged within the marijuana community, funded primarily by a handful



Latin America embraces cannabis reform

The drive to end prohibition grows throughout the Hemisphere

By Daniel Robelo, Drug Policy Alliance

The eyes of most Latin Americans were fixed on the Nov. 2 US elections — not so much out of interest in the midterm congressional contests as in the outcome of California's Proposition 19.

While the Golden State did not legalize cannabis this year, it succeeded in furthering a debate about legalization throughout the Western Hemisphere.

The historic initiative inspired a serious national conversation in Mexico about legalization. Fed up with bearing the brunt of prohibition-related violence, Mexican policymakers and civil society organizations opened a meaningful, public discussion on legalization strategies, putting all options on the table.

Supporters in Mexico include many NGOs, legislators, academics, celebrities, former presidents and other ex-government officials. Even current President Felipe Calderon, who opposes legalization and called Prop. 19 "a terrible inconsistency in government policies in the US," encouraged this open dialogue to go forward. Several concrete legislative proposals to legalize or decriminalize cannabis are now pending in Mexico's Congress.

Such a level of support should come as no surprise. Some 31,000 people have been

murdered in Mexico in the last four years. Despite taking out several top drug traffickers — such as the October killing of Gulf Cartel head Antonio Ezequiel Cardenas Guillen (aka "Tony Tormenta"), or the earlier capture of the acting head of the Beltran Leyva cartel, Edgar Villarreal Valdez, (aka "La Barbie") — and in spite of several recent high-profile drug seizures, including a record 134-ton shipment of marijuana in October and one containing 15 tons in November, myriad drug traffickers continue to operate with impunity.

For several years now, a rising tide of reform has been sweeping across Latin America. In late 2008, the Latin American Commission on Drugs and Democracy, a blue-ribbon panel of intellectuals led by the former presidents of Mexico, Colombia and Brazil, declared the drug war a failure and called for marijuana decriminalization.

In the same spirit, several countries in the region have adopted or are considering drug law reforms. Some have been quite modest, like Mexico's 2009 *narcomenudeo* law, which eliminated penalties for five grams or less of cannabis and smaller amounts of other substances. Unfortunately, it also increased the penalties associated with other drug law offenses.

In other countries, however, the

reforms have been extremely significant. In Argentina, for example, the Supreme Court ruled in late 2009 that punishment for possession of cannabis is unconstitutional. While the ruling only considered marijuana, it is widely speculated that the precedent it set has effectively de-penalized possession of all drugs. In fact, a full-on decriminalization bill to formalize the Court's decision is pending in the Argentine legislature.

Ecuador and Brazil are both considering similar proposals to decriminalize possession of drugs and reduce penalties for small-scale trafficking. For its part, Ecuador issued a blanket pardon for so-called drug 'mules' (couriers), and added important provisions in its new constitution, ratified in 2008, including a fundamental recognition of rights for people who used drugs.

Colombia, in fact, decriminalized possession in the 1990s, and its Supreme Court reaffirmed it in 2008. Yet, as Washington's one stalwart ally, Colombia is constantly bucking the regional reform trend — actually amending its constitution to allow re-criminalization of drug possession in 2009, subject to administrative penalties.

Overall, an undeniable spirit of change is engulfing the region, a rejection of the Washington consensus for a war on marijuana in favor of reasoned steps on the path toward legalization.

of dispensaries, medical marijuana physician groups, and commercial growers with a financial interest in maintaining the status quo, and fueled by fears that Prop 19 might affect the medical marijuana laws, in an assortment of disinformation, rumors and conspiracy theories. They were fronted by a disruptive group, known as 'Stoners Against Legalization' and spearheaded by Dennis Peron and John Entwistle. Russ Bellville of the National Organization for the Reform of Marijuana Laws (NORML) kept track of some of their activities on his blogs at norml.org and related links.

Even opponents of the initiative often had to preface their position that they were in favor of legalization, but they had some technical disagreements with Prop 19.

Immediately after the election, the campaign announced plans for the 2012 ballot, and California NORML set up a Jan. 29 statewide conference in Berkeley to discuss "What Next" for state efforts, with more information at canorml.org.

The Next Generation ran the campaign, with campaign director Mauricio Garzon. Firedog Lake, Law Enforcement Against Prohibition, the Courage Campaign, Drug Policy Alliance, Students for Sensible Drug Policy and many others chipped in.

Wisconsin medical advisory referenda pass


By Phillip Smith, stopthedrugwar.org

Voters in Dane County, Wisconsin, home of Madison, and the city of River Falls approved medical marijuana advisory referenda by 75.5% and 68% respectively on Nov. 2.

The non-binding measures are aimed at building political support for passage of a medical marijuana bill in the state legislature.

Unfortunately, the prospects for passage of a medical use bill in the legislature are tough. Advocates face a hostile Republican governor, Scott Walker, a hostile attorney general, JB Van Hollen, and now a state legislature in the hands of Republicans with the patients' nemesis Leah Vukmir in the state Senate as the likely chair a key health committee.

Still, voters in two Wisconsin jurisdictions did put legislators on notice that medical marijuana is a winning issue.



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WEST COAST LEAF

Editorials and Commentary

Decrim: Good, but not enough

California cannabis consumers have reason to celebrate in the fact that the state legislature has finally passed a 'decrim' bill that reduces the penalty for simple possession of an ounce or less from a misdemeanor to an infraction, effective in 2011. That means getting caught with a little pot is more like a traffic ticket than a crime, as it generates a fine and citation rather than a criminal record. While the timing and motive behind Governor Schwarzenegger's signature were suspect — did he sign it to derail Prop 19, or was it simply because "No one cares if you smoke a joint or not," as he stated on the Tonight Show with Jay Leno? — it is clear that the warming climate of marijuana reform made it easy for him to take that step. Hopefully our new Governor Jerry Brown will take the next.

How this incremental legal change affects the stigma that has been used to rationalize prohibition, and what the social consequences will be for having a marijuana citation on one's record still remain to be seen. Still, decriminalization is not the be-all and end-all in the struggle for equal rights, and we dare not become complacent. With possession being an infraction, it's less hassle for police to cite people for marijuana. That means that local governments can view pot as they do parking, issuing tickets to generate revenue.

Decrim is a small step in the right direction that leaves sales and cultivation as felony offenses and keeps the market outside of legal control. So, our work is far from over. Until cannabis is legal and the market is regulated, its consumers will be subject to discrimination in society, investigations for complicating circumstances, and good people will still be arrested, prosecuted and incarcerated for providing cannabis to adults who want it.

Prop 19 vote puts ball in legislature's court

Congratulations, Prop 19. Rarely has a ballot measure lost at the ballot box and still been hailed as such a landmark of success. Nonetheless, the loss was poignant. Equal rights were nearly within our grasp, but the tally came up short. It shows that we have not negotiated the final details of consensus on how to achieve this goal. The vote margin raises a fundamental question of electoral government: Is it morally right for fewer than 54% of the people to vote to criminalize behavior that more than 46% think is okay?

The election sends a strong signal to Sacramento: California voters want the legislators to do their job and fix these broken laws. Negotiate basic points of agreement on how to allow adult social use and cultivation. Make the public feel that impaired driving and workplace usage are adequately controlled. Regulate the market to keep cannabis away from kids while respecting adult rights and the sanctity of the family. Sort out the messy details that are too arcane for the sound bite-driven rumor mill that the electoral process has become. Assemblyman Tom Ammiano and Senator Mark Leno are exemplars who have shown the courage to do the right thing, and for that we commend them.

The Prop 19 experience reaffirmed that reformers need to engage minority populations and women with children under the age of 18 to feel invested in this issue and come to the table. This campaign began to bridge that gap for the first time, and the playing field of cannabis reform is forever changed. Now it is time for the legislature to play ball.

Let's get federal

The political tide seems to have turned against Big Government. The rise of the self-proclaimed Tea Party is widely interpreted as a rejection of government waste and meddling in our lives. May we suggest an easy-to-understand target for newly elected anti-tax / anti-government officials? The Drug War. Vote to move marihuana out of the Controlled Substances Act, defund the DEA and Office on National Drug Control Policy, and let the States and free market decide how cannabis is handled.

That would show true commitment to personal liberty and free enterprise.

WEST COAST LEAF

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Chris Conrad, executive editor
Mikki Norris, managing editor

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Prop 19 shifted political tone and direction

A new dialogue has begun

By Stephen Gutwillig, Drug Policy Alliance

Despite the frustrating defeat of Proposition 19, this is still a watershed moment in the long struggle to end cannabis prohibition in this country. California's historic ballot initiative has impacted the national debate for the long term, placing cannabis legalization squarely in the mainstream of American politics. It is likely to maintain that status for years to come as the national reform movement builds on this remarkable campaign and on the overwhelming support of younger voters.

