



An eradication team helicopter casts a shadow as it hovers over a marijuana grow in Northern California.

Going after marijuana on public land

By Carole Brodsky

Hundreds of personnel from 27 local, state and federal agencies in August completed Operation Full Court Press, the most high profile, multi-agency marijuana eradication effort in the Emerald Hexagon's history. Critics point out that the government's own policy of cannabis prohibition that has led to the increase in large outlaw grows.

"This is not a one-time event," said Mendocino Sheriff Tom Allman. "If the same situation occurs next year, we'll be back with a new, improved, bigger, better FCP. No matter where you stand on medical marijuana, the one commonality is, 'Thou shalt not grow on common lands'."

Law enforcement officials from Colusa, Glenn, Lake, Mendocino, Tehama and

Trinity counties partnered with representatives from the DEA, US Fish and Wildlife Service, US Forest Service, BLM, Dept. of Homeland Security's ICE Division, CHP, Civil Air Patrol, the US District Attorney's office and other agencies to identify marijuana grows in the region's national forests, eradicate plants, arrest suspects and reclaim the ecosystem.

Operatives began investigating the
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Fight for medical use moves to Congress

Trio of federal bills filed

By William Dolphin, Americans for Safe Access

Three bipartisan medical cannabis bills were introduced into the US Congress in May 2011 with support from patient advocates. The bills would, respectively, reclassify cannabis as a drug with medical use, protect access to financial services for patients and providers, and rein in aggressive IRS audits of providers.

"Each of these bills will help the hundreds of thousands of Americans who rely on cannabis to treat their medical conditions, while having virtually no effect on anyone else," said Americans for Safe Access Executive Director Steph Sherer. "These bills will update federal policy to better reflect the reality of state medical cannabis programs."

The most significant of the three bills is HR 1983, the *States' Medical Marijuana Protection Act*, which provides a medical-necessity defense for patients and caregivers facing charges in federal court. Introduced by Rep. Barney Frank (D-MA), HR 1983 also reclassifies marijuana from Schedule I, as a substance with no medical use, to Schedule III, a level that would permit doctors to prescribe it like other medications. Congress put cannabis in Schedule I more than 40 years ago as part of the Controlled Substances Act.

"The time has come for the federal government to stop preempting states' medical marijuana laws," Rep. Frank said. "This bill would block the federal prosecution of patients in states that allow medical marijuana."

The financial services bill, HR 1984, the *Small Business Banking Improvement Act of 2011*, would allow banks and other financial institutions to

Nation's mayors call for new drug policy

By Tony Newman, Drug Policy Alliance

"The war on drugs — declared 40 years ago — has been the principal driver of mass incarceration in America," proclaims a resolution adopted June 20 at the annual US Conference of Mayors (USCM) meeting in Baltimore. The mayors noted that the US has by far the highest incarceration rate in the world, with 2.4 million of its residents in prison or jail, including roughly 500,000 Americans behind bars for drug law violations — an increase of 1200% since 1980.

In its resolution, the USCM officially endorsed pending bi-partisan federal legislation, the "National Criminal Justice Commission Act of 2011," sponsored by Senators Jim Webb (VA) and Lindsey Graham (SC). The Act would "take the long-overdue step of creating a national, bi-partisan, blue-ribbon commission charged with undertaking a comprehensive, 18-month, top-to-bottom review of the criminal justice system and proposing concrete, wide-ranging reforms," according to the resolution.

Adopted resolutions are official policy

for the USCM, which speaks as one voice to promote best practices for the most pressing priorities in our nation's cities.

"A national criminal justice commission will help identify cost-effective solutions for improving public safety, breaking the cycle of addiction, and keeping families together," said Santa Fe, NM Mayor David
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Global commission: Drug War is a failure

By Daniel Robelo, Drug Policy Alliance

Faced with growing insecurity throughout Central America, regional leaders met in Guatemala this summer to discuss taking a new tack in the fight against drug trafficking. Meanwhile, an international panel of experts had already articulated a way forward — not only to diminish the power of organized crime, but to reduce the harms of drugs and drug markets. Their recommendation: End the war on drugs.

The Global Commission on Drug Policy declared the drug war a complete failure and urged a fundamental change in international drug policy. Its incisive report, released June 2, 2011, is a guide for the world's governments.

The Commission was composed of distinguished international figures such as ex-UN Secretary General Kofi Annan, former presidents of Brazil, Colombia, Mexico and Switzerland, and towering figures in Latin
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Obama has murky federal policy on medical marijuana

By Kris Hermes, Americans for Safe Access

Deputy Attorney General David Ogden issued an historic October 2009 memorandum to US Attorneys directing them not to "focus federal resources in your States on ... caregivers in clear and unambiguous compliance with existing state law who provide such individuals with marijuana." Though full of loopholes, it represented a possible shift from the Bush doctrine.

Tragically, over the following year and a half, the Obama Administration has stepped up enforcement to a level that surpasses that of prior administrations. Since the Ogden memo, Feds have conducted well over 100 raids in at least seven medical use states and indicted dozens of patients and providers.

Taking that aggressive policy a few steps further, US Attorney Melinda Haag sent a February letter to the City of Oakland, threatening federal action if it moved to license and tax large-scale cultivation projects. The letter spurred similar letters in no fewer than 10 medical-use states, threatening federal action if state or local production and distribution plans were adopted. Some public officials have been threatened with federal prosecution.

These threats have had a clear and immediate chilling effect in numerous states. Washington state Governor Christine Gregoire needlessly vetoed huge sections of a bill that would have licensed
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Cal patients stand up for cultivation rights

By Dale Gieringer, California NORML

The right of California patients to grow their own medicine under Prop 215 is under increasing attack from local governments that pass ordinances to restrict cultivation in the name of nuisance control, although in HS 11362.775 the legislature limited such use of the nuisance claim.

In Butte County, patient advocates filed over 12,000 referendum petitions in August 2011 to block an ordinance that forbids patients from cultivating on plots of less than a half acre; limits gardens to six mature plants on properties of a half to 1.5 acres; requires all gardens over six plants to be registered with the Dept. of Development Services Gardens; and forbids any cultivation within 1,000 feet of schools, churches, parks, youth-oriented or

residential treatment facilities. The ordinance has been suspended pending a vote in the June 2012 election. The referendum drive was sponsored by Butte County Citizens for Compassionate Use, ccubutte-county.com.

A similar referendum effort is underway in Kern County, sponsored by Kern Citizens for Patient Rights. The supervisors passed an emergency ordinance Aug. 9, 2011 to ban gardens over 12 plants, edible products and storefront collectives, 30 to 40 of which may be operating in the county. The ordinance was written to take effect immediately, thereby outlawing larger gardens that are already in the ground. "If I had a marijuana grow right now, I'd be cutting back to 12 plants," warned Sheriff Danny Youngblood, "and I mean tonight."

"They want us to go to the back alleys so the sheriff can arrest us," says Bakersfield attorney Phil Ganong. A lawsuit to block the ordinance has been filed by Ganong on behalf of two local patients, Jeffery Jarvis and Russell Robertson, the Kern County Medicinal Collective, and Green Coast Coop. They charge that the ordinance improperly amends the state Health and Safety Code, it is unconstitutionally vague, and its 12-plant limit is arbitrary.

A similar lawsuit, filed last year on behalf of Tehama County patients by California NORML attorneys J. David Nick and Edie Lerman, is pending before the
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At the June 24, 2001 NORML Women's Alliance party at Pier 5 Law, Sara Herrin shared the compelling story of her and her sisters' arrests after the May raid and closing of Today's Health Collective in Sonoma, California. Photo by Mikki Norris.

West Coasterdam Report

Cal Court: Collectives can't skip paying cultivating members

Sacramento Superior Court John O'Donnell issued a decision with positive, far reaching effect on the ability of California growers to seek agreed-upon reimbursement from their cannabis collectives. Patient-member David Nadeau took part of his crop to his collective under a signed vendor agreement, but after more than 30 days with no compensation, the collective closed shop and moved its location. He went to Small Claims Court without an attorney, filed for breach of contract April 22, 2011 (the maximum amount is \$7,500) and received final judgment June 13 allowing him to collect his money after a 30-day appeal deadline passed from the collective, the individual who signed the contract, and all known business entities affiliated with the defendant. — *Chris VanHook, cleangreencert.com*

Groups call on Gov to veto bill restricting collective locations

The Californian Assembly approved Sen. Correa's SB 847 bill on Aug. 25 to prohibit the location of dispensaries near residential zones. It would prohibit a marijuana cooperative, collective, dispensary, operator, establishment or provider from being within a 600-foot radius of a residential zone or residential use unless a local ordinance, which may be more or less restrictive than the standard, is passed by a city council or county supervisors specifically regulating the location of these establishments in relation to residential zones or use. Americans for Safe Access, Drug Policy Alliance and Marijuana Policy Project urge everyone to call Gov. Jerry Brown's office to veto the this bill. — *Dale Gieringer, Cal NORML*

Boomers bring medi-buds to adult residential communities

The Medical Cannabis Caregivers Directory and Training Program received the only approval as continuing education vendor of "California's Medical Marijuana Program as It Relates to the Adult Residential Facility" course, developed to support ARF licensees in the informed and Title 22 compliant accommodation of a client's request to participate in the MMP. In addition to offering the new class twice a month at the Center, MCC plans to have the class on-line. — *Liz McDuffie, MCCDirectory.org*

Anaheim's ban on dispensaries survives first court test

Superior Court Judge David Chaffee ruled that the city of Anaheim may legally prohibit medical cannabis dispensaries. This is the second hearing of the case Anaheim v Qualified Patients' Association, which was remanded to the lower court by the Appellate Court last year. The court ruled that Anaheim's ban on dispensaries is a valid exercise of general local police powers and is not preempted by Prop 215 or SB 420. The decision concedes that SB 420 protects patients and caregivers engaged in collective cultivation, but limits that protection to the activity of cultivation, not distribution. It cites a litany of case law giving local government expansive powers of regulation for nuisance abatement. The court's decision is not binding and faces appeal. — *Dale Gieringer, Cal NORML*

HONORED — Michelle and Michael Aldrich received a well-deserved Lifetime Achievement Award at the *High Times* Medical Cannabis Cup in San Francisco on June 26. Since the days of the 1972 Prop. 19 campaign to legalize cannabis, they have made their mark on various levels in the drug reform field — medical marijuana, substance abuse, and AIDS mitigation, to name a few.

Photo by Mikki Norris

**Oregon readies for another run at the state ballot**

By Anna Diaz, Oregon NORML

As the federal government continues to clamp down on medical use, some states have responded with legislative efforts to end cannabis prohibition for all adults. One of the most recent and viable responses has been from Sensible Oregon (SO).

With head of the World Famous Cannabis Café and executive director of Oregon NORML Madeline Martinez as chief petitioner, the prospective SO initiative would remove existing civil and criminal penalties for adults 21 years of age or older who cultivate, possess, transport, exchange or use marijuana.

"The state would manage access," said Martinez, who is the first Latina to serve on the board of national NORML. "That will protect our children and boost our economy. Money that was going to the black market can be funneled into our state's economy. We all know that drug dealers don't ask for ID."

The SO coalition began its process in January 2011. After several drafts, a final proposal was submitted for circulation over the July 4 weekend.

"Cannabis prohibition is a costly and

harmful policy that unfairly hurts the poor and wastes taxpayer dollars," said Anthony Johnson, vice president of OR Green Free and political director of Progressive Reform of OR. "Our limited law enforcement resources are needlessly spent arresting and jailing non-violent citizens for using a substance much safer than alcohol and pharmaceutical narcotics. It is sensible to focus our resources on protecting our state's citizens from burglars, rapists and murderers."

By removing all civil and criminal penalties for cannabis for adults, this innovative proposal would allow enactment of the industrial hemp bill that passed the legislature in 2009. State farmers could create new and sustainable jobs, decrease dependence on foreign oil and help fund the quality education that Oregon's children deserve and need.

Current laws concerning minors and DUI would remain in place. The OR Medical Marijuana Act would be fully retained, as well, to ensure that the program's 50,000 registrants are safeguarded.

