

Cal Medical Assn. seeks legalization

By Drs. David Ostrow and David Berman
American Academy of Cannabinoid Medicine

The largest state medical society in the US, the California Medical Association (CMA), has called for the legalization of cannabis in order to allow physicians to prescribe it to patients, to expand research and advance scientific knowledge of its therapeutic applications and mechanisms of action. CMA can now request the American Medical Assn. (AMA) to reconsider its own policy recommendations on cannabis and debate whether the AMA should take a similar position.

"CMA may be the first organization of its kind to take this position, but we won't be the last," said Dr. James T. Hay, CMA president-elect, in an Oct. 16, 2011 news release. "This was a carefully considered, deliberative decision made exclusively on medical and scientific grounds. As physicians, we need to have a better understanding about the benefits and risks of medi-

cal cannabis so that we can provide the best care possible to our patients."

While the CMA's new position does not recognize the extensive body of scientific research on the proven therapeutic uses of cannabis for multiple conditions, including neuropathic pain, muscle spasticity, glaucoma and chronic pain and wasting associated with terminal conditions such as advanced cancer, it is consistent with the American Academy of Cannabinoid Medicine (AACM) and the Academy of Clinical Medicine's positions that adequate access to cannabis is necessary for a better understanding of its therapeutic mechanisms and the discovery of further medicinal uses.

Noting that CMA's endorsement of the legalization of cannabis goes much further than its previous position supporting the development of a science-based approach

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Majority of Americans now favor legalization

Gallup poll finds record level of support across nation

By Paul Armentano, NORML.org

A record 50% of Americans agree that marijuana ought to be legalized for adult use, according to a nationwide Gallup poll of 1,005 adults released Oct 19, 2011.

This is the highest percentage ever recorded by Gallup, which has tracked public opinion data on marijuana policy since 1969. Since 2005, support for legalization has increased in every demographic polled by Gallup. Support has grown by 4% since 2010, when California's Prop 19 lost by just 3.5%.

The survey results released also mark the first time ever that Gallup has reported more Americans support legalizing cannabis (50%) than oppose it (46%).

Gallup reported that support for legalizing cannabis was highest among self-described liberals (69%) and those between the ages of 18 to 29 (62%). Support was weakest among Republicans (35%), self-described conservatives (34%) and those over the age of 65 (31%).

Fifty-five percent of male respondents said they favored legalization, compared to only 46% of female respondents. Support for legalization was greatest in the West and Midwest regions of the country and weakest in the South.

"When Gallup first asked about legalizing marijuana in 1969, 12% of Americans favored it. ... Support remained in the mid-20s ... from the late 1970s to the mid-1990s, but has crept up since, passing 30% in 2000 and 40% in 2009 before reaching the 50% level in this year's Oct. 6-9 annual crime survey," the polling firm stated in a press release. "If this current trend on legalizing marijuana continues, pressure may build to bring the nation's laws into compliance with the people's wishes."

The poll results are based on telephone interviews conducted October 6-9, 2011 and have a 4% margin of error.

Patients sue Feds over new war on providers

ASA sues Justice Dept.

By Kris Hermes, AmericansforSafeAccess.org

Americans for Safe Access sued the federal government Oct. 27, 2011 over recent attacks on medical cannabis in California. Its lawsuit, filed in San Francisco District Court on behalf of ASA's 20,000 members in California, alleges that the Dept. of Justice (DoJ) is illegally coercing local and state officials with threats of prosecution for implementing state law. The lawsuit argues that the US Attorneys are trying to dismantle the state's medical cannabis law.

"Medical cannabis patients are not exempt from federal laws, but the 10th Amendment forbids the federal government from using coercive tactics to commandeer the law-making functions of the state," said ASA Chief Counsel Joe Elford. "The recent intimidation tactics of the DoJ are nothing if not coercive."

State Senator Mark Leno, co-author of California's Medical Marijuana Program Act, also urged the federal government to "stand down in its massive attack on medical marijuana dispensaries."

In recent weeks, US Attorneys in California have threatened local elected officials and city staff with criminal prosecution if they implement medical cannabis dispensary regulations in their communities. Federal prosecutors have even threat-



RALLY AGAINST CRACKDOWN — Supporters rallied in Sacramento Nov. 9, 2011 against a federal assault on access to medical marijuana. Photo by Mikki Norris

California rallies to preserve access

Sen. Leno, Asm. Ammiano, others tell Feds to back off

By Gaynell Rogers, Harborside Health Center

Less than three weeks after US Attorneys announced an escalation in the federal

assault on California's medical cannabis providers, President Obama held a high-dollar fundraising luncheon in San Francisco — the birthplace of the national medical cannabis movement.