Few of us could have predicted the shift that occurred this year. Media coverage is one barometer of this change. For years, mainstream media outlets haven't quite known how to cover the movement for cannabis reform. Formerly wary of making this issue front-page news, outlets in every medium around the world closely followed Prop 19 from start to finish. The headlines and content of marijuana policy articles, where puns were once a must, have evolved alongside the increasingly serious tone of the public debate. Californians heard detailed arguments for ending the state's failed marijuana ban, a discussion that will resonate in similar campaigns in Western states as soon as 2012.

Another highly significant accomplishment of the Prop 19 phenomenon is the unprecedented coalition it forged. Longtime drug policy reformers such as my organization were joined for the first time by mainstream civil rights groups, organized labor and the largest contingent of dissident law enforcement figures ever publicly assembled on this issue.

Decrying the chilling racial disparities in drug law enforcement, the California Conference of the NAACP, the Latino Voters League and each of the national

black and Latino police officers associations declared the end of cannabis prohibition a racial-justice priority. The Prop 19 coalition included the state's largest labor union, SEIU of California, alongside long-shore workers and food and commercial workers, all pronouncing the positive economic impact of cannabis legalization a priority for working families. Retired judges, district attorneys, police chiefs and beat cops — many of them members of the group Law Enforcement Against Prohibition — publicly broke ranks with the public safety officials who dominated the opposition campaign.

This discussion will resonate in similar ballot campaigns as soon as 2012.

And then there were the young people. Support for cannabis legalization among young likely voters in California has consistently polled between 70% and 80%. In a recent *Newsweek* poll, 70% of likely voters under 30 nationally would support a Prop 19 in their own state, as would 51% of likely voters between 30 and 49. Marijuana legalization is an issue today's young voters — and tomorrow's middle-aged voters — are excited about. The *Newsweek* poll also found that legalization is a significant draw to the ballot box for under-30 voters, with 64% saying they would be more likely to vote if the issue were on the ballot.

As more young people join the electorate, the tide for reform is swelling. Prop 19 showed them that a serious campaign can be waged to end prohibition, that serious people are with them, and that sensibility and principle are on their side.

This is the wave that will end the disaster of cannabis prohibition in America.

* Stephen Gutwillig is California State Director of the DPA, Drug Policy Alliance. latimes.com/topic/social-issues/racism/naacp-ORNPR000027.topic

Dispensaries need to act as positive role models

Lessons learned from a loss

By Steve DeAngleo, Harborside Health Center

While disappointing, the defeat of Proposition 19 was neither unexpected nor surprising. Many people had urged its proponents to postpone it for the general election in 2012. It's now time to reflect on why Prop 19 lost, and to consider interim steps the cannabis community can take to legitimize itself in society.

At root, California voters decided against Prop 19 because they are still not convinced that cannabis can be distributed in a safe, seemly and responsible fashion. Voters made clear they will not welcome cannabis distribution until it is done in a way that they believe is not threatening to the health and welfare of their families.

Poll after poll has established that Californians, like voters nationwide, overwhelmingly support medical cannabis. Surveys also show that voters are far less likely to approve of fully legal cannabis.

In other words, many voters are taking a wait-and-see approach. If medical cannabis appears to work out well, they may consider further reform. If not, they may continue to have reservations about legalization. Since 1996, Californians have been watching our state's experiment with the legal distribution of medical cannabis. Unfortunately, the performance of this nascent industry has been spotty.

Cities like Oakland, which moved quickly to establish good-faith regulation of medical cannabis, have been rewarded with trouble-free dispensaries.

However, many jurisdictions failed to

regulate, or bungled the process. The prime example is Los Angeles, where there has been an uncontrolled proliferation of entirely inappropriate dispensaries. Shoddy storefronts sprouted up, often close to sensitive locations. Over-saturation led to inappropriate promotions, like bikini-clad 'nurses' on roller skates. Leaflets were distributed around schools, and materials intended for patients were foisted on the public at large.

Many voters were understandably soured by the experience. Until they see medical cannabis being distributed in a way that benefits communities, rather than brings harm, they hesitate to expand access to cannabis. They likely will not authorize more extensive sales until the existing system is healthy and functional.

In the wake of Prop 19, the task of the cannabis movement is clear. Over the next two years, we must demonstrate to our fellow citizens that we are worthy of their trust. The movement should now focus on passing reasonable regulation of medical cannabis in those California jurisdictions that have not yet done so — and then make sure positive models of distribution are actually launched. When more people have experienced the civic benefits from good-faith regulation of cannabis, then we can successfully ask them to expand access to all adults.

If we do not shrink from holding the mirror to our own community; if we insist equally on effective regulation and positive models of cannabis distribution; if we earn the trust of our fellow citizens, then our time may come in 2012.

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HONORED — Alice Huffman, President of the CA NAACP, lent support to Prop. 19 at the NORML conference held in Portland, OR Sept. 9-11, and called the war on drugs a civil rights issue, because so many young people of color are being arrested for marijuana and lives ruined by needless criminal records. "Our youth want and deserve a future. Let's invest in people, not prisons." Photo by Mikki Norris

Former cops played big role in Prop 19 campaign

LEAP's well-received message

By Shaleen Title, LEAP

Celebrating alongside the organizations and volunteers with whom they worked on California's Proposition 19 campaign, the pro-legalization police officers, judges and prosecutors of Law Enforcement Against Prohibition (LEAP) are proud to have played a role in making history. They finally sent into the mainstream the clear message that a significant portion of law enforcement opposes prohibition.

The Prop 19 campaign brought together an unprecedented coalition of faith leaders, elected officials, some of the state's biggest unions, political groups including county Democratic parties, large individual coalitions of mothers, doctors, lawyers, and many others. To add law enforcement to the Yes on 19 alliance, LEAP recruited the National Black Police Assn. and the National Latino Officers Assn. LEAP also helped bring the CA NAACP into the broadest coalition ever to support a cannabis-legalization initiative.

Between March and November, LEAP tripled its law-enforcement presence in California and put on more than 300 presentations throughout the state, in-person and via news media. Working with the coalition, LEAP CA spokespeople, including retired San Jose Chief Joe McNamara and retired LAPD Deputy Chief Stephen Downing, spread the message that legalization with regulation is the best policy to promote public safety.

Chief McNamara was featured in a TV ad explaining that cannabis legalization would allow police to focus on violent crime and help put drug cartels out of business. Cop-for-cop, sheriff-for-sheriff, they

debated all the major 'No on 19' advocates. By October, Prop 19 opponents were conceding that maybe legalization itself wasn't such a bad idea, but not the way Prop 19 was written. Then the opposition started failing to show up to debate and defend pot prohibition. On many occasions, LEAP law enforcement speakers had the platform to themselves to tell audiences that they had reviewed Prop 19 and found it to be a far superior alternative to the war on marijuana.

Though the proposition fell short, the results were just as historic as the campaign. Millions of voters have proclaimed that the state is ready for this change. A rational public discussion about legalized cannabis regulation has begun.

Clearly, LEAP considers this a tremendous victory and eagerly looks forward to future opportunities to support cannabis legalization and common-sense controls.

What's next for LEAP? Members get back to their primary mission of educating the public about the broader failure of prohibition and the need for legalized regulation of non-medical drug consumption. They will also be preparing for 2012 campaigns now being discussed in several states. National campaigns are forming to build on the milestones set by Prop 19, as are state campaigns in OR, WA, CO, NV, MA and maybe again in CA.

Wherever legalization is up for debate, LEAP drug warriors will be ready to give an insider's view. In the meantime, support is needed to help them to continue speaking out about the failure of current policies. As the discussion moves past prohibition, LEAP seeks an intelligent conversation about what policies will come next to replace it.

San Jose MC3 coalition fights stereotypes, bias

By Paul Stewart, MC3 Director *

With the overwhelming passage of Measure U on Nov. 2, the San Jose City Council can now tax sales of cannabis up to 10%. Problem is, with Prop 19 not passing, the only cannabis sales they'll be taxing will be for medicinal use.

Getting the Council to understand the impact this will have on the cannabis patients community is vital. This issue is paramount for the Medicinal Cannabis Collective Coalition (MC3) as it seeks sensible regulation for collectives. Educating the public about the cannabis movement is now more urgent than ever.

Key to this understanding is quashing the Hollywood stereotypes. Patients who depend on cannabis and the collectives who serve them face such misconceptions on a daily basis, and they need to overcome that bias.

Many elected officials, when asked to vote to assure safe access for medicinal cannabis (or, as in San Jose, to tax patients' medicine), simply assume they are legalizing 'head shops.' Many voters often have this same impression.

The MC3 is retaining the services of a public relations firm to help craft an educational campaign as well as advise us and patients on other issues affecting the city's deeply flawed draft ordinance.

Patients who utilize medicinal cannabis are as diverse a group as any. They include senior citizens, attorneys, municipal and state employees, business people, journalists, corporate heads, bankers, students, blue- and white-collar workers — and, yes, elected officials. Their unifying concern is the need to relieve pain and suffering.