Sensible OR is recruiting volunteer petitioners and interns. For info call 503-239-6110, or see their page on Facebook, or at sensibleoregon@gmail.com.

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Climate favorable for WA state ballot measure

By Alison Holcomb,
Director, New Approach Washington campaign

A new initiative to legalize, tax and regulate marijuana in Washington state kicked off its signature-gathering drive at this year's 20th annual Seattle Hempfest.

Initiative 502 (I-502) would legalize production, processing and retail distribution of cannabis to adults 21 and over through stand-alone, marijuana-only stores analogous to Washington's current state-run liquor stores. However, the state would not own or operate these businesses. Instead, the state Liquor Control Board would adopt regulations and issue licenses,

similarly to how some state departments of health license and regulate medical marijuana dispensaries. Roughly 80% of a new excise tax would be earmarked for prevention, research, education, and healthcare. The rest, plus state and local retail sales taxes, would go to the state general fund and local budgets.

The I-502 sponsors are an impressive array of leaders: Seattle City Attorney Pete Holmes; PBS travel correspondent Rick Steves; former US Attorney for the Western District of WA John McKay, a Republican Bush appointee; State Representative Mary Lou Dickerson; former director of the Spokane Regional Health District Kim Marie Thorburn, MD, MPH; clinical professor of medicine at the U of WA and former director of the HIV/AIDS Program of Public Health for Seattle and King County Robert Wood, MD, FAPC; immediate past president of the WA State Bar Assn. (WSBA) Salvador Mungia; WSBA past president Mark Johnson; and U of WA professor emeritus Roger Roffman, DSW, of the School of Social Work and director of its Innovative Programs Research Group.

The measure would not end the ban on home growing for non-medical use, but it would not change Washington's medical marijuana law. Qualifying patients and their designated providers still would be allowed to grow private, non-commercial



Rick Steves and Dennis Kucinich (inset) gave Initiative I-502 a big boost at the 20th annual Seattle Hemp Fest.

gardens. The initiative also decriminalizes industrial hemp under Washington state law by changing the definition of marijuana to apply only to cannabis containing greater than 0.3% THC concentration.

New Approach Washington, the political action committee behind I-502, has until Dec. 30 to gather 241,153 signatures to qualify for the ballot. Once they are filed, the initiative will go to the legislature for consideration during its 2012 session, beginning Jan. 9. If the legislature takes no action, the proposal goes before the voters

in the November 2012 general election.

Polling of WA voters shows a small majority of support for the proposal and a margin over opposition greater than 10 points. The initiative has been crafted to shore up soft support and give voters the comfort they need to pass I-502 in 2012. Until then, New Approach will focus on a strategic public education campaign to reassure Washington's majority that they are right – it is time to take the first step in a new direction on marijuana policy.

For more information, visit NewApproachWA.org.

Cal patients in struggle

Continued from page 1

court of appeals. Tehama's ordinance forbids cultivation indoors or outdoors within 1,000 feet of sensitive zones, including schools, churches and school bus stops.

Other localities that have enacted repressive cultivation ordinances include Dunsmuir, Anderson, Shasta Lake, Fresno County and Lassen County. Local officials justify the ordinances on nuisance grounds, claiming that gardens emit unwanted odors and pose an attractive nuisance to thieves and kids.

However, these claims appear to be overblown compared to similar nuisances such as farm odors, poison oak, or expensive RVs and motorcycles, and so they can be readily controlled by less sweeping measures. As an alternative to arbitrary restrictions on the size and location of gardens, California NORML has proposed complaint-driven language: "Medical marijuana cultivation is prohibited where the sight or smell causes a nuisance to neighbors." Patients' right to grow would then be protected unless and until neighbors had a legitimate complaint.

Kern Cit. for Patient Rights 661-327-3337, hepps1@msn .com.

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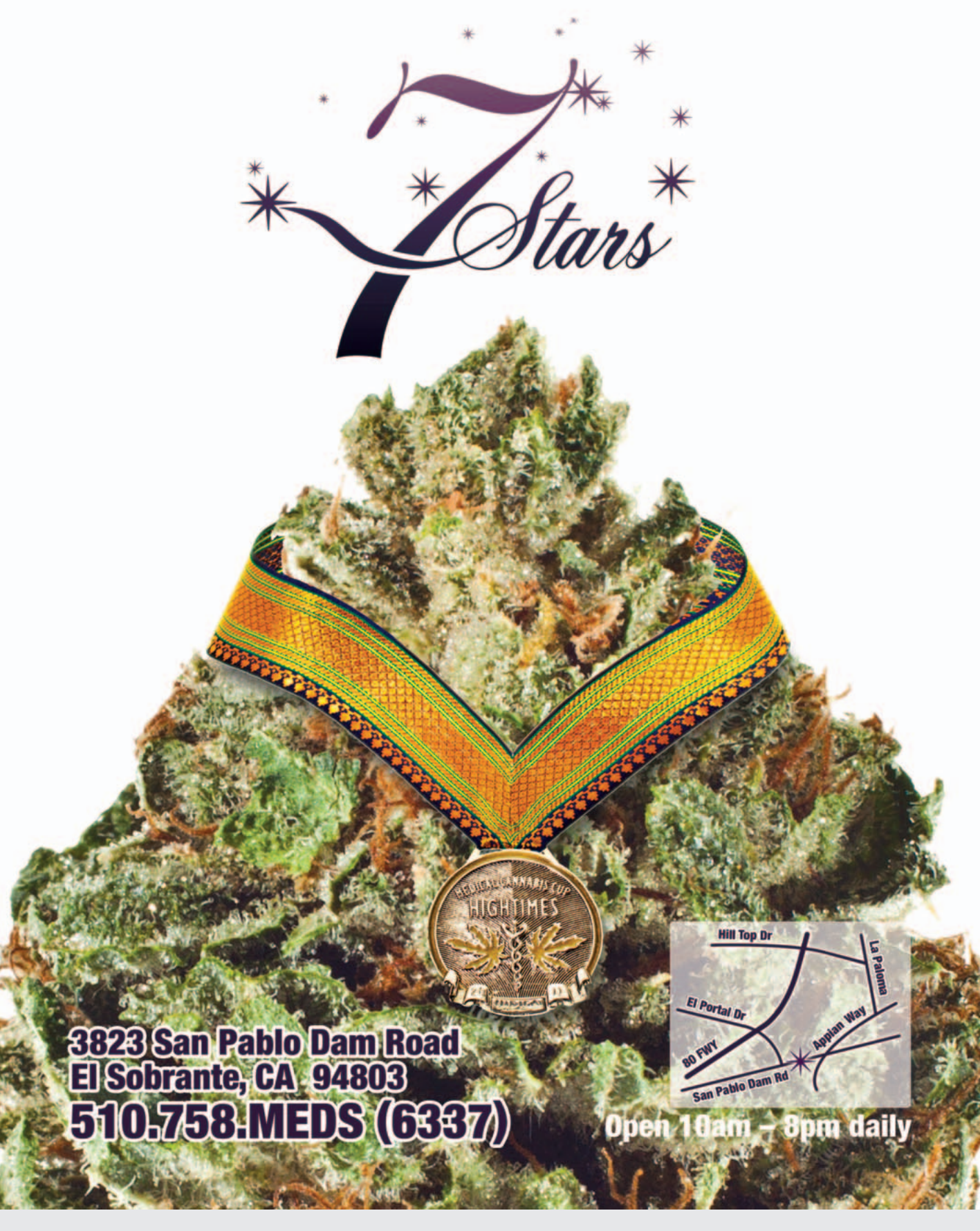
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San Diego access in a state of ongoing flux

By Eugene Davidovich, San Diego ASA

After years of debate, two medical marijuana task forces and thousands of patients writing letters and emails urging the San Diego City Council to pass more reasonable dispensary regulations, the City still approved an ordinance April 12 that would have shuttered more than 150 dispensaries.

The ordinance would have created one of the state's most stringent zoning and operational requirements for dispensaries, and would have been the most restrictive regulations imposed on any business in the city. Only a small handful of facilities would have been able to open, all those in far-flung industrial areas and only after a year-long permitting process.

Before the new law took effect, a local dispensary group sponsored a referendum signature drive to attempt to repeal the new ordinance. Within 30 days, enough signatures were gathered and it qualified. Rather than place its overly restrictive policy on the ballot, costing the City an estimated \$800,000, on July 25, 2011, City Council voted six to two to repeal. This left the existing facilities unregulated, without the ability to obtain a local business license, and at risk of closure by the City.

The referendum also prevents the Council from passing similar legislation for at least a year. This means that revising the ordinance to make it less restrictive is no longer an option. For the next 12 months, the Council can choose only to do nothing, adopt a ban or enact a moratorium.

The City maintains the referendum did not change anything. In an Aug. 18 letter to a group of local attorneys representing dispensaries, the City Attorney wrote, "All medical marijuana dispensaries operating within the city are in violation of the law and must cease operating immediately."

Since code enforcement is mainly a complaint driven process, in order to begin a legal case against an existing facility a community complaint must first be

received. Most unregulated facilities bring significant improvements to their neighborhood and, as statistics show, they help reduce crime in the city.

Lacking any legitimate complaints, code enforcement partnered with local prohibitionists Marcy Beckett and Scott Chipman, who were tasked with identifying every dispensary in the city and filing a complaint under the guise of 'concerned community members.' Beckett alone has filed over 100 complaints that allow code enforcement to go after a collective.

The dispensary group responsible for funding the referendum is discussing funding another signature drive to place an item on the ballot benefitting and regulating the facilities already open in the city.

Three OR initiatives?

By Doug McVay, Voter Power

Voters in Oregon could have not one, not two, but three opportunities to "change the world" in 2012.

The Oregon Marijuana Policy Initiative (OMPI), along with a broad, loose coalition of other organizations, is circulating an initiative petition which when passed would fully decriminalize cannabis in the state. OMPI Executive Director Bob Wolfe says "OMPI is the largest coalition of cooperating cannabusinesses, activists and patients ever assembled in Oregon and we've assembled around one core goal, to enact common-sense and very direct marijuana-law reform in the state."

The OMPI adds a section to the state constitution that reads in part, "Except for actions that endanger minors or public safety, neither the criminal offenses and sanctions nor the laws of civil seizure and forfeiture of this state shall apply to the private personal use, possession or production of marijuana by adults 21 years of age and older. The State may enact laws and

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Sacramento patients brace for new regulations

By Kimberly Cargile and Michael McCauley*

Patients and advocates were on edge at the Aug. 10 Board of Supervisors meeting in Sacramento County. The meeting was held to discuss ways to step up the code enforcement against medical cannabis collectives and their landlords.

The Board agreed to create a permanent ordinance by January 2012 and asked the Planning Dept. to come back with a strategy to increase enforcement

This meeting stemmed from ongoing discussions of developing a county ordinance to regulate medical cannabis. The county has seen a huge increase in collective safe-access points for patients over the last year, with an estimated 70 collectives now.

Code enforcement began in early 2010 against the first collectives to open and has continued against all additional collectives and their landlords. The county has denied all business licenses and building permits to the collectives. The collectives quickly organized with the help of Sac County Patients and Collectives, Americans for Safe Access, Cal Cannabis Assn., Full Circle Cannabis Consulting, Sac Patients Group, Sac Alliance of County Collectives, Lawmen Protecting Patients, and Patients, Experts, Advocates for Cannabis Education (P.E.A.C.E). Patient advocates began to ask the Supervisors and county staff to create an ordinance regulating medical access in the fall of 2010.

The county responded by forming a task force comprised of the county executive, DA, and sheriff to work on a permanent ordinance.

The group surprised collectives and

advocacy groups June 21, 2011 by presenting a discriminatory Interim Urgency Ordinance to the Supervisors, with no input from patients. It would have banned outdoor cultivation, edibles, on-site consumption, medicating supplies, onsite cul-



Michael McCauley, Full Circle Cannabis Consulting, called for increased access before the Sacramento Supervisors.

tivation and clones. Its restrictive zoning regulations would have shut down 90% of local collectives. Some 90 speakers and 200 supporters of medical access overflowed into the lobby. The Board was persuaded not to pass the ordinance and postponed the item for another month.