Outraged by the timing of the fundraising visit, Northern Cal community leaders united with Bay Area elected officials, patients and business professionals at a press conference and rally to demand Obama end his administration's latest attack on state medical marijuana laws.

The press conference included speeches from Assemblymember Tom Ammiano (D-SF), San Francisco Supervisor David Campos, Executive Director Aaron Smith of the National Cannabis Industry Assn. (NCIA), Steve DeAngelo of Harborside Health Center, Dale Gieringer of California NORML, Dale Sky Jones of Oaksterdam University, Lynette Shaw of Marin Alliance, Fairfax Mayor Larry Bragman, Please turn to page 9

RAND censors study of dispensary benefits

Researchers cave to politics

By Kris Hermes, AmericansforSafeAccess.org

The RAND Corporation issued a research study Sept. 20, 2011 that countered law enforcement claims that medical cannabis dispensaries attract crime. "[W]e found no evidence that medical marijuana dispensaries in general cause crime to rise," said Mireille Jacobson, the study's lead author and a senior economist at RAND.

The study affirmed the assessment of Americans for Safe Access that local officials who regulated medical marijuana distribution in their communities had seen a decrease in crime around dispensaries. "We reached the same conclusions as RAND," said ASA Executive Director Steph Sherer. "Unfortunately, law enforcement has largely ignored these findings."

According to a statement from RAND, the study "examined crime reports for the 10 days prior to and the 10 days following June 7, 2010, when the city of Los Angeles ordered more than 70% of the city's 638 medical marijuana dispensaries to close." Researchers analyzed crime reports within a few blocks around dispensaries that closed and compared that to crime reports for neighborhoods where dispensaries remained open. In total, RAND said, "Researchers examined 21 days of crime reports for 600 dispensaries in Los Angeles

County — 170 dispensaries remained open while 430 were ordered to close."

City Attorney Carmen Trutanich's office called RAND's conclusions "highly suspect and unreliable," and its condemnation of the report was so great that a month after it was issued, the study was gone.

Apparently caving in to political pressure, RAND officially retracted its study Oct. 24, claiming that some crime data from the LA Police Dept. was overlooked. RAND spokesperson Warren Robak told the LA Times that, "We took a fresh look at the study, based in part upon questions raised by some folks following publication." He noted that, "The LA City Attorney's Office has been the organization most vocal in its criticism of the study."

Few believe that RAND, a highly respected think tank, would have overlooked data from 2009. More to the point, a 2009 study conducted by LA Police Chief Charlie Beck compared crime data and reported, "Banks are more likely to get robbed than medical marijuana dispensaries." Moreover, the claim that dispensaries attract crime "doesn't really bear out."

It seems that RAND could combine its own data with that of Chief Beck and ASA and still reach the same conclusion.

Read the RAND study at AmericansForSafeAccess.org/downloads/RAND_Study.pdf



Charlie Pappas was forced to close down his Divinity Tree dispensary in San Francisco.
Photo by Mikki Norris

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Gov. Brown calls ban “absurd” but vetoes hemp farming bill

Governor Jerry Brown used his bully pulpit voice on Oct. 9, 2011 to call the federal ban on industrial hemp farming “absurd.” While every product derived from the industrial hemp plant is legal here, the US is the only industrialized nation that bans farmers from growing the cash crop. At that very moment, Gov. Brown used his pen to veto SB 676, the California Industrial Hemp Farming Act, on the basis that he is afraid of federal intervention. It is unfortunate that even an icon of political innovation like Brown has lost his courage and let down his home state voters.

With a stroke of his pen, Brown killed a law that promised new jobs and a new, eco-sustainable industry that would not cost taxpayers a dime. Business groups including Dr. Bronner’s Magic Soaps, Natures Path, Nutiva and others had pledged to jump in and sponsor the program. — *Steve Levine, HempIndustries.org*

Santa Barbara city, county go opposite ways on safe access

Santa Barbara city voters on Nov. 3, 2010 defeated Measure T (M-T), a proposed ban on medical cannabis dispensaries placed on the ballot by the city council. The cannabis-friendly Das Williams gave up his council seat last year when elected to State Assembly. But when Cathy Murillo won his seat this year, the council regained a liberal majority. With the defeat of M-T, five permitted dispensaries remain open, serving patients.