The many people who still believe cannabis patients should be lumped in with recreational users are bolstering an even more insidious stereotype: that the owners of co-ops operate as a front for drug sales, and profit from their patients.

This image of the medicinal cannabis 'co-cop as drug dealer' is a harmful fallacy, because as a result most people don't know or care about the closed-loop system mandated by current law.

Also, the claim that collectives are merely "making a profit from drug sales" is used to justify the actions of law enforcement in busting a dispensary, delivery service or patient grower. These officials aren't doctors or CPAs, but they make their raids and then let the courts hash it out.

The 'collective operator/drug dealer' stereotype is rampant, and the media make little attempt to amend this view among average TV viewers, movie-goers, or elected officials, who rarely take the time to

understand the error of this biased depiction.

Breaking stereotypes about medicinal cannabis is an ongoing battle. Patients everywhere must become educators and warriors, or they will surely become victims. In San Jose, patients may be taxed to the point of having to resort to the streets to obtain their medicine, while still facing heavy-handed, systematic police raids.

* Stewart is Executive Director of the Medicinal Cannabis Collective Coalition (MC3) in San Jose, California.

Imagine ... then manifest

By Amanda Rain Brazel, Oaksterdam University

Imagine, if you would, cannabis in its full freedom, in the truest form of Jack Herer's dream and vision: people freely growing cannabis for medicine or personal use, and farmers growing industrial hemp for the healing of our economy and environment.

Imagine all that, and the freedom from threat of prosecution — imagine. Now, what would it take to get there?

Consider the opposition. The well-funded, profit-driven pharmaceutical industry with its massive lobbying influence over the federal government. There's law enforcement: the DEA, narcotics officers, district attorneys and prison guards, each with its own lobbying clout. There are the illegal drug dealers, street criminals and drug gangs that bring a heinous level of violence and atrocities. There are hidden financial interests. Of course, there's the federal government itself, which in the final week of the campaign threatened Californian voters with punitive retribution if they approved Prop 19. Let's not forget all the tactics employed, both locally and federally, to maintain the status quo.

Still, we fight for freedom. Citizens across America commit civil disobedience in defiance of the failed war on cannabis, risking their freedom and livelihood to advance the belief that sick people should have safe access to medicine, that cannabis consumers and providers should not be criminals, and that law enforcement should focus on violent crimes instead of non-violent drug offenses.

Reformers have repeatedly seen that we cannot rely on politicians for reform; most likely even the modest and long-overdue decrim of SB-1449 wouldn't have been signed into law if not for the pressure of Prop 19.

What has brought us this far has been coalitions of dedicated activists advocating for reform, standing up against the injustices of failed prohibition and taking the lead in creating an exit strategy from the war on cannabis.





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Spice combines smoking herbs with synthetic cannabinoid that eludes most drug tests

Ask Cannabis MD: K2/Spice

By David Ostrow, MD

Q: I've recently seen reports of a 'synthetic marijuana' being sold on the Internet, mostly from England and Germany, and, in the US, from Kansas, Arizona and Missouri, where a bill has been introduced to add it to the state's list of illegal drugs. Why would anyone go through the trouble of making synthetic marijuana when the real thing is available worldwide, albeit illegally in most locations?

A: 'Synthetic marijuana' or 'fake weed,' known as K2 or Spice, are herbal products sprayed with an unknown concentration of one or more synthetic compounds that behave similarly to THC, the primary psychoactive constituent of cannabis.

The compound most commonly found in these products is a chemical first synthesized by well-known organic chemist Prof. John W. Huffman, hence its names JWH-018,* K2 or 1-pentyl-3-(1-naphthoyl) indole. Another compound found in Spice products in Germany is an analog of CP-47,497, a cannabinoid developed by Pfizer more than 20 years ago.

Huffman synthesized over 100 compounds in search of cannabimimetics, drugs that mimic the effect of cannabinoids such as THC. The primary goals in creating drugs like K2 were to (1) determine the structure-activity relationships of these compounds and (2) tease out the physiological function of the endocannabinoid receptors, CB1 and CB2.

What does it do? The late Prof. Billy R. Martin (Medical College of Virginia) published the classic paper about K2 in *Drug and Alcohol Dependence*. While THC binds almost equally to CB1 and CB2 receptors,

K2 has a 3-fold preference for CB1 receptors. It binds to the psychotropic CB1 receptor with approximately four times the potency of natural THC. Since the CB1 receptor is the primary means by which (endo)cannabinoids exert a psychotropic effect, its effect compared to smoked cannabis depends on the dose in the product, how stable it is during combustion, how it's metabolized in the body, etc.

No human toxicology studies have yet reported on it, but the indole portion of K2 does raise the possibility that it may lead to serotonin syndrome, a rare but potentially fatal condition. Otherwise, concern about potentially fatal over-dosage seems overblown when compared with drugs such as methamphetamine.

In a conversation with Abel Pharmboy and Fred Gardner of *O'Shaughnessy's*, Huffman remembered K2 as "nothing special...but it was one of the more potent compounds we made, and it was quite easy to make from commercially available materials, probably the reason it has now caught on. I've lived a long time [and] I've come to the conclusion that if an enterprising person wants to find a new way to get high, they're going to do it."

Even now, said Huffman, enterprising chemists are inventing new analogues: "[Their] goal is to get another psychoactive compound that is not illegal.

"Because Spice is now illegal all over Europe, I have told people 'Do not use this stuff. ... (Whispering) If you want to get high, use marijuana.'"

* Aung MM, Griffin G, Huffman JW, et al (2000). Influence of the N-1 alkyl chain length of cannabimimetic indoles upon CB(1) and CB(2) receptor binding. *Drug and Alcohol Dependence*, 60 (2), 133-40 PMID: 10940540

Coping with indoor pests and disease



By Samuel Janovici

Nothing can ruin an indoor grower's day more than pests, diseases, fungi and molds. Hunting for those telltale webs of spider mites, the pinholes in the fan leaves from thrips, the white sheen of powdery mildew or that spongy feeling of aspergillums and other plant-killing molds is a full-time job that must be taken seriously, indeed.

The cure is usually prophylactic — designing the grow space with enough ventilation, airflow and filtering. Molds and fungi can be prevented by reduced humidity, germicidal UVC light and constantly improving techniques for cleanliness.

Hygiene and proper maintenance are necessities, especially when working indoors. Pumps and irrigation lines must be flushed and cleaned, tables and sumps scoured, and the rooms disinfected like hospital operating rooms. The goal is to start fresh and to supply your next crop the perfect environment to grow up strong and healthy. Remember it's medicine — poisonous chemicals need to be avoided or flushed and washed away with environmentally friendly products.

Organic solutions are preferable, but not always practical. Kyle Kushman offers arguably the best organic practices avail-

able today. His Veganics approach gives indoor growers healthy solutions to vexing problems and is eco-friendly and 100% non-toxic. It eliminates harmful chemicals and minimizes the salts that alter the pH balance by using beneficial bacteria, fungi, and enzymes derived solely from plant extracts.

Some prefer the surety of chemicals while others like to balance biological solutions such as predator mites and thrips or herbal remedies like rosemary oil or Neem oil. For most, a mixture of technologies is necessary. That's why farming should be considered a practice.

Remember, there is more than one way to do things, and everyone has an opinion. Ed Rosenthal's latest edition of the *Marijuana Handbook* and *Indoor Marijuana Horticulture* by Jorge Cervantes both hold useful advice, and *Hemp Diseases and Pests*, by McPartland, Clarke and Watson, remains the most comprehensive tome.

There are a lot of alternatives for treating your problem, if caught in time. Otherwise, you might need to start over. Whichever one chooses, the goal should remain the same: a healthy product that does not hurt patients or consumers.

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Ending the NIDA monopoly on cannabis research

By Stephen Morseman and Rick Doblin, Ph.D., MAPS.org

In recent months, MAPS (Multidisciplinary Assn. on Psychedelic Studies) has increased its efforts to break the government monopoly over the supply of marijuana for FDA-regulated studies so as to begin to develop cannabis into a prescription medicine. It is seeking to secure a DEA permit for UMass Amherst to cultivate a supply under contract to MAPS.

Without breaking the monopoly over the legal supply, sponsors of research will not dedicate their scarce resources, because NIDA can arbitrarily delay or prevent FDA-approved studies from taking place. Furthermore, should studies be successful, the only source for prescription use would be the monopoly provider, which has major conflicts of interest and could charge whatever it wanted.

Fortunately, MAPS has the recommendation of DEA Administrative Law Judge Mary Ellen Bittner in hand. On Feb. 12, 2007, Bittner stated that it would be in the public interest to grant a DEA license to Dr. Lyle Craker to cultivate marijuana at UMass Amherst under contract to MAPS. After almost two years of delay, this recommendation was rejected by Acting DEA Administrator Michelle Leonhart, six days before President Obama was inaugurated. Craker's lawyers hope to persuade Leonhart to reverse her decision. If this is unsuccessful, MAPS will go to court to sue the DEA for unreasonable delay if it continues to ignore a pending motion to reconsider. Should DEA reject the motion, MAPS can sue in the federal Court of Appeals.