After the regulation went to the Community Planning Advisory Councils (CPACs) within the various local communities, the Board reconvened on July 27.

Tension rose as Supervisors McGlashen and Yee discussed an outright ban. In the end, the Board agreed with the Planning Dept. goal of creating a permanent ordinance by January 2012 and asked county officials to come back in August with a strategy to increase enforcement.

"This shows that we must remain steadfast and work collectively to protect patients rights," said patient advocate Ryan Landers.

* McCauley is with Full Circle Can. Cons., cannabisconsultant420@gmail.com. Cargile is VP, Safe Access Sacramento. More info or volunteer at hurryforhemp@gmail.com.



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Party politics seen as critical to cannabis reform

Inland Empire activists align with Democratic Party

By Lanny Swerdlow, RN LNC

Medical marijuana patients lack safe, reliable access in their communities because they lack support among local elected officials, especially in Southern California. This, in turn, is due to the fact that cannabis patients and reform activists are rarely involved in their local political parties that play a critical role in electing candidates for many local offices, from city councils to state senators.

The GLBT community has significant local, state and national influence in the Democratic Party through the Stonewall Democratic Clubs that are organized in almost every state. Utilizing their connections with gay rights organizations, these clubs have conducted massive voter registration drives, and hold fundraisers that raise millions of dollars for candidates.

Money and time talk. Democrats support the majority of the goals of the gay community and this year delivered on "Don't Ask, Don't Tell." Democrats are actively working to pass the Employment Non-Discrimination Act (ENDA) and undo the Defense of Marriage Act.

There are probably more consumers of marijuana than there are gays and lesbians, yet cannabis patients and prohibition repeal advocates have no similar outreach that even begins to match the size and intensity of the gay community.

Long-time Inland Empire political activist Chuck Reuter is convinced that the Democrats would support cannabis activists if they organized within the Party because the majority of Party activists support marijuana law reform — it's just that

they all have their own causes to work on within the Democratic Party.

To that end, Reuter is organizing patients in the Inland Empire to form Cannabis Democratic Clubs. All it takes are "the names of 20 registered Democrats along with bylaws and \$30 to be officially recognized and chartered by the county central committee," he explained.

Forming a Cannabis Democratic Club provides significant benefits, said Reuter. "Number one would be developing a network of Democrats willing to support candidates who support the rights of patients and marijuana law reform. Club members will be able to lobby for their programs at Democratic functions such as county, state and national conventions."

Reuter emphasized the many benefits a club would receive from programs developed by the Party to increase the outreach of Democratic clubs to elected officials and the public. Most importantly, the Party has people willing to help club members learn how to use its programs.

Another gain would be from access to the cornucopia of alliances the Democratic Party has with labor unions, environmental organizations, civil rights groups and a host of other progressive organizations and coalitions in the US.

To recruit members, flyers will be distributed to physician referral offices and collective distribution centers throughout the Inland Empire.

"I encourage all registered Democrats to get active today," Reuter added. "If you are not a Democrat, it is easy to change your registration. If you get out there and actively support the Democrats, they will support you."

* To sign up, contact Reuter at greenchuckr@hotmail.com



THEIR FOR PATIENTS — Supporters of The Human Solution 'Green Team' turned out for the trial of cannabis patient Catrina Falbo. Photo by Steve Baker.

Showing support for medical use defendants

Travels with the 'Green Team'

By Cheri Sicard, cannabischeri.com

They are a diverse group — ranging in age from early 20s to late 70s; black, white, Hispanic, Asian; some are in wheelchairs or walk with canes, others are spry and fit. Observers often wonder what could have possibly brought these people, all wearing bright green ribbons adorned with small medical-style crosses, together.

They are members of the Green Team, a group of activists from The Human Solution, a California cannabis advocacy group that believes nobody should ever go to jail for a plant. The court-support group travels throughout Southern Cal on behalf of medical marijuana defendants facing the ravages of the court system. Team members sit in silent solidarity in the courtroom. Most have no personal connection to the defendants they are helping.

Orange County prosecutor Jeff Shunk gave the activists their colorful moniker after being exasperated as courtrooms overflowed with supporters of the defendants on two consecutive days in two separate cases. The activists liked the sound of the name and adopted it.

Los Angeles prosecutor Richard Gallegly went so far as to attempt to com-

pel Judge Beverly O'Connell to force the Green Team to remove their solidarity ribbons at the David Rios trial in San Fernando. When the judge refused, Gallegly took great pains to point out the supporters and their ribbons to the jury. Despite Gallegly's politically charged strategy, the jury acquitted Rios of all charges.

Human Solution founder Joe Grumbine is himself facing 13 felony charges in a trial set in Long Beach.

"Name one situation where people don't behave better when they know they're being watched," he said.

"Most courtrooms are empty. When we show up with a large group of supporters, people take notice. Jurors see that a lot of people care enough about both the issue and the defendant to take time out of their lives to publicly stand with them. I can't say it changes the outcome of a case, but it seems to make a difference."

In any case, it has an enormous impact on the defendant. Grumbine recalls one of his early hearings when he was jailed and brought to the courtroom in shackles.

He had only about a second to scan the courtroom before being ordered to face the judge, but seeing it filled with supportive

Please turn to page 10

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Seattle leads WA state in adopting new reforms

By **Martin Martinez**, CannabisMD.org

In 2010, Washington state legislators began crafting a massive revision of medical cannabis law that recognized patients' rights to grow collectively while creating a licensed distribution system. Many entrepreneurs followed the Green Cross collective's tedious approach by serving patients sequentially only one at a time, and gearing up storefront dispensaries for the long-awaited licensing protocol to take effect.

Through months of careful consideration, the bill passed through the state House and Senate, arousing the ire of federal prosecutors who delivered sharp threats to lawmakers. Governor Christine Gregoire caved in to federal pressure, gutting the extensive legislation with her veto pen. That unexpected setback left the Evergreen State in what cannabis attorney Douglas Hiatt calls "an ugly mess."

Many dispensaries across the state had hung shingles and publicly advertised their wares, only to find their legal foundation vetoed a few weeks before it was set to take effect. One of those was the THC Pharmacy owned by Wesley Wright and Jon Richard Vivian of Spokane who were suddenly forced to go to trial without a defense. The 'one patient at any one time' argument was rejected by jurors, and the defendants were found guilty. They currently await sentencing.

Outside of Seattle, the Governor's sectional veto produced a severe shock wave, with many dispensaries shutting down voluntarily, and many more closed by local ordinance. Thousands of sick patients suddenly lost their safe and dependable access. But Seattle has emerged as the spearhead of marijuana reform.

City Attorney Pete Holmes, who has

vowed not to prosecute personal use cases, and progressive Mayor Mike McGinn had no qualms about voicing their support for marijuana reform along with Congressman Dennis Kucinich at the 20th anniversary Hempfest this year. The Seattle City Council is also very concerned with the health and safety of marijuana patients. In August, the Council passed ordinances recognizing and enabling dispensary regulation in The Emerald City.

Shortly after the Obama Administration threatened state officials, US Rep. Dennis Kucinich spoke at Hempfest in solidarity with reformers.

The good news in Washington is that, despite the legal quagmire for dispensaries around the state, true collectives like Lifevine have been vindicated. Patients may now grow small gardens together under state law. In Seattle, large dispensaries are now officially tolerated and regulated. Until the Legislature passes another measure, and until the Governor shows as much backbone as local leaders, patients at least have safe access in Seattle, cannabis capital of the Northwest.



A field of cannabis is nearly ripe in this field near Bern, Switzerland. Photo by Chris Conrad

Rainwater catchment is the wave of the future

From the Field

By **Chris VanHook**, cleangreencert.com

Nearly all of the outdoor crops I've seen in 2011 seem to be two to four weeks behind in ripening, due to the late rains and cooler weather lasting further into the season.

Water usage is always of concern and I visited one farm that is really providing a good example. This farmer has developed a rain collection system that allows him to store 60,000 gallons of fresh rainwater a year, enough to run his small diversified farm even during drought years. His total cost for the entire infrastructure was \$32,000, catching 550 gallons of water per 1000 square feet of roof per inch of rain. If you do not have enough roof space, a plastic tarp or sheeting on a slope can produce the same effect. This farmer had all of his gutters routed into barrels which then drained through 2-inch pipes to large storage tanks below the house and barn. The water was then pumped up to a higher tank using a simple solar-powered water pump and then a gravity-flow through the house and fields. It was beautiful to see the system operating, as it required no electricity and did not take any water from the

springs on his property, all of which flow into salmon streams and rivers. For more info, Google "rain catchment systems."

Tired of moving pots or working through narrow aisles? A really neat system of durable six-gallon grow bags that sit on a sturdy wooden frame with casters was developed by an innovative grower.

When all of the plants are on rolling casters, all sorts of efficiencies take place. Time is saved, while back stress and injuries are reduced. Find out more about this innovative system at farmacann.com.

On-farm processing has become more important for both indoor and outdoor growers as farmers move into the modern medical cannabis markets, and no farmer can afford to overlook this important part of the process.

The drying areas should be clean with an area of sealed walls and doors. This can be as simple as an area sealed off with plastic sheeting to keep out dirt and rodents. Windows should be screened. Areas that are not sealed can allow rodents, flies, dogs and cats as well as other domestic and wild animals into the drying area.

It is important to remember that the processing area is where the greatest chance of contamination exists as the entire field's crop is concentrated in one room or area. Metal containers work well, often with wind-driven ventilation fans on top, to help the air flow. Any container that is re-used should be washed and air dried between uses.

There is more information in the online version of this report, but these steps are a great start. The market is changing and we all need to keep moving in the right direction for food and herbal safety.

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Butte County new Ground Zero in medicine war

By Mickey Martin, T-Comp Consulting

Butte County District Attorney Mike Ramsey does not like medical cannabis and will stop at nothing to ensure patients have little or no access to it.

Butte County Deputy DA Helen Harberts has gone as far as to call medical marijuana “bullshit” in public, even going further, telling activists on Facebook,, “Please put a true legalization initiative on the ballot and quit hiding behind the medical issue.” These “public servants” have made clear their intention to debunk medical cannabis and shut down, or severely limit, patient access to cannabis, based on their belief that all transactions for medical cannabis are illegal.

Ramsey worked with Butte County sheriffs to conduct sting operations of eight medical cannabis dispensing collectives in the County in June of 2010, including the use of forged legitimate recommendations and confidential informants with ties to the community. Their “investigations” resulted in raids of all eight locations, as the DA’s office declared, “You can have legitimate cooperatives or collectives growing in a commune style. But storefront dispensaries are illegal.”

But then in May of this year, Ramsey pressured the Board of Supervisors into passing an extremely restrictive ordinance against medical cultivation. This ordinance eliminated the rights of patients to cultivate their medicine on less than a half-acre parcel, meaning low-income or people who could not afford to live on a larger parcel had no access to medicine. It allowed for only six plants on half acres to 1.5 acres and required all gardens over six plants to be registered with the county. This ordinance was meant to give Butte

County sheriffs and the DA's office the right to cut down a large portion of the medicine grown in the county. They hoped this ordinance would give them the right to prosecute people and seize their property, and while the ordinance is most likely illegal given the CA Supreme Court decision in the Kelly case, Butte activists decided not to wait and fought back.

A group called Butte County Citizens for Compassionate Use filed a petition referendum blocking the ordinance from being enacted, submitting over 9000 valid signatures. Supervisors had the choice to either repeal the flawed ordinance or send it to an election before the voters. They chose to waste more resources, and scheduled a vote on the ordinance for the June 2012 primary election, when large portions of the mostly younger, more liberal Chico community are gone for summer break.

On the day that the petition signatures were submitted, Ramsey filed charges on the first of the dispensaries he had raided a year prior. Mountainside Patient Collective staff members were charged with multiple felonies for sales and cultivation of cannabis from the undercover purchases from their patient collective. Deputy DA Helen Harberts claimed, "The law does not authorize sales of marijuana," adding, "We're going to put it to a jury and see what they say." Mountainside's collective director recently had his rib removed that had a tumor growing on it, yet the DA continues to prosecute. It has taken a huge financial and emotional toll on his entire family, including his brother, who is named as a co-defendant in the case. More information can be found at standwithmpc.org.