County supervisors, on the other hand, voted 4-1 Nov. 1, 2011 to turn the temporary moratorium on dispensaries within the county into a permanent ban, in spite of months of work by Planning and Development staff on an ordinance allowing a limited number of dispensaries. The dissenting vote came from Sup. Doreen Far, who said, “As far as I know, the county has never banned a specific land use that appears to be legal in the state. I hope this is not the start of a slippery slope.” Local activists hope to overturn the ban at the ballot box. — *Ethan Kravitz, No on M-T, StickyLeaf.com*

Sebastopol exempts medical use from anti-smoking rule

Patient advocates prevailed on the Sebastopol City Council Nov. 3, 2011 to exempt medical use from the city’s otherwise stringent anti-smoking law. The council voted unanimously to amend the city’s anti-smoking ordinance. Anti-smoking laws aimed at protecting the public from second-hand smoke make it increasingly difficult for cannabis patients to find hotels, clubs, meeting rooms or even private apartments. California’s state anti-smoking law is tobacco-specific and doesn’t apply to marijuana, but LA and other cities use more sweeping definitions that include marijuana smoking. San Francisco exempts medical dispensaries from its ordinance, but elsewhere bans marijuana smoking along with tobacco. Despite its marijuana-friendly reputation, Oakland treats pot like tobacco and bans on-site consumption of any kind in dispensaries. — *Dale Gieringer, CANORML.org*

Religious persecution for Hawai’ian Rasta

By Emery Garcia

Big Island journalist and activist Reverend Nancy Harris’ supporters were shocked Nov. 4, 2011 as Hawai’i Circuit Judge Glenn Hara sentenced the cannabis minister to two years of incarceration and 15 years of probation.



Rev. Nancy Harris

“This is a harsh and senseless punishment for a woman who has never harmed anyone,” fumed her friend and court-support activist Andrea Tischler.

For Harris, founder of the Sacred Truth Mission, cannabis is a holy sacrament of her Rastafarian religion, and thus it is her First Amendment right to grow and smoke the plant. The lengthy court proceedings, led by Deputy Prosecutor Rick Dammerville, followed a February 2007 police raid of Harris’ Big Island church in Hilo. Police reportedly found 124 plants and more than 10 ounces of marijuana, but an evidence check later accounted for only 87 plants and four ounces.

Harris sought to have the charges dismissed because of an illegal search of the church by infamous Big Island police officer John Weber, but her plea was denied.

“Quite a number of the fundamental rights that I was taught to believe I am entitled to as an American citizen have been violated in the four and a half years since the raid,” Harris lamented.

A jury in September 2011 found 56-year-old Harris guilty of first-degree commercial promotion of marijuana, second-

degree promotion of a detrimental drug and possession of paraphernalia. The years of litigation in the case are estimated to have cost the county more than \$300,000.

Citing her religious rights, Harris had earlier refused a plea bargain from Prosecutor Dammerville. Her two-year jail sentence was reduced to 30 days stayed. She plans to appeal the decision.

Cannabis minister Roger Christie and members of a Hilo-based church also face separate federal sentences of 10 to 20 years for exercising their freedom of religion.

Riverside ruling affirms cities’ power to ban MMDs

By Lanny Swerdlow, RN LNC

The Riverside branch of the California 4th District Court of Appeals overflowed with medical marijuana patients and advocates Nov. 2 to encourage the court to rule that allowing cities to ban medical marijuana dispensaries (MMDs) is the wrong way to enhance patient access.

Unfortunately, the Court disagreed just a week later, in its Nov. 9, 2011 opinion, *City of Riverside v Inland Empire Patient, Health and Wellness Center, Inc.* It affirmed the power of cities to ban dispensaries since the legislature “did not expressly inhibit cities from enacting zoning regulations banning MMD’s,” adding, “A ban or prohibition is simply a type or means of restriction or regulation.”

The Court noted that, “The Legislature intended in enacting the [SB420] MMP to promote uniform application of the [Prop 215] CUA and enhance access to medical marijuana through MMD’s.” However, *Please turn to page 15*

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OR decides to balance budget on patients' backs

By Sandee Burbank, mamas.org

In the final days of the 2011 Oregon legislative session, the Ways and Means Committee passed Senate Bill 5529, which quickly passed the Senate and House and was signed into law by the Governor.