In recent months MAPS reached out to over 300 different organizations in the medical community. Despite private expressions of support, the current political climate has made most of them apprehensive about taking a formal position on this issue. Meanwhile, a MAPS public educa-

tion campaign has gotten over a dozen letters to the editor published throughout the country, which has brought greater awareness to this issue.

This campaign culminated Nov. 17 at Leonhart's confirmation before the Senate Judiciary Committee. Although she was critically questioned by both Senators Kohl and Whitehouse, the hearing resulted in her confirmation as DEA administrator without any commitment on her part to stop blocking scientific research on the risks and benefits of medical marijuana.

In its effort to obtain a license for Craker, MAPS hired the Raben Group, a lobbying firm that is exploring the delicate political situation in the Dept. of Justice and DEA to see if a different strategy might help obtain the license.



Rick Doblin of MAPS. Photo by Mikki Norris

Our inability to move marijuana through the FDA drug-development process lends urgency to the need for passage of state medical marijuana laws.

CBD-BUDS — Karen Byars, of the Women's Collective and CBD-Rich Delivery Collective, shows some Stinky Purple, which was tested at a 1/9 THC/CBD ratio.

Photo courtesy of W.L.



Could legalizing cannabis help cure breast cancer?

By Mary Jane Borden,* DrugSense.org

For 70 years, we've been taught that marijuana has no accepted medical use and that its high potential for abuse demands absolute prohibition. Medical research has been virtually impossible since the material for legitimate research is monopolized by the federal government.

Bypassing the ineffective anti-drug ads depicting stoned-out teenagers, click on the National Library of Medicine's website, Pubmed.gov. Under "breast cancer and cannabinoid" you will find studies in scientific journals like *Breast Cancer Research and Treatment* that conclude: "Our data demonstrate the efficacy of CBD in pre-clinical models of breast cancer."

A study in *Molecular Cancer Therapeutics* says, "These results indicate that CB1 and CB2 receptors could be used to develop novel therapeutic strategies against breast cancer growth and metastasis." From the journal *Molecular Cancer*: "These results provide a strong preclinical evidence for the use of cannabinoid-based therapies for the management of ErbB2-positive breast cancer." This basic research further extols the safety of potential cannabinoid therapies.

The human body contains a neurological signaling structure, termed the endocannabinoid system,

that is interrelated with molecules in the cannabis plant and now known to govern numerous bodily processes like appetite and pain. Cannabinoid receptors, called CB1 and CB2, are located in various cell membranes and activated by the body's own cannabinoid molecules (endocannabinoids), as well as those unique to the cannabis plant (THC, CBD) or synthetically derived.

Scientific research shows that cannabinoids, as part of this bodily system, play a mitigating role in breast cancer.

Breast cancer is a frightening diagnosis that will confront about 1 in 8 American women during their lifetime. Some 40,000 will die from it each year. Breast cancers can grow through four increasingly incurable stages. The disease may be worse than the cures, but the treatments presently in use can also kill.

So, while science seems to point toward a revolution in breast-cancer treatment, the government still manages to stifle this amazing discovery.

It's been 73 years since Congress relegated cannabis to the dungeon of dangerous drugs. Petitions and lawsuits have been filed to reclassify the herb and challenge the federal monopoly over research and supply, yet its grip remains tight. Please turn to page 24

CBD-rich cannabis arrives

Continued from page 20

might make it possible for patients to ingest high cannabinoid doses while remaining highly functional, and CBD-rich strains may be well tolerated by people who don't like the effects of high-THC cannabis. These are two of the hypotheses that the SCC doctors intend to test.

ProjectCBD.com was launched earlier this year at the initiative of Martin Lee, an award-winning journalist who is writing a social history of cannabis.

"The Web site will report on all things CBD," says Lee "from the scientific research to real-time availability.

"Participating dispensaries will feature CBD-rich cannabis — and edibles and tinctures, of course — and encourage those patients who try it to take part in SCC surveys."

Project CBD provides a chance for the medical marijuana movement to live up to its name. Interested readers are invited to visit ProjectCBD.com.



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National and International Reports

NJ medical use now in effect, supply to be available in July

The New Jersey Compassionate Use Medical Marijuana Act (CUA) took effect in October 2010 exempting from state and local penalties qualified patients who have state-issued ID cards and use the drug in a manner consistent with the law. The Dept. of Health and Senior Services (DHSS) released draft regulations that State Senator Nicholas Scutari, sponsor of the CUA, decried as overly restrictive and not consistent with the law.

The regulations also create a physician registry that advocates say will discourage physicians from participating in the program. Arbitrary and capricious regulations would limit THC content to 10%. This number, combined with a two-ounce per month limit allowed by the law, means many patients will not have adequate supplies. Although its program may be unworkable, DHSS said its cannabis will be available by July. See the DHSS website for updates or visit cmmnj.org to voice your concerns.

Sen. Scutari has introduced a resolution to compel DHSS to re-write regulations to be more consistent with the law. Hearings were set to decide the merits of this resolution and a concurrent bill in the Assembly. — **Ken Wolski**, RN, MPA



CMMNJ press conference on the State House steps in Trenton, NJ Oct. 18, 2010 included (L to R) Jim Miller, Peter Rosenfeld, Sen. Scutari, Jeff Glock (holding sign) Ken Wolski, RN, and Anne Davis. CMMNJ photo.

Cannabis reformers win governors' seats in VT, CT races

Voters in Vermont and Connecticut have elected declared supporters of cannabis reform as their next governors, bringing new hope for the passage of saner laws in their states. Democrats Peter Shumlin (VT) and Dan Malloy (CT) were the only two major-party gubernatorial candidates in the nation to vocally support both medical and broader decriminalization. Both have been declared winners.

"We simply are penny wise and pound foolish to be using law enforcement dollars to be locking up criminals when they're dealing with small amounts of marijuana," Shumlin said Aug. 10, just two weeks before Vermont's primary. In Connecticut, longtime mayor of Stamford Dan Malloy beat Republican Tom Foley. Malloy said he "absolutely" supports decriminalization efforts as well as a medical-use law. — **Mike Meno**, MPP



Peter Shumlin (VT)

No compassion center licenses in RI until summer of 2011

Rhode Island patients now must wait until summer to obtain cannabis from regulated stores as authorized in June 2009. The RI Patient Advocacy Coalition (RIPAC) was overjoyed when the legislature amended the Medical Marijuana Act by allowing non-profit retail distribution centers for patients. The Dept. of Health (DH) was to accept applications and issue licenses to three centers by last September. Fifteen groups applied in May, the DH held a public hearing in June, and in July, DH sought more time. Then on Sept. 10 it summarily rejected all 15 applications.

Applicants were diverse in philosophy, location, experience and physical layout, but DH said none of the applications both met its minimum scoring requirement and complied with the 25-page limit on applications. RIPAC reviewed all 15 documents and found two to be outstanding and another five impressive.

The DH has reopened the process with new applications, and a final decision is due by March 2011. Even if DH licenses the centers in April, however, it will take months longer for them to open. — **Jesse Stout**



Ban on coffeeshop tourism?

ONLY FOR THE DUTCH? — A new card licensing scheme for Dutch residents may put the Netherlands famous cannabis-tolerant shops out of the reach of Americans and other tourists. Photo: Original Bulldog coffeeshop in Amsterdam.

Photo courtesy of Derrick Bergman / GONZO Media

large number of shops will have to close. The northern city of Leeuwarden, for example, would have to shut down 11 of its 13 coffeeshops. On top of this, an "adjustment" of the legal distinction between soft and hard drugs is planned, a measure that would threaten the foundation of Dutch cannabis policy.

Activists are deeply concerned that, while parliament hasn't debated cannabis policy in almost three years, regulations are getting ever more repressive.

The VOC (Society for the Abolition of Cannabis Prohibition, voc-nederland.org) coordinates opposition against the Dutch war on cannabis among consumers, scientists, activists and the industry. Their common goal is summed up in a slogan: 'Cannabis? Don't criminalize, regulate!'

A new study by economist Martijn Boerman published in the *Amsterdam Law Review* concludes that legal cannabis would net up to \$1.2 billion annually for the Dutch treasury.

Incoming Dutch government wants foreigners kept out

By Derrick Bergman, GONZO Media

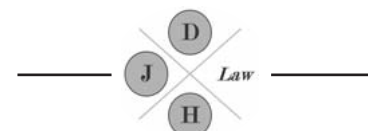
The new right-wing government of the Netherlands has announced drastic measures against coffeeshops. All foreign visitors are to be banned from coffeeshops through a membership card system, and rules are tightened for coffeeshops near schools, threatening hundreds of businesses throughout the country.

The new government is a minority coalition of Christian party CDA and conservative-liberal VVD, as 'condoned' by the extreme right anti-Islam party PVV led by Geert Wilders. This means PVV has no ministers in the government, but supports the coalition in Parliament.