Shortly after filing these seemingly vindictive charges, Ramsey exploited his

Continued on page 14

New studies show huge potential of cannabis for HIV

Ask Dr. MedicalCannabis, MD

By Dr. David Ostrow

Question: I read that monkeys treated with THC and infected with a form of HIV do not get sick or die like the ones not given THC. Has anything like this been shown for humans infected with HIV, and how would THC slow down a viral infection of the immune system?

Answer: A team of researchers from LSU reported last May in *AIDS Research & Human Retroviruses* that chronic administration of THC, the main psychoactive component of cannabis and also available in an oral FDA-approved medication for HIV-related wasting and peripheral neuropathy, slowed the progression of immune destruction by the simian immunodeficiency virus (SIV), the most commonly used monkey retrovirus for pre-clinical trials of potential HIV therapies.

They also reported that chronic THC treatment of SIV-infected macaques reduced SIV replication, wasting, neuroAIDS symptoms and death among the subjects, without serious side effects other than mild temporary short-term memory impairment to which the monkeys developed tolerance within a week.

Researchers hypothesize that the beneficial effects could be due to several reasons. (1) Monkeys lived longer because THC gave them the 'munchies' so they gained body weight to offset any wasting due to SIV infection. Synthetic THC is a proven appetite stimulant which can help persons living with HIV (PLHIVs) combat weight loss. (2) THC suppressed the immune system in beneficial ways, reducing inflammation that is normally a sign of HIV activity. Work by Dr. Patricia Molina's group and others has already shown that lymphocytes have the same cannabinoid receptors that are found in the brain, and that exposure of human lymphocytes in culture to THC can induce changes that both stabilize these cells and inhibit the production of inflammatory substances needed to activate HIV replication. (3) THC directly reduces SIV infection of cells. Molina explained that preliminary studies in a small number of macaques show that pre-treatment with THC reduces the ability of SIV applied to their genitals to bind to and infect the cells needed to produce primary infection. This suggests that THC, and perhaps other cannabinoids, may one day play important roles in both HIV infection prevention and treatment.

However, the path from pre-clinical experiments in macaques with SIV to humans with HIV infection will require many years of study, culminating in controlled randomized clinical trials (CRTs) that are likely to be difficult, expensive and ethically challenging. Without pressure on NIH to fund studies of potential benefits, the necessary pre-clinical research that must precede such CRTs may never be done. Patients and advocates should write to their Congressional representatives and

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Public lands get raided

Continued from page 1

suspected sites in December. Over 130 individuals were arrested, and dozens charged with undisclosed crimes. Some 632,000 plants were seized with 1,986 pounds of processed cannabis, 18 grams of meth, 22 Xanax tablets, 38 weapons and 20 vehicles.

US District Attorney for the Northern District Melinda Haag said at a July press conference in Ukiah, "These are covert, large-scale marijuana operations polluting the land, using undocumented workers," she alleged. "Most local people know not to hike in the national forests in the summer months." She decried the environmental damage uncovered during raids upon over 56 grow sites.

"These people have complete disregard for the ecosystem," said Haag.

Photos showed discarded drip-line timers scattered amongst rat traps and boxes of ground squirrel bait. Spilled fertilizer pellets littered the ground. Crude drying racks were made from branches hacked from nearby trees. Huge, makeshift dams were the repositories for stolen water and fertilizing chemicals. Eradication teams discovered 35 such dam structures. Crews removed 51,404 pounds of garbage, 120 propane tanks, 5,500 pounds of fertilizer, 149 pounds of pesticides and 40 miles of irrigation line.

By telephone, Congressman Mike Thompson praised Allman for conceptualizing and spearheading the operation, saying he was extremely impressed with the results and that efforts were long overdue.

Ron Brooks, director the Northern California High Intensity Drug Trafficking Area thanked volunteers from the High Sierra Volunteer Trail Crew for coordinating forest cleanup efforts. He indicated that Mendocino County was recently added as the 11th county in the NorCal HIDTA. "This will bring in additional funds and technical support to help Mendocino law enforcement," said Brooks.

No budget was available, nor even a breakdown of the funding sources. "I'm not sure of the tally to taxpayers. Did we have an overall budget? I'm sure individual agencies each had their own budget," said Haag. The vast majority of the raids were conducted in extremely remote areas of Tehama and Glenn Counties.

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Oregon voters may face three choices in 2012

Continued from page 4

regulations consistent with this amendment to reasonably define, limit and regulate the use, possession, production, sale or taxation of marijuana under state law."

The OMPI is certainly an ambitious effort. An initiative which merely creates or changes statutory law requires more than 87,000 valid signatures to be certified for the general election. OMPI's constitutional change requires more than 114,000 valid signatures of registered Oregon voters to achieve ballot status. The deadline for the organization to turn in signatures to the state elections division office is July 6, 2012.

In addition to the decriminalization measure, two other cannabis law reform initiatives are also circulating in the state of Oregon: the Oregon Cannabis Tax Act of 2012 (OCTA), led by the Campaign for the Restoration and Regulation of Hemp, and Sensible Oregon, led by Oregon NORML.

One might have expected rivalries to develop, however Oregon is seeing cooperation and mutual support among the different petition groups.

"Many initiatives on the ballot in Oregon will give a message to the voters that this issue is imminent, so much in need of action," according to Wolfe.

OMPI will sponsor a dispensary initiative in the 2012 election cycle. Said Wolfe, "Regardless of any decrim or legalization measure, there are still patients out there who desperately need this medicine for their health, to pursue a full life, they can't utilize the illegal market, and we need to help them. It's a moral imperative."

The petition is not yet in circulation, as its wording is still being finalized, however generally a statutory measure is being crafted which would make the Oregon Health Authority establish a regulated system of medical cannabis health centers around the state at which card-holding patients would be able to acquire their medicine.

Oregon's medical cannabis law was originally created through the initiative process in 1998. The law created a state registry for patients and their caregivers, setting some limits on the number of plants and dry weight which any patient may have at one time. However it specifically forbade sales or other dispensing of cannabis. Two previous attempts to create a regulated dispensary system in Oregon have been defeated at the ballot box: Measure 33 in 2004 and Measure 74 in 2010.

More information about the campaign, and news as the measure progresses, is available at ompicampaign2012.org.



Raid Preparedness Trainings: Don Duncan, California Director of Americans for Safe Access (safeaccessnow.org) conducted an 11 day, 11 city tour from Aug. 19 to Sept. 1 to inform people of their rights and strategies to protect their safe access in the event of a raid. Photo by Eric Salerno.

Congress taking stock of medical use, hemp

Continued from page 1

providers under pressure from the Dept. of Treasury. Introduced by Representative Jared Polis (D-CO), HR 1984 is cosponsored by Reps. Frank, Pete Stark (D-CA) and Ron Paul (R-TX).

"In states that have legalized medical marijuana, and for businesses that have been state-approved, it is simply wrong for the federal government to intrude and threaten banks that are involved in legal transactions," said Rep. Polis.

The IRS bill, HR 1985, the *Small Business Tax Equity Act of 2011*, would change the federal tax code "to allow a deduction for expenses in connection with the trade or

business of selling marijuana intended for patients for medical purposes pursuant to State law." Introduced by Rep. Stark, the bipartisan bill is cosponsored by Reps. Frank, Polis, Paul, and Dana Rohrabacher (R-CA).

"Our tax code undercuts legal medical marijuana dispensaries by preventing them from taking all the deductions allowed for other small businesses," Rep. Stark said.

The IRS has been aggressively auditing dozens of the most successful medical cannabis-dispensing centers, disallowing their operating expense deductions and claiming back taxes.

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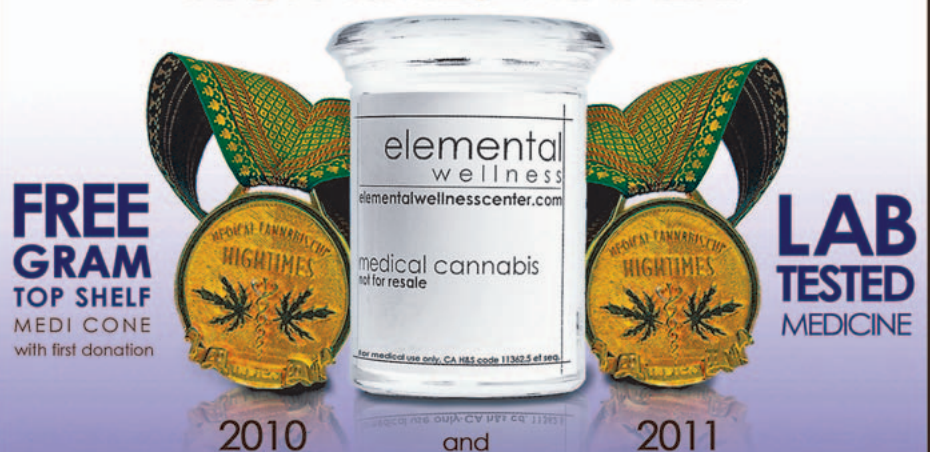
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National and International Reports

Record marijuana plantation found growing in Mexico

A record marijuana grow of 300 acres was found in July in Baja California, about 200 miles south of San Diego. Mexican soldiers discovered the plantation during patrol. Six men tending the crop were captured at a checkpoint, but dozens more escaped capture.

Israeli cabinet approves medical marijuana guidelines and affordability

The Israeli cabinet approved medical marijuana guidelines Aug 7, 2011 to create access to medical use and cap its price at about \$3 per gram. In so doing, it explicitly agreed that cannabis does indeed have medical uses. "The cabinet today approved arrangements and supervision regarding the supply of cannabis for medical and research uses," said Prime Minister Benjamin Netanyahu's spokesman. "This is in recognition that the medical use of cannabis is necessary in certain cases." A week earlier the Health Ministry decided that the country's medical supply should be domestically produced and set up a unit within the department to grow cannabis beginning in January 2012. Israeli police had lobbied for the supply to be imported. Israel currently has about 6,000 cannabis patients, but there are estimates that number could rise to 40,000 by 2016. Medical marijuana for Israeli patients is currently provided by private growers. — *Phil Smith, stopthedrugwar.org*

US allows only 14 marijuana-smoking studies, none to test as medicine

Only 14 researchers in the US are legally permitted to conduct research assessing the effect of inhaled cannabis in human subjects, according to data included in the 2011 White House 2011 National Drug Control Strategy.

In a section entitled 'Medical Marijuana,' the report states, "In the US, DEA has approved 109 researchers to perform *bona fide* research with marijuana, marijuana extracts, and marijuana derivatives such as cannabidiol and cannabinol." However, of these 109 scientists, only 14 "are approved to conduct research with smoked marijuana on human subjects." Most are looking for "abuse potential, physical/psychological effects, [and] adverse effects."

A spokesperson for National Institute on Drug Abuse (NIDA), the federal agency that must approve any US clinical trial for cannabis, told the *New York Times* in 2010, "[O]ur focus is primarily on the negative consequences of marijuana use. We generally do not fund research focused on the potential beneficial medical effects of marijuana." — *Paul Armentano, NORML*

Human court support

Continued from page 5
faced gave him the strength to fight on.

Defendant Catrina Falbo, whose litany of felony charges was dropped at preliminary hearing, concurs. "Seeing all of my friends and supporters gave me a feeling of confidence and at the same time it unexpectedly calmed my nerves and gave me a sense of serenity."

Patients in need of court support and those wishing to join the Green Team can learn more online at the-human-solution.org.

Federal move finally opens door to court challenge

DEA rejects petition to allow medical use of marijuana

By Dale Gieringer, California NORML

After nine years of regulatory delay, the federal DEA on July 8, 2011 rejected a petition to reschedule cannabis for medical use. The response came one month after advocates sued it for unreasonable delay.

Advocates, led by drugscience.org, announced they will challenge the decision in the DC Circuit Court of Appeals. The petition, filed in 2002, cited a growing body of scientific evidence plus the passage of state medical marijuana laws to argue that marijuana has "accepted medical use" and must be removed from Schedule I.