The bill compels the Oregon Medical Marijuana Program (OMMP) to raise its fees in order to produce about \$6.4 million in this fiscal biennium. These new fees went into effect Oct. 1, 2011 and the funds will go to the OR Health Authority (OHA) to use for programs other than OMMP.

The patient community was deliberately excluded from the process. OMMP Dir. Tawana Nichols was not allowed to tell the Advisory Committee on Medical Marijuana about the bill at its June 6 meeting. This exclusion kept the ACMM, patients and the general public from having the opportunity to give timely testimony.

The basic fee has now been doubled to \$200. If patients can't grow their own medicine, there is an additional \$50 charge to name someone to grow for them. Low-income persons who are on the OR Health Plan or food stamps are most impacted. Their fees jumped from \$20 to \$100 annually. Many in residential care can hardly afford the current \$20 fee. Those on SSI (less than 700 total) pay a \$20 application fee, but they must also pay a \$50 grow-site fee if they are not their own growers.

Any time new cards are issued, the fee is \$100. Whenever any change is made, such as a new address, a new card must be issued and the fee paid. A lost or stolen card costs \$100 to replace. If a grower moves or changes the grow site, each of his/her patients must register the change and each pay \$100. A grower is allowed to grow for up to four patients. Those who have had their cards confiscated when gardens are raided must apply for new cards and pay another round of fees.

The money taken from cannabis patients through increased OMMP fees

will be used to support or subsidize beneficial OR Health Authority programs that would otherwise be cut — Emergency Services and Trauma System, School-based Health Centers, Drinking Water Program, Contraceptive Care Services, Direct Entry Midwives, Trauma Systems staff and Seniors Farmer's Market Program.

Increased patient fees will remain in effect after the \$6.4 million has been raised, at least into the next budget biennium. This could be in anticipation of revenues that might be generated under future policies of general adult legalization.

Public hearings were held in September in Medford, Portland and Bend. After the Hearings Officer's report, the co-chairs of the Ways and Means Committee instructed the OHA/OMMP that the fees would be collected as adopted by the full Committee.

NORML lawsuit filed to block new federal onslaught

By Paul Armentano, NORML.org

Members of the NORML Legal Committee David Michael, Matt Kumin and Alan Silber have sued the federal government in an effort to halt the Obama administration's crackdown on medical cannabis producers and providers in California.

The lawsuit, filed Nov. 7, 2011 on behalf of various property owners, state-legal cannabis patients and dispensary operators, was brought simultaneously in all four federal districts in California — San Francisco (Northern), Sacramento (Eastern) Los Angeles (Central) and San Diego (Southern). In recent weeks, US Attorneys have threatened to criminally and civilly prosecute anyone who operates a medical cannabis facility and to seize the property of those landlords who rent to dispensary owners.

Plaintiffs are seeking a temporary restraining order barring the Dept. of Please turn to page 9

Presenters attorney Joe Rogoway, Judge James Gray, and political consultant Bill Zimmerman all have filed ballot measures for the 2012 ballot and spoke on the panel. Photo by Chris Conrad

LA panelists explain ballot proposals

Federal pre-emption raised

By Pebbles Trippet, Co-proponent, RCPA

Over 1200 people journeyed to LA for the International Drug Policy Reform Conference Nov 2-5, 2011 to discuss plans to end the Drug War. A highlight of the conference was the California Initiatives Panel, consisting of representatives of several proposed 2012 ballot propositions, two of which have official titles and summaries.

1) *Repeal Cannabis Prohibition Act of 2012* (RCPA) would repeal all criminal statutes, thus canceling punishments for marijuana-related adult activity, setting the stage for future regulation through the newly created California Cannabis Commission.

2) *Regulate Marijuana Like Wine 2012* (RMLW) would repeal the criminal statutes, legalize and regulate both hemp and cannabis, and allow, as Judge Jim Gray explained, "the simple logic of using wine as a regulatory model for any corresponding issues that arise in the future."

3) A marijuana penalties reduction proposal was presented by Prop 215 political consultant Bill Zimmerman to "meet the voters where they already agree with reformers," i.e., that current marijuana penalties are too harsh.