For the cannabis industry, this coalition is a worst-case scenario. Prime Minister Mark Rutte wants to ban all foreigners from coffeeshops, introduce mandatory passes, and increase the minimum distance between schools and coffeeshops from 250 meters (820 feet) to 350 (1150 feet).

This 'distance criterion' would include primary schools, even though coffeeshops very strictly enforce the age limit of 18 years. If the measure passes Parliament, a

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Activists aim for 2012 Colo legalization initiative

By Kirsten Roszel

Colorado’s two largest cannabis-reform groups have agreed to move forward with a statewide 2012 ballot initiative similar to California’s recent Prop 19 effort.

Safer Alternative for Enjoyable Recreation (SAFER) and Sensible Colorado are working to place a measure on the 2012 ballot to remove penalties for adult cannabis use and establish a system of regulations similar to that for alcohol.

According to a *News/Denver Post* poll released in November, 46% of likely 2010 voters would support such a measure, while just 43% oppose it. The survey echoed other polls showing support for regulating cannabis around 50% among 2010 likely voters. The 2012 electorate likely will be even more favorably inclined

Politics of breast cancer

Continued from page 22

Medical cannabis is legal in 14 states, but only California has conducted research. There is rising support for further research among groups like the American College of Physicians.

Nonetheless, the clock is ticking for the 207,000 women expected to be diagnosed with breast cancer in 2011. Clinical trials on promising cannabinoid-based breast cancer treatments must be accelerated, but the DEA and politicians seem not to care.

Perhaps the afflicted wife or daughter of a congressman will have to be the one to ask the question that could turn the national debate: “Could legalizing marijuana help cure me of my breast cancer?”

* Adapted from an article for AlterNet.org. Borden is editor of the website and book, *Drug War Facts*. She was a marketing analyst in the 1980s for the largest marketer of cancer chemotherapy drugs in the US.

toward supporting such a measure.

“Over the past five years we have built a large coalition of organizations, elected officials, and citizens across the state,” said SAFER Executive Director Mason Tvert.

“Now that the 2010 election is over we are moving full-steam ahead with a plan to organize, mobilize, and energize our coalition and potential voters. Coloradans are ready to bring about a safer, more sensible approach to marijuana.”

Get local at DrugSense.org

By Mary Jane Borden, DrugSense.org

What visitors to DrugSense.org will first notice is its bright, new appearance. The essential Web portal for drug policy unveiled its new look and its exciting new project, “Get Local.” Choose a geographic area from the drop-down box within the globe. For example, the page that results from selecting California contains a large collection of drug-policy resources focused on that state.

Leading the pack is a link to the Drug Policy Forum of California (DPFCA), a well trafficked e-mail list dedicated to planning and discussing strategy for drug policy reform. Join the discussion with a few clicks of your mouse. While the News, Letters, and Opinions pages carry the same format as the DrugSense.org home page, here they concern California only. Next come links to state drug policy organizations displayed in alphabetical order. Then come links to over 270 California publications. The final component is the background, results, dates and, in some cases, ballot language of several California citizen-led initiatives. At Get Local, you’ll get similar local information for other states, provinces and countries.

Silver lining of election 2010 found in Colorado

By Josh Kappel, Sensible Colorado

For cannabis activists across the country, November 2010 was a time of historic heartbreak. It appears that three of four statewide cannabis reform proposals were defeated. Yet these facts are encouraging: California Prop 19 earned more votes in favor of legalizing the recreational use of cannabis than any other initiative in history, and Arizona’s Prop 203 passed by the narrowest of margins.

There was disappointment in Colorado, where a new medical marijuana code allowed cities to vote on whether to permit cannabis businesses in their jurisdictions. Forty-two of Colorado’s more conservative communities exercised this option, and 34 of these voted to prohibit such businesses in their communities.

Yet there, too, was reason to celebrate. The election was an unquestionable win for patients in the eight communities that voted in favor of dispensaries. These join more than 20 other municipalities which already allow access to cannabis from storefront outlets.

Most of the communities that voted on the issue are among the most conservative in the state. There was a record-high turnout of conservative voters statewide, as is often the case in midterm elections or in stressed economic times. Nevertheless, the aggregate vote count on all Colorado cannabis measures showed a margin of only 7% between the yea and nay votes. Moreover, in some places where community members came together to fight these bans, such as conservative El Paso County, cannabis won.

It is noteworthy that voters in cities that already have cannabis businesses were generally in favor of allowing them, while



Activists take a stand at federal courthouse in Denver to protest a Sept. 21, 2010 hearing for Chris Bartkovic. Photo by colorado420.com

voters in cities who have never had a cannabis business were opposed. In El Paso County, where the vote was positive, there are over 300 cannabis businesses. Conversely, in Aurora, where medical access lost, there has never been a single one. This would indicate that voters who have been exposed to responsible cannabis businesses tend to approve of them.

However, a few communities with existing cannabis businesses did vote to prohibit them. In Loveland, a town of 50,000, voters chose to shut down 11 existing dispensaries. The cannabis community had been accused of using tasteless signs, offering free joints, and placing large green cannabis stickers all over town. Although a handful of reputable dispensary owners tried to repair their image, the damage had already been done.

It is troubling that patients in these communities are now forced back to the black market to obtain their doctor-recommended medicine. There are lessons to be learned for the future. The importance of working together to establish a positive image is key to eventually ensuring that every community in Colorado will permit licensed and regulated cannabis sales.

* Kappel is Outreach Director for Sensible Colorado and a Law Clerk for Vicente Consulting LLC.

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Cannabis complacency after decrim in Mass

By John Dvorak, hempology.org

The Massachusetts electorate voted by 65% in 2008 to decriminalize cannabis, making possession of less than an ounce a civil offense. Police are now issuing \$100 tickets instead of arresting people. There were fewer police officers in attendance at Boston’s 2010 Freedom Fest, resulting in a substantial savings of overtime pay. There were also significantly fewer arrests than in recent years. The cost savings associated with each arrest can be placed in the hundreds if not thousands of dollars.

Some say that since cannabis has been decriminalized, there is no need for further reform. In fact, while decrim is a big step forward, more needs to be done before cannabis hemp attains its rightful status in society as a utilitarian commodity.

Despite the decrim, retail prices have not decreased. While the benign plant can be cultivated for a fraction of its street price, the inflated profits of selling black-market marijuana does lead to violence. Several high-profile violent crimes in the Boston area arguably were caused by struggles over illegal market profits.

Decrim sets the stage for the next phase of Massachusetts reform. In the last election, voters in nine cities approved public policy questions asking legislators to vote to tax and regulate cannabis. Nine others approved public policy questions asking legislators to approve medical use. While this shows that the general public is against prohibition, the measures were non-bind-

ing, so the Legislature is not required to do anything.

A workable law is needed to allow patient access to cannabis. Most people don’t realize that, while two medical-use laws have been enacted in the past, little was done to implement them.

The Legislature approved the Bertonazzi bill in 1991, which allowed for a therapeutic cannabis research program at the Dept. of Public Health. Because the federal government classifies it as a Schedule I Controlled Substance, no research into its medical value has gone forward in the state. In 1996, a law was passed authorizing the State to certify cannabis patients for treatment of glaucoma, chemotherapy-associated nausea and asthma. While a three-doctor panel was created to screen cases, no patients were certified because the program depended on access to medical-grade cannabis grown only by the federal monopoly. These ‘Catch-422’ rules must be addressed to ensure that any laws or initiatives passed result in patients actually gaining access to cannabis.

House Bill 2160, the medical marijuana legislation, is stuck in committee. Several groups are holding meetings to drum up support and obtain local endorsements to help the bill move forward.

So, while progress is being made in cannabis reform in the Bay State, a concerted effort is needed to turn public opinion into public policy.

Lack of science plagues NJ medical use laws

The Lab Bench

Jahan Marcu Lab Bench

As New Jersey continues to revise its medical cannabis law, the feasibility of implementing it is impaired.

The NJ program’s legislative authors claim they are following science, but do not reference a single scientific study. They claim the law is similar to a program at the University of Mississippi (UM), justifying the proposed 10% THC limit in cannabis plants grown for New Jersey’s program. While UM doesn’t usually provide cannabis cigarettes with more than 10% THC, the NJ lawmakers leave out the reasoning behind this. The UM project doesn’t supply cigarettes with high THC content because the mixture will get stuck in the cigarette-rolling machine.

“The cigarettes are not made here, unless there’s a requirement for high-potency material, which doesn’t lend itself to mechanized production of cigarettes, because it gets resinous and gums the machine. We use a small hand roller for that,” said Dr. ElSohly in a CNN interview. “But if we need them in bulk, like say 60,000 cigarettes, we have a subcontract with a company in North Carolina.”