In denying the petition the DEA concluded, "Marijuana has a high potential for abuse, has no accepted medical use in the US, and lacks an acceptable level of safety for use even under medical supervision."

The DEA decision cited innumerable studies showing adverse health effects of marijuana, but none of the hundreds of studies showing medical benefits. The agency claimed the latter were irrelevant because they did not meet the rigorous standards of large-scale, double-blind FDA new drug approval trials. However, none of the negative studies cited by the agency met that standard, either.

The DEA neglected to mention that it has actively prevented FDA trials from taking place by blocking the approval of a research-grade marijuana growing facility at the U of Massachusetts, contrary to the recommendation of its own administrative law judge. The only existing legal source of marijuana for US researchers is NIDA, the National Institute on Drug Abuse, which has refused to pursue FDA studies of the

drug for medical use.

"The statement 'cannabis has no accepted medical use' is simply wrong as a statement of fact," Prof. Rob MacCoun, professor of Law and Public Policy at UC Berkeley told ABC News. Dr. Igor Grant, director of the California Center for Medicinal Cannabis Research, which has conducted several FDA-approved clinical studies showing medical benefits, said, "It looks like they underplayed what positive information there is in the literature about marijuana. This policy is guided more by certain kinds of beliefs in the dangers of marijuana, at the expense of advance of medical knowledge for patients."

"The statement 'cannabis has no accepted medical use' is simply wrong as a statement of fact,"
— *Prof. Rob MacCoun, professor of Law and Public Policy at UC Berkeley.*

Advocates are excited that the DEA's clearly defective decision finally clears the way for a public court trial on marijuana's benefits. "We have foiled the government's strategy of delay and we can now go head-to-head on the merits, that marijuana really does have therapeutic value," said ASA Chief Counsel Joe Elford, who is handling the CRC lawsuit. Other participants in the coalition include NORML, Patients Out of Time, High Times, the Drug Policy Forum of Texas, California NORML, the American Alliance for Medical Cannabis, and the Oakland Cannabis Buyers Cooperative.

A Congressional bill to end marijuana's Schedule I status and let states regulate its medical use has been introduced by Rep. Barney Frank as HR 1983.

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The end of the Dutch coffeeshop as we know it?

By Derrick Bergman, GONZO Media, VOC

The future of Holland's world-famous coffeeshops looks bleak: the right-wing government is pushing hard to transform all coffeeshops into closed clubs with a mandatory 'weed pass' and a limited number of members. All non-Dutch residents are to be banned from these clubs.

Minister of Justice Ivo Opstelten has stated that the maximum amount of members will be between 1000 and 1500. He wants to start the operation in the southern provinces of Limburg and Brabant and then in the rest of the country. Opposition to his plans is fierce; local governments are very sceptical about the effects of the closed coffeeshop-club concept. They fear foreign tourists will buy cannabis on the street, along with Dutch tokers who fear for their privacy. Another anticipated problem are Dutch cannabis users who live outside of the cities. They will probably not be able to obtain a weed pass for a coffeeshop in a city where they do not reside.

The Dutch parliament has organized an Oct. 3, 2011 roundtable meeting on drug policy. Various organizations, scientists, specialists and coffeeshop owners are invited to speak and answer questions. After this meeting a plenary debate will be held in parliament; the date is still unknown. The big question is whether parliament will sanction the draconic plans of the government on coffeeshops. The VOC society for the abolition of cannabis prohibition is invited to speak at the roundtable meeting and is organizing a series of demonstrations. A special taskforce, consisting of VOC members and coffeeshop owners, has developed a model for cannabis regulation in the Netherlands. In 'From tolerating to regulating', the taskforce quotes Raymond Dufour, chairman of the *Stichting Drugsbeleid* (Drug Policy Foundation), that "the attitude taken towards coffeeshops here is often a bit derisive, but the coffeeshop is actually a global breakthrough, as it is the best proof that the entire war on drugs is unnecessary." The taskforce characterizes the government's plan as "counterproductive symbolic politics."

"After all, the real problems are not found at the front door but rather at the back door where the cannabis is delivered to the coffeeshop. By maintaining the ille-



gal situation at the back door and simultaneously making it much more difficult for potential clients to actually visit the coffeeshop, this government is actually contributing to the problems it says it wishes to combat, namely criminal activity and excessive nuisance. In the meantime, hundreds of thousands of consumers will no

longer be able to access reliable product information or benefit from effective controls with regard to their soft drug of choice." An English version of the THC-model can be found at the VOC-website: www.voc-nederland.org

Simian studies back HIV use

Continued from page 8

Director of the National Institute of Drug Abuse at Volkow@niaid.nih.gov to urge it to fund human studies of the potential of cannabis and cannabinoids for HIV.

Meanwhile, physicians can prescribe Marinol® for "off label" use of THC in patients who do not respond to or have intolerable side effects from standard HAART, or recommend volatized or tinctures containing high THC levels for patients in one of the 15 states and DC that allow medical use. We want to hear about any patient benefits in immune functioning or quality of life while taking oral or vaporized THC on a regular basis.

* While Dr MedicalCannabis. MD is both an addictions and HIV medicine specialist, nothing in this column should be considered as individual advice for a person with HIV. That can only come from personal health caregiver(s) who are knowledgeable about your lifestyle, health and medication experience. Opinions expressed here are solely those of the author and do not represent those of this publication or any institution the author is associated with.

Ohio group eyes 2012 ballot

By Mary Jane Borden, DrugSense.org

Medical use activists in Ohio are targeting the 2012 ballot for a citizen-initiated constitutional amendment establishing a new regulatory model for medical marijuana. Unlike laws in other states, the Ohio Medical Cannabis Amendment of 2012 (OMCA2012) will establish specialized new agencies — the Commission of Medical Cannabis Control, its subsidiary division, and a superintendent — mirroring existing laws that have overseen vineyards and adult beverages for over 75 years.

As in other medical marijuana states, individuals with a qualifying medical condition will need a written recommendation from their doctor. This will enable them to secure a confidential photo registry card that entitles them to possess up to 200 grams of usable cannabis (now a misdemeanor) and cultivate up to 12 mature and 12 immature plants. Patients who can't grow and need to purchase a variety of forms would have licensed medical cannabis retail establishments and infused products manufacturers.

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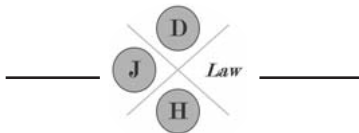
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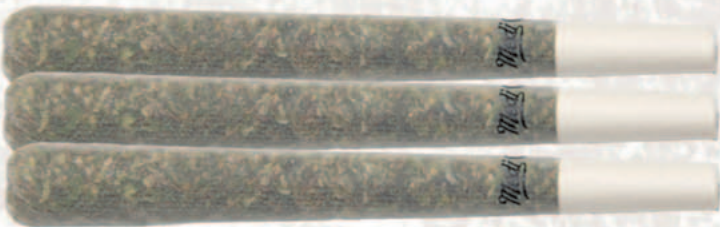


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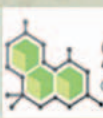
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DUI/THC bill dies while medical access stalls

By **Laura Kriho**, cannabistherapyinstitute.com

Despite some victories in the 2011 Colorado legislature, state patients and caregivers are facing unprecedented scrutiny and harassment by law enforcement. Overall cannabis prosecutions in the state seem to be reaching at an all-time high.

While a DUI/THC bill died in the legislature, arrests on suspicion of DUI/THC have increased dramatically. Incidents are on the rise of police making 'knock-and-talk' requests for warrantless searches of the homes of patients and caregivers all over the state.

This dates back to January 2010, when state legislators created an entity called a Medical Marijuana Center (MMC), intended to supplant caregiver growers, and burdened it with regulations more onerous than any other industry. As of August 2011, zero MMC licenses have been granted.

However, there have been countless new hoops for applicants to jump through.

Compassion loses a round in Fresno County

By Shannon Luce, Mind, Body & Soul Collective

It has continued to be a rough year in Fresno County for patients, growers and collective operators alike.

A moratorium was passed by the Supervisors July 13, 2010 leaving only 15 dispensaries for the county. An interim urgency ordinance was passed Sept. 14 to prohibit outdoor cultivation in all zones of the county. Then while considering a regulation ordinance for medical marijuana dispensaries on Dec. 7, they reversed course with an ordinance to prohibit dispensaries.

The Board gave its new ordinance its initial reading July 12, 2011. It bans dispensaries and requires them to cease operations within six months; it only allows consumption by qualified patients at their principle place of residence; and it takes away the patient's right to grow at home by limiting cultivation to industrial zones M-1, M-2 and M-3 with a business license.

The ordinance passed 4-1 Aug. 9, despite doubts as to the legality of the ordinance. In the last moments of the meeting, the Board formed a working group of responsible collective operators and cultivators, doctors, attorneys, county officials and law enforcement officers to work on viable corrections to the ordinance and meet with the Board in three months.

Meanwhile, many collectives have been getting signatures for a possible referendum, some are forming patient groups and others are preparing for litigation.

The Dept. of Revenue awarded a \$1.5 million contract to Franwell, Inc. in June 2011, to create the “RFID Seed-to-Sale Tracking and Surveillance System” (RFID-SSTSS). All video surveillance systems and web cameras in licensed MMCs are planned to be controllable by DOR enforcement agents through live feed on the Internet to integrate RFID cannabis surveillance tape database tracking technology with a database of all transactions and exchanges. The RFID-SSTSS database will be shared with the National Crime Information Center database. Patients’ names will not be entered into the system, but they would be videotaped and photographed making purchases. The system will also track every transaction and all employees by name.

In June, former DEA agent Matt Cook, the DOR's senior law enforcement officer and primary architect of Colorado's cannabis regulatory morass, resigned his state position to go into other states to market similar patient surveillance systems.

Second Colo initiative to file

The Colorado *Legalize 2012 Campaign*, started by longtime activists in May 2010, is working on a ballot initiative to overturn all Colorado cannabis prohibition laws and achieve full legalization. It argues that over-regulation only creates more pot criminals. The Legalize2012.com petition will start collecting signatures in Feb. 2012.

— Laura Kriho, Legalize2012.com

NY City sued over racist pattern of enforcement

By Eric Sterling, Criminal Justice Policy Foundation

Based on a study of 536,320 marijuana-possession misdemeanor arrests made between 1996 and 2010 by the New York City Police Dept. (NYPD), the Criminal Justice Policy Foundation (cjpj.org) submitted a complaint to the US Department of Justice asking that it seek an injunction against the NYPD, obtain a monetary judgment from it, and prosecute police managers and supervisors for felony violations of constitutional rights of tens of thousands of persons in carrying out these arrests.

For the last 15 years, 87% of the people arrested for marijuana possession have been blacks and Latinos.

The study of official police statistics by City University of NY Queens College Prof. Harry Levine was summarized in testimony he gave the State Senate in June. He found that, "For many years, New York City has arrested African Americans at seven times the rate of whites, and Latinos at nearly four times the rate of whites. . . . For the last 15 years, 87% of the people arrested for marijuana possession have been blacks and Latinos, who use marijuana at lower rates than young whites."

New York made cannabis possession an infraction in 1997, with a maximum fine of \$100. But if the marijuana is “open to public view,” the conduct is a class B misdemeanor. The NYPD routinely stops peo-

ple on the street — asking them or ordering them to empty their pockets, bringing the marijuana “open to public view,” and thus tricking them into committing a misdemeanor. The complaint filed by the Foundation says these arrests “demonstrate an unmistakable policy of racial discrimination in the enforcement of this law. The extraordinary disparity in the rates of arrests across the city is inexplicable, except as the result of a deliberate policy that targets African American and Latinos for stops and searches. Since they are plainly targeted due to race and ethnicity, the African American and Latino arrestees have had their privileges or immunities of citizenship abridged and have been denied equal protection of the laws in violation of the 14th Amendment.” This pattern or practice by the NYPD violates Title 42 US Code section 14141.

The CJPF letter adds, “The official data and circumstances described in Dr. Levine’s memo set forth a long-term, massive, organization-wide felonious course of conduct that is plainly designed to deprive African American and Latino residents of the City of their Constitutional and legal rights under color of law, in violation of 18 USC 242.”