4) An industrial hemp restoration law was offered that does not address the non-medical personal use of marijuana.

5) Medical marijuana production and distribution regulations to implement



existing California law were proposed by Dan Rush, labor organizer for the UFCW Local 5. That provides uniform statewide policies to clearly allow medical cannabis collectives and dispensaries to legally obtain and provide medical marijuana.

Not represented was the Cal Cannabis Hemp and Health Initiative (CCHHI).

Proponent Joe Rogoway said that the RCPA initiative tackles a burning concern about potential federal pre-emption over any successful state initiative. He explained that the repeal measure makes adults' personal use of cannabis not a crime, thus ending prohibition through decriminalization. It does not permit legislation that could be considered as legalization and thus conflict with the federal Controlled Substances Act. That could block a federal pre-emption challenge to the initiative.

According to *Pack v Long Beach* (FN30), to go "beyond decriminalization into authorization is legalization — the point where federal pre-emption begins," and, "The [OR State Supreme C]ourt concluded that the law was pre-empted by the federal CSA to the extent that it authorized the use of medical marijuana rather than merely decriminalizing its use under state law. We agree with that analysis."

The various initiative advocates were respectful and collaborative in their presentations.

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Dan Rush, labor organizer for the UFCW Local 5, spoke truth to power at the Federal Building Nov. 9, 2011 in Sacramento, CA, to rebuke the Administration's ongoing, unprecedented, coordinated, multi-agency attack on California's medical marijuana laws. Photo by Mikki Norris

San Jose advocates looking to voters for relief

San Jose fight wages on

By Lauren Vazquez, The Fired Up Lawyer

Medical cannabis advocates and industry leaders in San Jose are fighting back against the City's latest attempt to shutter safe access. In September the Council approved an ordinance that supposedly allows storefront collectives to operate in the city.

However, the restrictions and requirements of the ordinance are so strict that none of the more than 140 currently operating storefronts is able to comply. Requirements that all medicine be grown on site; all products be produced on site; sensitive use distances that include schools, churches, daycare, and enterprise zones and many other restrictions result in a *de facto* ban on medical cannabis. This is despite the City's enactment of a special marijuana tax that collects nearly \$300,000 per month from patients and efforts by advocates to help the city develop a workable ordinance.

In response, the San Jose medical cannabis community has organized a new coalition aimed at overturning the Council ordinance and implementing workable regulations. The newly formed Citizens Coalition for Patient Care is halfway to its goal. In less than one month it has collected nearly 50,000 signatures for a proposed referendum invalidating the Council's ordinance. The CCPC is currently drafting a new ordinance to present to the Council. If the new ordinance is not enacted, CCPC

will begin collecting signatures to place it on the Nov. 6, 2012 ballot. Its co-chair Debby Goldsberry thinks this is an effective strategy for advocates.

"In San Jose, and around California, citizens will lead the way to assure that safe access to medical cannabis is more than just a catch phrase. CCPC, with voter support, will implement laws in San Jose that change the approach to this issue in a manner that is safer, professional, and beneficial to the community."

Collectives often add to caregivers' burden

By Lauren Vazquez, The Fired Up Lawyer

A troubling trend among Bay Area collectives and cooperatives is making it increasingly difficult for patients to access medicine. Caregivers are being required to present a letter from their patient-dependent's doctor designating them as "caregiver." How would a doctor know this?

Collectives say the policy gives them added legal protection, but it forces patients and caregivers to spend more money and go through more hassles. Legal status as a caregiver requires that an individual has "consistently assumed responsibility for the housing, health or safety" of a qualified patient.

Experienced cannabis physicians like Dr. Frank Lucido of Berkeley are unwilling to write such letters, as they may give caregivers a false sense of security. "Caregiver status is not a physician's decision. It is the

DEA raids model Mendo program

By Dale Gieringer, CANORML.org

Federal DEA agents raided and destroyed the county-licensed garden of Northstone Organics medical collective Oct. 13, 2011. The Redwood Valley group has been a bellwether of compliance to Mendocino County's 'zip-tie' program regulating sun-grown marijuana gardens.

Director Matt Cohen and his wife Courtenay were rousted from bed at 6 AM by machine-gun-toting agents and handcuffed for eight hours as agents ransacked their house and garden, snatching up computers, records, equipment, and 99 plants. No one was arrested in the smash-and-grab DEA "investigation."