Other differences abound. For instance, the federal program can process cannabis into cigarettes, patches, suppositories, etc. to fit specific patient needs. Elsohly also grows high potency varieties for research, and in doing so has discovered new cannabinoids. Every government-sponsored medical-cannabis program in the world allows the plant to be homogenized and thus standardized.

The NJ Dept. of Health and Senior Services failed to acknowledge that THC content can vary within varieties, and even within a plant itself. Asked what a producer would do if the crop tested over 10% THC, Dr. Walsh of DHSS responded, “The plants would have to be destroyed.”

The cannabis plant does not produce uniform amounts of cannabinoids in its flowers. This is basic biology. Light helps plants grow, and the parts that are exposed to more light, on the top of the plant, become more developed than the fruits on the lower branches. So in theory a cannabis plant could have 15% THC on the very top flowers but a mere 3% level on the lower branches.

In the rest of the world, the plant is ground up and a uniform mixture is prepared at the desired THC level, reached by mixing low- and high-potency plant materials. This is also how GW Pharmaceuticals makes Sativex, as a mixture of two cannabis varieties that have been processed and standardized.

The plant material needs to be tested in large batches as at UM. Statements by Walsh imply that in NJ every plant would need to be tested. No cannabis center will be able to test each individual plant. The costs of setting up and running a lab alone would be in the millions. Furthermore, the state can’t protect the cannabis centers or associated laboratories from the blunt force of the DEA.

Montana reformers brace for tough legislative year

By Tom Daubert, Founder/director, PFU*

It’s been apparent for the past year that Montana’s medical marijuana law would face skeptical scrutiny and major proposed changes at the 2011 state Legislature. November’s election results made the situation much worse, indicating that reformers will have a hard fight just keeping the law on the books.

Republicans took record-setting, lopsided control over the state House of Representatives (68-32). Some of their leaders have ties to groups that sought to put a repeal measure on the 2010 ballot.

Thus, Montana’s 90-day legislative session, which begins Jan. 3, may feature more cannabis-related bills than in all prior state history — most intended to keep reformers on the defensive. Proposals can be offered until early 2011, but by early December legislators already had requested at least five major bills.

A repeal measure will be sponsored by Sen. Jim Shockley (R-Victor), now chairman of the Senate Judiciary Committee. Sen. Dave Lewis (R-Helena) is developing a bill to license and heavily regulate producers and distributors of medical cannabis, charging a sales fee to cover the oversight, inspection and auditing costs.

A bill developed last summer by the Interim Com. on Children, Families and Health proposes many key changes to the medical use law. It would require two physician recommendations for pain patients; limit all patients to a maximum of two ounces of cannabis per month; eliminate the affirmative defense clause; make probationers ineligible to be patients, without regard to their medical conditions; and bar anyone with a felony record of any kind from being a ‘caregiver.’

Another bill, supported by the Chamber of Commerce and some large employers, would clarify the right of an employer to ban medical use during the work-day — in ways that patients fear could open the door to more employment discrimination. In addition, under DUI legislation that ordinarily would focus on alcohol impairment, the creation of a *per se* offense for having cannabis in one’s system while driving will likely be proposed.

No matter what happens, patients will be deeply affected by the 2011 legislature.

Montana passed its medical law with a 62% vote in 2004, at the time a record level of support. By the end of the 2009 session of the legislature, after assertive lobbying for improvements to the law, it seemed that the patient rights movement was making steady progress and the 2011 session could be the occasion for success.

Then in late 2009, a plethora of ‘cannabis caravan’ physician clinics issued hundreds of new patient recommendations

in a single day, and the opening of flashy dispensaries in communities around the state incited a backlash. Whereas no organized opposition campaigned against the medical initiative when it was proposed six years ago, today a group based in Billings, called Safe Kids Safe Communities, is focused on ending medical rights completely.

Through 2009 patients were making steady progress, but in 2010 new opposition sprang up along with seriously negative publicity.

Patients & Families United, founded in 2007, and Montana Medical Growers Assn., a trade group of caregivers formed in 2009, are gearing up to defend the law, and believe that if the legislature can be persuaded to “fix” rather than repeal the law, improvements that help patients may still be achievable.

Michigan program nears 40,000 registered cannabis patients

By Matthew R Abel*

The Michigan Court of Appeals recently ruled that both registered and unregistered cannabis patients are protected by state law. The Wolverine State even provides legal rights for visiting patients.

However, many courts still require patients charged with cannabis crimes to prove the existence of a *bona fide* physician-patient relationship, even if the patient is registered with an ID card from the Dept. of Community Health. These pockets of resistance hinder fair implementation of the law throughout the state.

Many other legal issues remain to be resolved as well. Criminal prosecutions are pending in Oakland County against nearly 20 people accused of felonies involving the operation of dispensaries and compassion clubs. Patients have filed motions to dismiss, and the court is expected to rule on them in January 2011.

A civil action is pending in Isabella County, home of Central Michigan University. In that case, the prosecuting attorney filed a civil nuisance action against a collective called the Compassionate Apothecary. The judge denied his request for a preliminary injunction, and heard the case several months ago. A decision is expected within the next few months. The case will likely be taken to the Court of Appeals, where a decision could set an important precedent.

Dispensaries and compassion clubs of all types are appearing throughout the state, from Detroit to the Wisconsin border. The state government refuses to register any type of cannabis business, even non-profit, and a suit is pending to resolve that issue in the Court of Claims.

Over 20 dispensaries operate in the city of Lansing, and Ann Arbor has another eight or so. There are two known dispensaries in Detroit, with more expected to open soon.

A new governor and attorney general have been elected to take office in January. Incoming Republican governor Rick Snyder (a self-described “nerd” from Ann Arbor) is expected to name new department heads. Patients hope that the next Medical Marihuana Program director will be more concerned with serving patients and seeing that caregivers and patients are protected, as the MMP has envisioned.

* Abel is a Michigan attorney, see cannabiscounsel.com

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Hemp store with books, hemp clothing, grow supplies, vaporizers etc.

Free Cultivation Classes for Members with ID card.

Education, Advocacy, and Referrals for Medical Cannabis and to other Groups

Southern Branch
470 S. San Vicente Blvd. 1st Flr., Los Angeles 90048
Tel. 323-852-1039, FAX 323-852-1051
www.patientidcenter.org
Sat. 10AM-5PM

Northern Branch
1733 Broadway, Oakland 94612
Tel. 510-832-5346 Fax 510-986-0534
www.legalcannabis.com
Mon. to Fri. 10AM-6PM

Calendar and Community Directory

Dec. 11, Marijuana Policy Project's Winter Ball at The Mission, Sonoma Co., CA. Hacienda Del Pinto, a private wine country estate. 7 PM to Midnight.

Exquisite evening of cocktails, dinner, camaraderie, and entertainment to benefit the work of MPP. For tickets and info see themission.mpp.org

Dec. 11, Catalysts Conference – The Impact of Psychedelics: From Consciousness to the Clinic, Los Angeles, CA. The Downtown Independent Theater, 251 S. Main St., 9 AM- 10 PM. For tickets and info, maps.org/catalysts

Dec. 17-19, KushCon II, Denver, CO. Colorado Convention Center, 700 14th St.

Exhibitors, performances, half-pipe skate, cooking, glass-blowing demos, and more. Presented by Kush Magazine and Dailybuds.com. See kushcon.com

Dec. 18, Ninth Annual Oregon Medical Cannabis Awards, Portland, OR.

The World Famous Cannabis Cafe, 322 SE 82nd Ave. Day event is free and open to the public with unique green shopping bazaar, educational programs and legal panel, 10 AM to 5 PM. see ornorml.org

For registration and tickets for the evening event, call Oregon NORML, 503-239-6110. Banquet, awards ceremony for best strains, Freedom Fighter of the Year and more, 6 to 9 PM. Grow seminar with *High*

Community Announcements

Rest in Peace “Medicinal Michelle” Rainey

June 7, 1971 - Oct. 20, 2010

By Mickey Martin

The cannabis movement lost a great friend Oct. 20, when the beloved Michelle Rainey, 39, lost her battle with cancer.

Rainey was a dedicated and familiar activist in the Canadian movement. Known as “Medicinal Michelle” because of her dedication to the medical applications of marijuana, she used cannabis to fight Crohn’s Disease and replace high doses of dangerous pharmaceuticals. When diagnosed with cancer, she continued her mission of education and inspiration by telling people about her positive experiences with therapeutic cannabis.

Rainey was revered as one of the most vocal and recognizable activists in the world. A founder of the BC Marijuana Party, she ran as a candidate on its platform and helped many other candidates as well. She was instrumental in the Marc Emery Seed Company and *Cannabis Culture* magazine. On July 29, 2005 she was indicted by the US government on conspiracy and money laundering charges with Emery and Greg Williams. Emery is now serving a five-year sentence for these charges.

“Michelle needs to be recognized as one of the greatest activists this movement has ever had,” said Emery through an e-mail from prison to his wife Jodie. “Michelle may have literally given her life to the movement, and when people think about what they can do for freedom in their lifetime, Michelle’s life is a shining example of how much is possible, even

under great duress.”