The Justice Dept. has not acknowledged the complaint. Few such complaints are brought to court, most often end in a settlement or informal agreement.

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Nation’s mayors seek new approach to drugs

Continued from page 1
Coss, who offered the resolution that the Mayors Conference adopted.* “We simply cannot afford to continue wasting taxpayer money on failed criminal justice policies when there are less expensive, more humane, and more effective ways to deal with drugs and crime.”
“The US is supposed to be the land of the free but we have more people behind bars than any other country in the world, mostly because of the Drug War,” said Bill Piper, of the Drug Policy Alliance (DPA). “A national commission would help policymakers develop evidence-based policies

that reduce incarceration, save taxpayer money, and improve public safety.”
According to the resolution, the criminal justice commission would produce recommendations to “reduce crime and violence, improve cost-effectiveness, ensure the interests of justice at every step of the criminal justice system ... reduce incarceration, reform US drug policy, eliminate racial and gender disparities, improve re-entry efforts, and expand access to substance abuse treatment, mental health services and healthcare — goals that this Conference strongly supports.”

* Posted at usmayors.org/79thAnnualMeeting/documents/AdoptedResolutions.pdf (p 54)

NJ dispensaries expected to open by year’s end

By Ken Wolski, RN, MPA, cmmnj.org
New Jersey Governor Chris Christie announced in a July 19, 2011 press conference that the state’s Medicinal Marijuana Program (MMP) would be moving forward “expeditiously.” Gov. Christie had put a three-month hold on the program while he awaited assurance from the federal government that those associated with the production and distribution of marijuana would not face criminal or civil penalties. Prior to the delay, the state had announced that cannabis would be distributed to qualified patients by late summer. It appears that late December is the new target date to start the distribution.

Citing these concerns and delays, the Coalition for Medical Marijuana NJ has called for home cultivation to be restored to the state program. The Compassionate Use Medical Marijuana Act was signed into law in January 2010. The Health Department (NJHD) issued permits March 21, 2011 to six Alternative Treatment Centers as cannabis dispensaries.

However, a number of US Attorneys in various jurisdictions throughout the country warned officials that the production and distribution of marijuana was still a violation of the federal law despite local medical use laws that authorize this activity. NJ Attorney General Paula Dow sent a letter to US Attorney General Eric Holder April 19 seeking clarification. At the same time Gov. Christie put the MMP on hold.

On June 29, US Deputy AG James Cole issued a memo for US Attorneys saying it is “not an efficient use of federal resources to focus enforcement efforts on individuals with cancer or other serious illnesses who use marijuana as part of a recommended treatment regimen consistent with applicable state law, or their caregivers.” Cole warned of “federal enforcement action” over “Multiple, large-scale, privately-operated industrial marijuana cultivation centers ... even where these activities purport to comply with state law.”

Gov. Christie said the memo gave him
Please turn to page 19

Vitamin E boosts cannabis medical benefits

The Lab Bench
By Jahan Marcu*

Our diet can influence our response to cannabinoids and cannabis. Could the negative effects of cannabinoids be related to nutritionally-deficits associated with mental diseases, such as depression?

The *Journal of Free Radical Biology and Medicine* published a report¹ that identifies Vitamin E (V-E) as a “modulator of the cannabinoid system.” α -Tocopherol is considered the main ingredient of V-E, and is well known for its anti-oxidant properties and mood elevating abilities. Low levels of α -tocopherol in the brain are associated with health issues such as depression and neuronal degradation.

The authors demonstrated that the actions of V-E can be blocked, if the cannabinoid type 1 receptor is blocked by a drug AM251, which can block the receptors and prevent them from being activated.

The authors report that V-E and cannabinoid receptor interactions occur in a region of the brain known as the hippocampus, which may help explain the

benefits of V-E other than anti-oxidant properties. Vitamin E can have profound effects on brain function, and it is widely used as a food additive. Without V-E in the diet, a number of symptoms can start to appear, such as anxiety or ataxia.

However, V-E does not directly activate cannabinoid receptors, like for example THC; instead α -tocopherol modulates the receptor. The receptor modulation may be an important part of normal cannabinoid receptor function. More research is needed to fully understand exactly how α -tocopherol obtained from the diet can influence the cannabinoid system.

Lastly, Western diets are notoriously high in calories and low in nutrients, such as V-E. In the US high-calorie, inexpensive, high-fat and nutritionally deficient diets are common. These bad diets are correlated to obesity and brain disease. A balance of omega-3 fatty acids or V-E can help us live longer and healthier. The mechanism of this benefit is due to an integrated response between these lipids such as from α -tocopherol and cannabinoid receptors.

Could eating a better diet make for a better cannabinoid experience? This study raises a number of radical ideas that warrant further studies.

1) Crouzin et al. (2011) α -Tocopherol and α -tocopheryl phosphate interact with the cannabinoid system in the rodent hippocampus. *Free radical Bio & Med.*

* Science Editor, freedomisgreen.com; vice chair of American’s for Safe Access medical and scientific advisory board.

Pressure is on in Butte Co.

Continued from page 8

federal contacts to threaten Chico City Councilpersons who passed an ordinance allowing for two regulated dispensaries in Chico. After Ramsey’s public threat to lock up the City Council and declaring their ordinance illegal, the Council still passed a dispensary ordinance in July. Ramsey contacted US Attorney for the Eastern Dist. Benjamin Wagner who met with the Council threatening them directly with prosecution. This resulted in them voting to repeal their dispensary ordinance just nine days after passing it.

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Scientific conference helps keep the data real

By **Amanda Reiman**, Berkeley Patients Group

The annual International Cannabinoid Research Symposium brought top cannabinoid scientists from around the world to St. Charles, IL in July to discuss the latest developments in cannabinoid therapeutics. Topics included the role of cannabinoids and the endocannabinoid system on functions such as learning and memory, cardiovascular and metabolic systems, treatment of disease including Huntington's Disease, HIV, and cancer, and on brain-signaling for opiates, nicotine, alcohol and cocaine.

Research overwhelmingly suggests that, due to the action of endocannabinoids, cannabinoids introduced into the system can act as regulators — improving functioning, slowing disease progression, and protecting body systems. Presentations on addiction focused on adolescent use (mostly using rats as a proxy), detecting cannabis in roadside inebriation tests, and new street drugs such as "spice" and "K2", made with synthetic cannabinoids.

The conference also included a CME course, Cannabinoids in Clinical Practice, with presenters such as Dr. Donald Abrams, and concluded with a symposium focused on HIV. Data suggest that THC might slow the progression of HIV and protect patients from cognitive decline.

Unfortunately, politics trumped science, as the DEA handed down its decision to keep cannabis listed as a Schedule I drug in the middle of the ICRS conference, ironically claiming that cannabis has no accepted medical value. The news ran through the conference like wildfire. That afternoon, a local DEA agent gave a presentation on the process for applying for a DEA license to conduct research with scheduled substances. Unaware of his agency's decision and clearly not a scientist himself, the

agent was unable to answer questions from the crowd, such as whether the Schedule I status of cannabis is putting the US behind other countries in drug development; whether the rush to schedule the synthetic cannabinoids found in Spice and K2 hurts scientists by further restricting what can be used for research; and why CBD, a non-psychoactive drug with no potential for abuse, is also a Schedule I substance simply for being present in the cannabis plant. The agent had no answers, and the frustration in the room was palpable.

The Berkeley Patients Group poster, entitled, 'Human consumption of whole plant medicine: Exploring dispensary-based research,' had a simple premise: In the absence of federal regulation, the medical cannabis industry has self-regulated, to level of standardization that had not existed previously. For example, edibles now come packaged with dosage and cannabinoid profile information enable accurate measurement.

The Schedule I status of cannabis prevents researchers from getting approvals for studies on humans and whole-plant medicine, but much can still be learned through documentation of the behaviors and experiences of patients.

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Colo ballot coalition eyes legalization in 2012

By **Kirsten Roszel**, SAFER

The 2012 initiative campaign to end cannabis prohibition in Colorado is underway. The *Campaign to Regulate Marijuana Like Alcohol* was officially launched in early July, after state election officials signed off on its language and ballot title.

The proposed constitutional amendment would remove all penalties for private adult possession and limited home growing; establish a system similar to alcohol with licensed retail stores, cultivation facilities, product manufacturing and testing; and allow cultivation, processing and sales of industrial hemp.

Activists are now collecting the roughly 86,000 valid signatures of registered state voters that are required to qualify the initiative for the ballot. The campaign has a goal of 140,000 signatures total because thousands typically get disqualified. By Aug. 15 some 30,000 had been collected.

"Like all marijuana reform efforts in Colorado over the past several years, this will be an aggressive, volunteer-powered, grassroots campaign," said Mason Tvert, one of two formal initiative proponents and the executive director of SAFER (Safer Alternative For Enjoyable Recreation). "We

started out with a strong coalition of activists, organizations, businesses, and other supporters — and more and more are signing on each week."

Hundreds of activists have signed up to volunteer and every day more are getting involved in the petition drive and other aspects of the effort. The medical cannabis community is beginning to flex its muscle in support of the campaign. Dozens of medical marijuana centers (MMCs) throughout the state are serving as petition-signing locations where patients and others can conveniently find and sign a petition. Many peripheral businesses are also getting engaged, including cannabis-infused product manufacturers, local cannabis-themed publications, and others who are doing what they can to help.

Initial members of the coalition are Colorado's two largest marijuana reform organizations, SAFER and Sensible CO, as well as several of the nation's largest and most widely recognized reform groups, including Marijuana Policy Project, the Drug Policy Alliance, NORML, Students for Sensible Drug Policy, Law Enforcement Against Prohibition, and Just Say Now.

More information and the full text of the initiative, is available at RegulateMarijuana.org.

National cannabis industry lobby gaining traction with federal bill, new members

By **Aaron Smith**, NCIA

In the eight months since industry leaders and advocates came together to form the National Cannabis Industry Assn., the group has broken new ground for the emerging cannabis industry.

After playing an instrumental role in crafting federal legislation introduced in May addressing the unique banking and tax concerns faced by the industry, NCIA is working hard to advance these issues in the halls of Congress.

In addition to lobbying, NCIA is developing an aggressive PR strategy to professionalize the face of the industry in the national media. This is especially critical as we move into the election season and candidates — including President Obama — will be forced to position themselves on cannabis-related issues. Over 100 businesses have

joined the NCIA, from medical cannabis providers to medicinal edible and infused product manufactures; from purveyors of hemp products to attorneys and other professional services catering to the cannabis industry. The organization aims to bring in all of America's legitimate and responsible "Canna-businesses" into the association so it can effectively work to advance the industry as a whole.

A major benefit of NCIA membership is the ability to have a stake in the organization through the democratic process used to select its directors. NCIA's membership conducted its first board vote in May, selecting industry leaders from across the spectrum to serve on the board. This open and fair process ensures that the membership is able to set the agenda for an organization that will help shape their future.

For more information, visit TheCannabisIndustry.org.

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WEST COAST LEAF

Editorials and Commentary

Obummer Summer fires up reformers

What’s up with Obama? He wrote of his personal use of marijuana in his biography, spoke well of medical use during his campaign, and in short order as President he issued a series of policy memoranda calling on federal agencies to reply upon science rather than politics and respect state laws. In October 2009 came the federal Ogden memo: Don’t use resources going after people who are in compliance with state medical marijuana laws. Well done.

Things turned ugly in 2010 as Feds in Hawaii and rounded up the leaders of the THC Ministry, whose sacramental use of cannabis had been left alone under two earlier presidents. During the California Prop 19 campaign, administration officials threatened voters and local officials if they were to vote to legalize marijuana. In 2011 came the Haag letter, followed by the Cole memo, both threatening local officials who implement state laws. Federal agents pounced on dispensaries in Montana and Michigan as soon as state appellate courts ruled against them, rather than wait for state supreme courts to decide. Then DEA handed down its self-serving opinion that marijuana still has no “accepted” medical value, despite its acceptance by thousands of recommending physicians, the Institute of Medicine, the international scientific community, and voters or legislators in 15 states. After saying that the legalization debate is legitimate last fall, when a voter at an August 2011 town hall meeting asked Obama if he would legalize medical use, he started to answer, then abruptly cut himself short with, “You know, well, I’ll leave it at that.”