Her husband, activist Jef Tek, has vowed to carry on her work. A memorial website, michellerainey.com, maintained by her family, states her daily purpose: To educate the educators and persuade the legislatures of this world that marijuana is medicine and should be legalized. The Medicinal Cannabis Education Package she developed remains available to help cannabis patients in Canada find access. Her famous “MEDICINAL” tee shirt with a marijuana leaf in the “A” has become an icon. The shirts are still available for sale to support the Michelle Rainey Foundation for “Continuing Crohn’s, Cancer and Cannabis research.”

Her husband and mother, Emilie, were with Rainey when she passed. One of her last public statements was this: “I want people to keep working, keep working for change. Too many sick people are still having difficulty getting their medication. That is what I want as my legacy — change.”

She was a pioneer whose work will be remembered as shattering the grass ceiling.



Internet radio shows & podcasts focussing on cannabis

Cannabis TV, cannabistv.org/watch some great movies and videos on hemp/marijuana.

Cannabis Planet TV, cannabisplanet.tv/weekly, 30 minute television show, includes collective profiles, grow tips with Ed Rosenthal, cooking, news and information on all things cannabis. Sat. and Sun. at 10:00 PM, KJLA TV, Ch. 57, So. CA. Check local listings for SF Bay Area, San Diego, Sacramento, and Denver airings.

Drug Truth Network (DTN), drugtruth.net/cms/ 4:20 Drug War News, Cultural Baggage (interviews), live shows, archives, Sundays 4:30-5:30 PT, kpft.org or call 877-9-420-420. Exposes the fraud, misdirection, and wastefulness of the war on drugs.

Marijuana Radio, marijuanaradio.com/ live shows, Tuesdays 6 PM PST, podcasts that cover entertainment, politics, comedy, music and celebrity guests.

NORML Daily Audio Stash with host ‘Radical’ Russ Belville, stash.norml.org/ current podcasts, news, interviews, etc. See RadicalRuss.com for archives of his shows. *California Marijuana Report* with Eric Brenner is a weekly segment that features interviews with elected officials and marijuana law experts as well as profiles of California residents currently incarcerated or being prosecuted for marijuana offenses.

NORML SHOW LIVE runs Monday-Friday from 1 PM -3 PM PST at live.norml.org. Host "Radical" Russ Belville brings news and interviews with the movers and shakers in the cannabis community. Co-host Cannabis Karri covers the day’s Hemp Headlines and Ganja Jon spins Daily Toker Tunes. The first hour is archived as The NORML Daily Audio Stash podcast at stash.norml.org and on iTunes and replayed at 3pm, 5pm, 7pm, and 9pm Pacific. Takes live calls in our second hour at 2 PM Pacific at 971-533-7111.

Time 4 Hemp Radio Show with Casper Leitch/ Time4HempRadio.com, live shows Mon.-Fri. 9 PM PST (americanfreedomradio.com). Time4hemp.com hosts podcasts, music, video, interviews, archives.

Times cultivation writer Danny Danko.

Jan. 29, Statewide Conference on Marijuana Reform: Next Steps for California, Berkeley, CA.

David Brower Conference Center, 2150 Allston Way, Berkeley. 9:30 AM to 5:30 PM. The conference will feature diverse viewpoints, including leading drug reform advocates, interest groups, attorneys, public officials, medical providers, patients and growers in a public discus-

Local and regional meetings

Central CA ASA, second Tues/mo., 6 PM, C.A.F.E., 935 F Street, Fresno. robertfromasa@yahoo.com

East Bay ASA, third Tues/mo., 6:30 PM, Oaksterdam Student U, 1915 Broadway, Oakland. eastbayasa@gmail.com

Humboldt County ASA, third Thurs/mo., 6 PM, Bayview Courtyard Senior Housing, Rec. Room 550 Union St., Arcata. 707-407-8522. asa-humboldt@sbcglobal.net

LA ASA, 3rd Sat/mo., 1 PM, 7100 Santa Monica Blvd. #152, West Hollywood. Don@safeaccessnow.org

Marin ASA, second Wed/mo., 7:30 PM, Whistlestop, 930 Tamalpais Ave., San Rafael. asa_marin@yahoo.com

Napa ASA, third Tues/mo., 6 PM, Round Table Pizza, 3331 Solano Ave., Napa. edonval@yahoo.com

Orange Co. ASA, third Fri/mo., 7 PM, Giovannis Pizza, 922 W. Williamson, Fullerton. ghostladyjames@gmail.com

San Diego ASA second Tues / mo., 7 PM, La Jolla Brew House, 7536 Fay Ave, La Jolla. sandiegoasa@gmail.com

San Diego North County/Oceanside ASA, fourth Tues/mo., 7 PM, The Fish Joint, 514 South Coast Hwy,

sion of how to proceed in California. Topics will focus on proposals for new legalization initiatives and legislation, improving the state’s medical marijuana laws, and legislative and legal issues in the upcoming year. See canorml.org
Mar. 4-6, Hempire Expo, Seattle, WA. Qwest Field Events Center. Exhibitors, vendors, entertainment, and educational programs. Inquiries welcome. See hempiremedia.net

Local and regional Americans for Safe Access meetings

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

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

El Centro/Imperial County Marijuana Anti-Prohibition Project (MAPP), third Tue/mo. 7:30 PM at Imperial Valley Collective, 119 N. 5th St., El Centro 92243. 760-799-2055

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

Oakland Measure Z Oversight Committee, third Thurs/

mo. 6 PM, City Hall, 1 Frank H. Ogawa Plaza, Oakland.
Orange County NORML, third Fri./mo. 7 PM. OC ASA, 8 PM.Giovanni’s Pizza, 922 W. Williamson, in Fullerton. Free pizza. ocnorml.org
Palm Springs/ Coachella Valley Area MAPP, first Sat/ mo. 3 PM, 266 N. Palm Canyon Dr., PS. 760-799-2055
Phelan/Victorville MAPP, third Thurs/mo. 7 PM, Coco’s Restaurant, 15570 Park Ave. E, Victorville. 760-799-2055
Western Inland Empire Area MAPP/ASA, first Wed / mo., 7:30 PM, THCF Medical Clinic, 647 Main St. Riverside, CA 92501. Also hosts Friday evening seminars on Anti-aging and medical benefits of cannabis, 8 PM. 951-782-9898

Reform organizations of interest

Americans for Safe Access [safeaccessnow.org /](http://safeaccessnow.org/) A patient advocacy and support network. 510-251-1856

Axis of Love SF/ Activist Resource Center Patients organizing for their rights, 415-240-5247

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

Cannabis Defense Coalition cdc.ccop.org/ Cannabis Resource Center. 888-208-5332

Cannabis Consumers Campaign cannabisconsumers.org/ Come out of the closet to stand up for equal rights.

Civil Liberties Monitoring Project civilliberties.org/ Monitors police eradication abuses, etc, to protect civil rights in the CA northcoast. 707-923-4646

Drug Reform Coordination Network stopthedrugwar.org/ drcnet.org, Global support network for drug policy reformers with weekly analysis.

Drug Policy Alliance drugpolicy.org/ DPA works on drug policies based on science, compassion, health, human rights and a just society free from prohibition.

Drug Policy Forum of CA Listserve for Cal cannabis/drug war issues. Sign up at drugsense.org/dpfca/list.htm

DrugSense drugsense.org/ Daily compilation of news excerpts. Web site dev. and hosting. 501(c)3 tax exempt fiscal sponsor.

Drug War Facts drugwarfacts.org/ Just the facts.

Families Against Mandatory Minimums fammm.org/ Advocates an end to harsh, unjust sentencing laws affecting prisoners and their families.

Family Council on Drug Awareness fcd.org/ Accurate information on effects of drugs and drug policies. Downloadable PDFs to print and hand out.

Green Aid Marijuana Legal Def. & Education Fund, Inc. green-aid.com/

Harm Reduction Coalition harmreduction.org/ Works to reduce drug-related harm by programs such as clean needle exchange.

Hemp Industries Association hempindustries.org/ The HIA is a non-profit trade group representing hemp companies, researchers, supporters.

Human Rights and the Drug War hr95.org/ Photo display of Drug War POWs, analyzes human rights abuses.