No, let’s not leave it at that. Cannabis will be here long after Obama is gone. He can fumble and pass along a legacy of pain and misery to his children’s generation, or he can end the failed Drug War. If Obama cannot lead on this issue, then we must lead him.

That means it’s time to step up pressure on Obama and Congress by supporting the latest crop of medical marijuana bills, the National Cannabis Industries Assn., Americans for Safe Access, VoteHemp and other groups that are holding his feet to the fire. Obama needs to be told that we want reform, we want it now, and he needs to hear it over and again until we have it. This is not the time to retreat, it is time to renew our efforts once again. Write those letters and emails; call the White House, 202-456-1111, and your elected officials. Let the Obummer Summer of 2011 yield us a harvest of energy for reform.

Legitimacy for dispensaries, at a price

In a break with recent California governors’ tradition of vetoing all new marijuana laws until their last few months in office, Gov. Jerry Brown signed SB 1300 into law on Sept. 1, 2011, less than a year into his term. This legislation confers statutory legitimacy on patient collectives with storefront dispensaries by amending a section of SB 420 as follows: Health and Safety Code 11362.83. “Nothing in this article shall prevent a city or other local governing body from ... (a) Adopting local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective. (b) The civil and criminal enforcement of local ordinances described in subdivision (a). (c) Enacting other laws consistent with this article.” Notably missing from the statute is anything to prevent a locality from *banning* collectives and dispensaries. This major flaw needs to be corrected.

At the same time this takes away a potent weapon of prohibitionists, who have long argued that localities lack the legal authority to license dispensaries, it gives them a new argument that localities can *prohibit* access, resulting in discrimination and unequal treatment. SB 1300 is a challenge. We who support access must mobilize, and show up at city and county government meetings to stand up and be heard — or go back to the legislature and ballot box to fix it.

West Coast Leaf moves, has new contact information

The *West Coast Leaf* quarterly, the cannabis newspaper of record, has moved its offices. Our new contact information via telephone is 510-275-9311, and by mail PO Box 21106, El Sobrante CA 94820. This does not affect our social media or online presence.

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Chris Conrad, executive editor

Mikki Norris, managing editor

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Winning over the social conservative voters

By Nate Bradley, LEAP

One of the biggest lessons I took from being among the police officers who served as spokespersons for the Prop 19 campaign was that marijuana activists need to learn how to talk more effectively with social conservatives, the SoCons.

No, they’re not just Republicans. Many older Democratic Latinos and African-Americans also might be described as political SoCons who vote against legalization. Too often, this group is regarded as impossible to win over, but experience on the campaign trail shows that this is a misperception; in reality, much depends on what arguments are presented.

They don’t want to hear about tax revenue from legalization, racial disparities in arrests, or how much safer marijuana is than alcohol. Likewise, they don’t respond to ‘conservative’ arguments like how much money is wasted on prohibition. Those arguments interest *fiscal* conservatives, but SoCons have other issues that generally outweigh concerns about big government.

Many SoCons primarily oppose legalization because they believe prohibition is making society safer, and they generally support government expenditures that they think protect public safety.

So, if a SoCon believes legalization will flood the streets with marijuana and lead to the moral decline of society, one can see why they would support continued prohibition. So one can argue instead that prohibition itself makes society less safe.

Keeping marijuana illegal actually gives children easier access to it. Politely remind SoCons that drug dealers don’t check ID — they don’t care how old their customers are, only that they have cash. Federal surveys routinely show that teens have an easier time getting illegal marijuana than legal, age-regulated alcohol.

Just as when prohibition made alcohol illegal, today’s ban simply means that instead of being sold in a legal and regulated system, marijuana is relegated to an illegal market with no controls. Yes, police do arrest dealers if they catch them; but more dealers simply step up to snatch the market share. Emphasizing the violence that prohibition causes — not just between traffickers, but also on cops and innocent civilians — is another effective tactic.

When talking with people, showing respect for their opinions goes a long way. It is not the goal of a legalization advocate to argue against conservative principles but to help SoCons see that prohibition violates these principles.

Finally, don’t be discouraged if it seems we’re not making headway. People don’t immediately change their minds about long-ingrained beliefs — but planting a

seed of truth in a conversation can make a big difference the next time someone is in a voting booth looking at an initiative.

* Bradley, a speaker for Law Enforcement Against Prohibition and executive director of Lawmen Protecting Patients, is a former Wheatland, CA police officer-

Parents, pot and percentages

By Mary Jane Borden, DrugWarFacts.org

“Mom, Dad, I smoke pot.”

“Honey, so do we.”

How many families are having this conversation, especially now that 16 states have medical marijuana programs?

The 2010 US Census estimates that families with minor children — married or single-parent — comprised roughly 55 million persons. An average of the figures in the Monitoring the Future (MF) study finds that around 15% of those age 20-35 consume cannabis monthly; about 5% as daily users, which may equate to medical use. Simple multiplication of these percentages times the numeric parent estimate places the number of marijuana-using parents as high as 8 million and patient parents near 2.7 million.

The Census also estimates there are 24.8 million children age 12-17. If MF correctly projects current adolescent cannabis use at about 13.8%, then about 3.4 million young people could be having the aforementioned conversation with their parents.

So, do children fare worse in homes where cannabis is prevalent?

A study reported in the July 2011 *Journal of Pediatrics* took a look at children raised in ‘drug producing homes,’ with a focus on growing marijuana. The results countered the conventional bias by showing that, “despite our findings that 30% of the children in our study tested positive for drugs of abuse ..., we found that the vast majority were in good health at the time of examination,” and, “on the basis of our clinical assessments, [they] appear to be able to parent their children adequately.”

Ironically, the MF percentages reflect a steep decline in cannabis use during child-bearing years. “The Social Epidemiology of Substance Use” report by Johns Hopkins Bloomberg School of Public Health confirms this, finding that, “in the context of family relations, it is primarily the assumption of greater family responsibilities that has been associated with cessation of use. For example, becoming a parent for the first time has been associated with cessation of marijuana use.”

But the times, they are a changing. As more states join the legal cannabis community and young families age, the parent-child conversation about pot may begin to reflect a mutual understanding, instead of a one-sided condemnation.

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SAN DIEGO PATIENTS SAY “NOT DUMANIS” — San Diego County District Attorney (DA) Bonnie Dumanis, considered the most powerful politician in town, has led a fierce fight against cannabis patients and the implementation of the State’s medical use laws for almost a decade. Her strategy is first charging patients with a large number of felonies, setting a bail they cannot afford, then offering them a deal they cannot refuse. Every plea deal counts as a conviction and, as a result, Dumanis has eked out a 94% patient conviction rate.

Earlier this year, when Dumanis announced her candidacy for San Diego Mayor, the San Diego chapter of Americans for Safe Access (ASA) quickly sprang into action, inspired by the ‘Not Cooley’ campaign in the 2010 attorney general race. The ‘Not Dumanis’ campaign launched a Facebook page and held its first kick-off event by staging a protest outside of Dumanis’ own fundraiser.

“We are hoping that Dumanis does the right thing and drops out of the race,” said Terrie Best.

— Eugene Davidovich, San Diego ASA



Obama’s muddled approach slows medical access

Continued from page 1

distribution facilities in her state. Medical cannabis programs in Arizona, California, and Rhode Island were also derailed or indefinitely postponed as a result of threatening letters from the Justice Dept.

Deputy AG James Cole issued a follow-up memo to US Attorneys June 29, 2011 as a “clarification” of the Ogden memo. However, his memo differed, stating that all producers and distributors of medical cannabis were at risk of federal prosecution, despite compliance with local or state laws. Cole wrote, “State laws or local ordinances are not a defense to civil or criminal enforcement of federal law.”

Furthermore, the Justice Dept. has threatened public officials attempting to pass licensing laws, thus interrupting the democratic process in those states.

“It is disingenuous of the administra-

tion to say it is not attacking patients while obstructing the implementation of state and local medical cannabis laws,” said Americans for Safe Access Executive Director Steph Sherer. “The president is using intimidation to stop elected officials from serving their constituents, thereby pushing patients into the illicit market.”

There are, however, some examples of good leadership among state and local officials. In July, Seattle adopted licensing regulations for medical cannabis dispensaries, despite the veto of such laws at the state level by Governor Gregoire. Vermont Gov. Peter Shumlin signed a dispensary-licensing bill into law in June, despite Justice Dept. threats to his public safety commissioner. In the face of these federal threats, Delaware in May became the 16th state to pass a medical use law, permitting the licensing of dispensaries.

A juror cannot be punished for voting to acquit

By Karen Pike, Versativa

Ever watch one of those ‘law and order’ TV shows where attorneys and judges discuss what evidence the jury will be allowed to see? Decisions are made to present incomplete sets of facts. This practice of culling through evidence, selecting which “facts” to present to juries distorts the search for truth and justice.

When jurors aren’t allowed to consider or even hear mention of all the evidence, including prejudice, possible sentences, or mitigating circumstances, verdicts tend to slant in favor of the prosecution. Fairness, transparency, morality and constitutional due process are thwarted.

Being on a jury is a daunting responsibility, yet court and personal schedules create pressure to reach consensus and finish jury duty as soon as possible.

But consider this: jurors have not only the right, but the responsibility and the power, to judge the law and the evidence and vote their conscience. In contrast to today’s perceptions, our Founders intended juries to determine “law and equity” — not merely of the accused’s guilt or innocence, but of the law itself.

What if jurors who vote their conscience are in direct opposition to the judge’s instructions, the law or both? May a jury find a defendant not guilty even when evidence shows that a law has been broken? The answer is a resounding ‘yes.’ The Sixth Amendment guarantees trial by a jury of one’s peers, and other Constitutional provisions grant American juries the absolute right to find the accused not guilty for any reason, or none at all.

This ultimate power of juries is “jury nullification,” in that the verdict nullifies the consequences of the law’s provisions. Historical examples include refusals by Northern jurors to convict people who violated fugitive-slave laws. We should exam-

ine federal drug laws, particularly concerning medical cannabis. Hemp is a useful, complex, aromatic, herbaceous, flowering plant with numerous medicinal and industrial uses. The science is indisputable, and our laws fly in the face of truth. Every government claim is riddled with doubt. When facts are withheld from jurors, the system metes out criminal injustices to our people.

This is why the right of jury nullification is important. It’s within a jury’s singular power to impose justice. Judges don’t tell jurors about this right. Defense attorneys cannot mention it in court. Jurors who ask are often told there is no such thing.

But there is. Jury nullification is a foundation stone of democracy. Jurors have a duty to prevent government oppression and provide a check on official powers. Jurors should not feel intimidated. They cannot be punished for voting to acquit. They must exercise their power, rights, and moral duty to vote their conscience.

The Repeal Cannabis Prohibition Initiative

By Joe Rogoway Esq., Initiative co-proponent

We can abolish cannabis prohibition with the scalpel of repeal.

For nearly a century, the government has waged a war on its constituents through punishing cannabis-related activities. The rationale behind prohibition changes over time; but whatever the era or rhetoric, this policy has always been unjustifiable. This is as true today as it was when Reefer Madness first appeared. Study after study has been commissioned to demonstrate physical harms and societal evils from cannabis. Nearly without fail, in each of these studies, the drug warriors only succeed in disproving their hypotheses.

Please turn to page 19

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Calendar and Community Directory

Sept. 8-11, *Take the Play, Berkeley, CA. Ashby Theater, 1901 Ashby, Berkeley, CA.* A play by DeeDee Kirkwood. Th - Sat, 8 PM, Sun, 5 PM. \$25. toketheplay.com

Sept. 10, *Puff, Puff, Politics, A FUNraiser for ASA, Los Angeles, CA.* Location TBA. 4-8 PM. Speakers, gourmet munchies and beverages, cannabis tasting. See Facebook for details.