Humboldt Medical Marijuana Advisory Panel hummap.org/ Community policy group. 707-223-4014

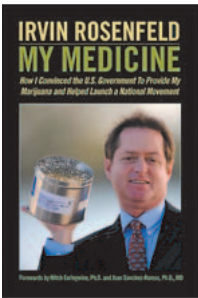
Interfaith Drug Policy Initiative [idpi.us /](http://idpi.us/) Organizing people of faith to promote reform. 301-270-4473

Law Enforcement Against Prohibition leap.cc/ Current and former members of law enforcement

who support drug regulation rather than prohibition.
Legal Services for Prisoners w/ Children prisonerswithchildren.org/ Advocates for the human rights and empowerment of incarcerated parents, children, family members and people at risk for incarceration
Marijuana Anti-Prohibition Project MAPP mpp.org/ national membership
Marijuana Policy Project MPP mpp.org/ national membership org. Focuses on removing criminal penalties through initiatives and legislation.
Mendo Medical Marijuana Advisory Board mmmab.net/ info@mmmab.net
Medical Marijuana of America medicalmarijuanaofamerica.com/ directory, court reports, POW stories and contacts.
Media Awareness Project mapinc.org/ MAP has generated millions of letters to the editor. Help gather news for their clearing house.
Michigan NORML minorml.org/ lots of chapters throughout the state
Mothers Against Misuse and Abuse mamas.org/ responsible drug education
MAPS maps.org/ Multidisciplinary Association on Psychedelic Studies, studies on cannabis, psychedelics. 831-429-6362
NORML norml.org/ National Organization for the Reform of Marijuana Laws. 202-483-5500
November Coalition november.org/ National support group for Drug War POWs. Publishes The Razor Wire.
Oregon Green Free oregongreenfree.net. Free OMMP info.
Oregon NORML [ornorml.org /](http://ornorml.org/)
Patient Advocacy Network cannabissaveslives.com
SAFER saferchoice.org/ Safer Alternative For Enjoyable Recreation. mail@saferchoice.org
Sensible Colorado [sensiblecolorado.org /](http://sensiblecolorado.org/) Non-profit resource for patients and those interested in reforming laws. 720-890-4247
Southern Oregon NORML so-norml.org/ Reform activities and OMMP support. Medford. 541-779-1448
Students for a Sensible Drug Policy ssdp.org/ Students for reducing the harms caused by drug abuse and drug policies.
VoteHemp votehemp.com/ Industrial, horticultural hemp.
Voter Power, Oregon voterpower.org/ Advocating for fair, cannabis laws and policies. OMMP registration. 503-224-3051, 541-245-6634
To get listed, please email info@WestCoastLeaf.com

Video and book releases to start the year off

Reviews by Mikki Norris



My Medicine:
How I convinced the US government to provide my marijuana and helped launch a national movement
By Irvin Rosenfeld
Open Archive Press 2010.
\$19.95. Order via
mymedicinethebook.com

Irv Rosenfeld is one of only four remaining patients in the federal Investigational New Drug (IND) program who gets a monthly supply of cannabis from the US government as a matter of medical necessity to treat his rare medical condition.

My Medicine recounts the unique and uplifting story of his personal journey from the onset of his illness as a child, the treatments he endured, his discovery of cannabis as a young man, the years-long fight for the right not only to use cannabis but to have the government send him 300 pre-rolled cannabis cigarettes a month, to his present-day advocacy to make medical marijuana available to all patients who need it. It is rich with humorous anecdotes, accounts and encounters related to his unique status as a legal patient.

Rosenfeld, a stockbroker from Florida, proves that people can smoke his prescribed 10 joints a day and lead a successful life. Written by a natural storyteller, this autobiography is a fascinating read, inspirational, and a real page-turner.

Reefer Movie Madness:
The Ultimate Stoner Film Guide
By Shirley Halperin and Steve Bloom
Abrams Image, \$18.95, 336 pp.

This book is exactly what the title suggests — a complete guide to all the movies (in English, anyway) ever made that have a scene, theme, story, or character that is somehow involved with marijuana.

It reviews the films from various categories: comedies; dramas, sci-fi, fantasy and horror; action and sports; animated films; music; and documentaries. There are interviews with directors, actors, and musicians, interesting sidebars featuring trivia and background on the filmmakers

and more. It's even coded for content to let you know what kinds of drugs are depicted, and is filled with fun photos from the films. *Reefer Movie Madness* is the second book from the authors of *Pot Culture: The A-Z Guide to Stoner Language and Life*. Bloom and Halperin do a thorough job of keeping track of the cannabis arts and culture in modern history, and both reference books should be part of any respectable cannabis consumer's library.



What If Cannabis Cured Cancer? (DVD)
Order via lenricmondfilms.com or amazon.com
Could the chemicals found in marijuana prevent and even heal several deadly cancers? Could the tumor-regulating properties of "cannabinoids" someday replace the debilitating drugs, chemotherapy, and radiation that harms as often as it heals?

What If Cannabis Cured Cancer? explores the truth about this ancient medicine, as world-renowned scientists in the field of cannabinoid research explain and illustrate their promising discoveries. It's a powerful and eye-opening film about the future of cannabis medicines. This one-hour film is directed by Len Richmond, narrated by Emmy-winning actor Peter Coyote, and features interviews with doctors and researchers from the US, Spain, and Israel.

The Hemp Solution — For a Sustainable Future (DVD)
Order via thehempsolution.com.au

When the award-winning documentary *The Hemp Revolution* was first released, it became a key educational tool in the global resurgence of hemp industries and medicines. The newly revised and re-released 2010 version has been expanded and updated, and continues to explore the potential of cannabis hemp to solve major environmental and health problems.

With engaging footage from around the world, it shows how hemp paper production can help solve deforestation problems, hemp textile production can offset the harms of chemical use by the cotton industry, and hemp building materials can provide a negative carbon footprint.

It looks at how hemp seeds and oil provide easily digestible whole protein, vitamins, minerals and Omega-3 essential fatty acids that could help reduce world hunger and improve global diets. It shows how hemp medicine alleviates many ailments, and an update adds new research into THC's ability to kill cancer cells and the role of cannabinoids in balancing bodily functions.

The Hemp Solution reviews the plant's

fascinating history and the economic and cultural forces behind its prohibition. It examines the controversy around 'marijuana' (the psychoactive herb), the Drug War and alternative policy options.



This beautifully made, 93-minute film by Anthony Clarke (aka Sol Ramana-Clarke), features many renowned

experts on hemp-related issues, including Andrew Weil, MD, Lester Grinspoon, MD, Terence McKenna, Prof. Peter Dale Scott, and others. The movie also has a great soundtrack.

Celebrities come out to endorse Prop 19 effort; SF Giants beloved 'stoner' pitcher wins again

By Ellen Komp, VeryImportantPotheads.com

As Prop. 19 went down partly due to a well-heeled, ridiculous ad campaign by the Chamber of Commerce warning against a stoned California workforce, one known marijuana smoker was quietly winning the World Series.

Pitcher Tim Lincecum, 26, led the SF Giants to victory over the Texas Rangers two days after the anniversary of his bust last year for possession. Posters seen at AT&T Park borrowed Lincecum's image and said, "Tim Is Not a Criminal: Vote Yes on Prop. 19" and "Tim Lincecum Smokes as Well as Many American Athletes."

Immediately after the Giants took home the trophy, the press began speculating over whether Lincecum's 'pothead' image would hurt his endorsement deals. Bob Dorfman, a sports marketing expert with Baker Street Advertising told the *San Francisco Chronicle*, "For more of the edgier products that appeal to teenagers and twenty-somethings who are very familiar with marijuana and aren't alarmed by it all, I think it just makes him one of the guys."

It was noted that during the city's World Series celebration, "some of the loudest cheers for Lincecum came from people who were also taking a few hits" of what became known as "The Prop. 19."

Ironically, Lincecum appeared at the big victory parade in a Red Bull baseball cap, having signed up as an endorser for the energy drink in July. It was left to his

closer Brian "Fear the Beard" Wilson to make the statement: "I think I'm having a mini-heart attack...maybe it's the smell of Prop. 19." (The crowd cheered.)

More likely, the caffeine-heavy Red Bull could cause heart palpitations, since it was banned in some European countries when an 18-year-old Irishman died after sharing four drinks and playing basketball. Red Bull now markets Red Bull Cola, with trace amounts of coca it says is "de-cocained."

Meanwhile, Prop. 19 picked up some celebrity endorsements when actor Danny Glover and musician Melissa Etheridge appeared at an LA press conference just before the vote to speak in support of the measure. Glover said he's had brothers arrested for marijuana use and added, "I go to a great number of incarceration houses where I see men and women incarcerated for a small amount of marijuana. Their lives are being changed and impacted, it's been catastrophic."

"A yes vote on Prop 19 is the right thing to do," said Glover. "It's a way in which we can control, legalize, decriminalize it and get our police doing the work they need to do in creating safe communities."

Etheridge, who spoke about her use of medical marijuana while undergoing chemotherapy for breast cancer in 2005, said about full legalization, "I don't want to look like a criminal to my children anymore. I want them to know this is a choice that you make as a responsible adult."

Sean Parker and Dustin Moskovitz, the Facebook founders who are the subjects of the film *Social Media*, ponied up \$170,000 for the Prop. 19 campaign, and at the last minute, *Rolling Stone* founder Jann Wenner kicked in \$2,500.

Seeverimportantpotheads.com/blog.html, laist.com/2010/10/21/_well_the_word_bud.php



Very Important Potheads.com

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