Sept. 10-11, *Hempstalk 2011, Portland OR.* Kelley Point Park, Portland, OR. Hemp, music, speakers, vendors, food. Free. hempstalk.org

Sept. 29, Oct. 27, Dec. 1, *CDB-Rich hosts 3-Part Series on Medicinal Cannabis and the Cannabinoids, Covelo, CA.* Round Valley Library, 23925 Howard St. 5-8 PM. Call 510-CBD-Rich, info@cbdri.ch.org



TEN YEAR ANNIVERSARY — On Labor Day weekend right before the 9/11/2001 attacks, Michigan’s Rainbow Farm hemp activists Tom Crosslin and Rollie Rohm were shot and killed by FBI snipers after a siege and standoff. After organizing hemp festivals on their land for several years, they were arrested for alleged sales by attendees at the event, and died in a hail of bullets defending their farm from forfeiture. A haunting account of the events is in the book *Burning Rainbow Farm*, by Dean Kuipers, 2006, Bloomsbury USA.

Oct. 1, *Benefit Party for Repeal Cannabis Prohibition Act of 2012, Oakland, CA.*

Community Announcements

Ralph Sherrow, SAN Cofounder

Born: 9/25/1940;
Died 6/21/2011

Ralph Sherrow of Hayward, CA, died June 21, 2011 from complications from leukemia.

Sherrow was a medical marijuana patient and activist who before the passage of SB420 helped Chris Conrad to form the Safe Access Now (SAN) campaign to establish a medical marijuana safe harbor for patients around the state. The SAN proposal of immunity for cultivation of 100 square feet of garden canopy and three pounds of processed bud were along the lines that were eventually adopted by Sonoma,



Ralph and Kat Sherrow

Humboldt and Santa Cruz Counties. The section of the Health and Safety code that allows localities and doctors to expand the statewide safe harbor was based in part on the work of SAN. Sherrow was close with many other activists of his day, including pioneer physician Dr Tod Mikuriya, founder of Hayward Hempery Bob Wilson, and Jane Weirick the ‘Bud Fairy.’ In his later years, as his health failed, Sherrow dropped out of the reform movement and became known for his salty email humor.

Ralph is survived by his charming wife, Katherine ‘Kat,’ who stayed by his side through the decades, their two daughters and son. Ralph and Kat were planning a trip to Las Vegas to celebrate their anniversary June 17 when he went into a health crisis and passed away in less than two weeks, just four days after the couple’s 50th anniversary.

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Location TBA. 7 PM to Midnight. To RSVP, contact info@drlucido.com or call 707-520-4205. For event updates, see drfranklucido.blogspot.com

Oct. 8, *High Desert Octoberfest Cannabis Cup, Landers, CA.* Castle Inn, 1388 N. Golden Slipper Lane. 760-799-2055

Oct. 22, *WAMM's Freedom and Music Festival, Santa Cruz, CA.* Patient and family friendly, music, speakers, vendors. Call 831-425-0580 or see wammfest.org

Oct. 30, *Puff, Puff, Politics, A FUNraiser for ASA, Berkeley, CA.* Cannabis Buyers Club of Berkeley, 3303 Shattuck. 4-9 PM. Speakers, gourmet munchies and beverages, cannabis tasting. See Facebook page

Nov. 2-5, *International Drug Policy Reform Conference, Los Angeles, CA.* Westin Bonaventure Hotel. For details and registration, see reformconference.org

Nov. 13-14, *18th Annual Hemp Industries Association Convention, San Francisco, CA.* Holiday Inn - Civic Center. For details, see thehia.org

Nov. 18-20, *Kush Expo Medical Marijuana Show, Anaheim, CA.* Anaheim Convention Center, 800 W. Katella Ave. Vendors, concerts, Hot Kush Girl Contest, Smoking section and more. kushexpo.com

Get Involved / Take Action

Visit westcoastleaf.com to read longer versions of many articles, and click on “Community Resources” to see a listing of major and local reform organizations who are doing the work and need your help.

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Local and regional meetings

Americans for Sace Access, meetings held throughout California. See safeaccessnow.org for a meeting near you

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

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., Palm Springs, 92262. 760-799-2055

Sacramento County Patients & Collectives, first & third Thurs./mo.7:30 PM if needed, 5207 Auburn Blvd. #H, Sacramento, CA 95841. 916-361-1612

Victorville MAPP, third Thurs./mo. 7 PM, Coco's Restaurant, 15570 Park Ave. E, Victorville, 92392. 760-799-2055

Western Inland Empire Area MAPP, first Wed / mo., 7:30 PM, THCF Medical Clinic, 647 Main St. Riverside, CA 92501. Also hosts seminars on Anti-aging and medical benefits of cannabis, First Fri./mo. 8 PM. 951-782-9898

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

Better choices offered than scourge of prohibition

Continued from page 1

American cultural life such as authors Mario Vargas Llosa and Carlos Fuentes, as well as entrepreneur Richard Branson, founder of the Virgin Group. Representing the US on the commission are George Shultz, Paul Volcker, and John Whitehead.

It reported facts that are well known in Central America. It explained that drug prohibition has created a “huge criminal black market” over which violent traffickers fight. When force is applied by one country (like Colombia or Mexico), the criminals shift operations to other countries throughout the region, in a process of “geographic displacement” of the trade also known as the “balloon effect.”

As a result, Central Americans now are paying perhaps the highest costs of the failed drug war. While 40,000 people have been killed in Mexico in the last four years, the UN reports that Guatemala, El Salvador and Honduras are the most dan-

gerous places in the world, outside of active war zones.

Among its proposed solutions to this crisis, the Commission urges “experimentation by governments with models of legal regulation of drugs to undermine the power of organized crime and safeguard the health and security of their citizens.” At the top of its list for legal regulation is marijuana — said to be the single leading source of revenue for drug trafficking organizations.

Legalizing cannabis or other drugs will not solve all problems related to organized crime, of course, but it is sure to reduce the power and wealth of criminal organizations in Central America, Mexico and the US. Simply legalizing cannabis would save millions of dollars being wasted on the war on drug users. In turn, Central America’s governments would have far more resources available to directly combat the most violent criminal organizations.

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Those men and their marijuana

By **Ellen Komp**, veryimportantpotheads.com

Mark-Paul Gosselaar played Zach on TV's "Saved by the Bell" and went on to TV roles as cops, as well as racing NASCAR-style cars to benefit kids with cancer. Not exactly your average poster child for marijuana. Gosselaar recently appeared on George Lopez's show and since he is Dutch, Lopez remarked, "They're very liberal with the herbal stuff."

"Yeah, they like to get high," was the immediate response (to audience cheers). Gosselaar said that he got high in Amsterdam with his mother when he was 18. Asked by Lopez if he ever Twittered under the influence, Gosselaar answered, "I've twittered while I'm loose." Lopez suggested, "Let's get your mom, let's all get some hash and tweet high."

Last year Gosselaar appeared as a hot bartender who succumbs to Nancy's charms in "Weeds." He attended MPP's Liberty Belle Ball this year. A poll at Lifetime.com found Gosselaar's revelation made him more, not less loveable (92-9%).

DPA conference coming to LA

The International Drug Policy Reform Conference in Los Angeles Nov. 2-5, 2011 organized by the Drug Policy Alliance and co-hosted by nine other organizations (see list below) will host 1,200 movers and shakers in international drug policy — including elected officials, law enforcement, health care and drug treatment professionals, researchers, religious leaders, formerly incarcerated people, and reform advocates from around the world. Topics to be discussed include: Taxing and Regulating Marijuana; International Drug Policy Reform; The Next Stage in Harm Reduction; and others.

The DPA is co-hosting the Conference with the ACLU, Harm Reduction Coalition, Int. Drug Policy Consortium, Law Enforcement Against Prohibition, Marijuana Policy Project, Multidisciplinary Assn. for Psychedelic Studies, NORML, the Open Society Foundation, and Students for Sensible Policy. For an online list of partners and more information on the conference, visit reformconference.org.

Richard Branson does Gosselaar one better: not only has he smoked with his (grown) son, he recently turned his father on to pot. Branson, 60, said he shared a joint with his father, a retired solicitor, during a "marijuana holiday" on Bali. His parents "laughed their heads off" and "had a delightful evening." Branson has joined public efforts to legalize the weed, so Virgin Airlines should be reformers' first choice when flying (in planes).

Larry Hagman, 80, who will soon reprise his role as J.R. Ewing on TV's "Dallas," told the New York Times Magazine when he dies, he wants to be "spread over a field and have marijuana and wheat planted and harvest it in a couple of years and then have a big marijuana cake, enough for 200 to 300 people."

Eric Roberts, looking much better than he did when he entered Celebrity Rehab last year for self-described medical marijuana "dependency," has released a video in favor of marijuana legalization. Roberts, who was memorable as a hippie in "Rude Awakening" with Cheech Marin, noted, "Alcohol has destroyed whole civilizations while pot has only made a few hippies happy." He concluded, "We can use a lot more nice in the world. Marijuana does that." Seventy-seven percent of the 65,000 people voting on the video's TMZ site agreed.

So did Carl Sagan, who put it this way:

"The illegality of cannabis is outrageous, an impediment to full utilization of a drug which helps produce the serenity and insight, sensitivity and fellowship so desperately needed in this increasingly mad and dangerous world."

VIPs on Display in Oakland. The next time you're in Oaksterdam, stop at the Oaksterdam Museum (19th and Broadway) and check out the new VIP display, a poster with images of 191 Very Important Potheads along with a key to their names. Museum-goers are directed to VeryImportantPotheads.com to read profiles of these prominent potheads.

The museum is open Tues-Sat, 10-6 for a small donation, or for more info go to oaksterdamcannabismuseum.com.

Repeal initiative filed for the 2012 Cal ballot

Continued from page 17

We now know that cannabis is a safe and effective medicine, non-carcinogenic when smoked, and on which it is impossible for a human being to overdose. Ironically, it is proven that prohibition actually makes young people more likely to use cannabis and that it is often easier to obtain than alcohol. As was the case with alcohol, cannabis prohibition is the foundation for a black market that causes crime, violence and corruption; major problems that evaporate with the underground economy through legitimization and regulation. Hemp, it turns out, is a scientific marvel with seemingly endless potential to benefit humanity. In short, there is no tenable argument to support the continuation of California's war on cannabis.

The Repeal Cannabis Prohibition Act of 2012 repeals all criminal prohibitions on cannabis related conduct for adults while mandating strict rules against contributing to the delinquency of minors and driving while impaired. Medical rights for patients

are untouched and the California Dept of Public Health is vested with the regulation of commercial cannabis.

By demanding repeal, the burden is



Co-proponents (clockwise from left) Frank Lucido MD, William Panzer, Esq., Omar Figueroa, Esq., and Pebbles Trippet watched as chief proponent Joe Rogoway, Esq. signed the filing documents for the California state ballot. Photo by Fred Gardner.

squarely on prohibitionists to justify the continuation of the current legal regime. This is something that cannot be done.

At only 742 words, this initiative may be the small axe that will finally kill the beast. If RCPA 2012 can collect enough signatures to get on the ballot, cannabis prohibition will be abolished in California.

The Committee to Repeal Cannabis Prohibition can be reached at 707-520-4205.

New Jersey plans to move ahead, despite Feds

Continued from page 14

the assurance he needed to move forward with New Jersey's program.

Medical marijuana patients, advocates and legislators in NJ still have serious concerns about the NJHD regulations that the Christie administration proposed to enact the state's medical marijuana law. They fear these regulations will never result in a robust program, but instead will ensure that a small number of patients will receive only poor-quality marijuana.

Concerns include a registry that has attracted less than 1% of NJ physicians, a

10% cap on THC content, an arbitrary limit of only three plant strains, forbidding home deliveries, unnecessary roadblocks to adding medical conditions that qualify a patient, and regulating ATCs more strictly than full service pharmacies. The original regulations proposed by NJHD in October 2010 were declared by the entire state legislature to be inconsistent with the intent of the law. In January 2011, NJHD revised its regulations. Public comment period for these revised regulations ended in April, but there is no indication as to when the final regulations will be adopted.

* Wolski is executive director of Coalition for MM NJ, Inc.

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