County Supervisor John McCowen, who sponsored the pioneering zip-tie program to inspect and license collective gardens, called the raid "outrageous." Cohen was a leading advocate for the program. Northstone lost its entire year's crop in the raid, forcing Cohen to lay off 15 full-time and 10 part-time employees.

Mendocino Sheriff Tom Allman, who administers the program, said that to his knowledge Northstone was complying with all state and local laws, under which

growers are allowed up to 99 outdoor plants if they comply with inspections by the sheriff's office and pay a fee to buy numbered zip-ties that identify legal plants. The program has raised over \$300,000 for the sheriff this year, making up for budget cutbacks. The policy has been so successful that neighboring counties have considered adopting it.

Advocates accused the DEA of trying to sabotage efforts to regulate state-legal cultivation. Cohen said that during the raid, federal agents repeatedly called the local program a "sham."

Observers speculate that the action may have been linked to an ongoing Sonoma county case against two Northstone employees charged with transporting cannabis through the county. Sonoma DA Jill Ravitch was reportedly furious that Sup. McCowen and a sheriff's deputy testified for the defense. Ravitch denied having asked the DEA to intervene, however.

"Cohen was the first medical marijuana advocate in Mendocino County to call for regulation of the cultivation and dispensing of medical marijuana to prevent black-market diversion," McCowen said in a written statement. "Matt Cohen has done everything he can to be fully compliant with state and local law [E]nforcement actions against legally compliant medical marijuana providers like Matt Cohen will have the effect of driving medical marijuana back underground, keeping it illegal and dangerous, and insuring maximum profits for the black marketeers, ... the cartels, criminal street gangs and other drug trafficking organizations."



Matt Cohen
Photo by Mikki Norris

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Feds file notice to seize OC dispensary properties

By **Kandice Hawes**, OrangeCountyNORML.org

Federal prosecutors in the central district of California acted on their Oct. 7 threats in the city of Lake Forest, CA, where a collective location is being seized. They filed a forfeiture action against collective landlord Yousef Ibrahim.

His personal bank account containing \$136,686 was frozen and forfeiture actions processed against the property at 26402 Raymond Way where several medical marijuana collectives were located. Upon finding out about the forfeiture actions, Ibrahim served the collectives with three-day notices to quit.

This all began two years ago when Lake Forest decided to start legal proceedings against the collectives that already had been existent for several years. In two years the city paid \$600,00 in legal fees to Best, Best & Krueger but was never successful in removing the collectives in state court. City Attorney Scott Smith wrote a letter to the US Attorneys office in May seeking their intervention. This one building housed

eight out of 11 collectives in the city and was less than 1000 feet from a sensitive-use area, but more than 600 feet away, as state law requires. In this case, federal action was not only threatened but actually taken.

For years activists and citizens of Lake Forest requested the city to draft guidelines instead of continuing to spend resources fighting these patient collectives. After the news of the city's role in the federal action, a large protest was held at the Oct. 18, 2011 city council meeting. Hundreds of patients showed up in support and to speak to the council about their anger with its actions. National and local media covered the protest and provided media coverage on the issue from the patients' perspective.

All Lake Forest medical marijuana collective locations have been closed. Some collectives continue as delivery services, but the nearest physical collective is 20 miles away. Local activists from OC NORML and OC Americans for Safe Access continue to lobby the city council.

For more information visit www.OrangeCountyNORML.org or call 1-877-OC NORML

Feds attack medical marijuana from all sides

Continued from page 1

Eureka city council received a letter from prosecutor Melinda Haag stating that if "Eureka were to proceed, this office would consider injunctive actions, civil fines, criminal prosecution, and the forfeiture of any property used to facilitate a violation of [federal law]." The city has since suspended its local ordinance.

These tactics escalated after an Oct 7, 2011 joint press conference of all four US Attorneys for California to announce stepped-up enforcement against medical cannabis in the state, including targeting landlords who rent to dispensaries, threatening them with prosecution and asset forfeiture if they do not evict their tenants within 45 days.

The San Diego-based prosecutor later threatened radio and print news media who publish medical cannabis advertising.

Federal agents raided Mendocino County's Northstone Organics Oct. 13, a licensed and compliant collective.

State Attorney General Kamala Harris denounced the federal government's tactics, noting that "an overly broad federal enforcement campaign will make it more difficult for legitimate patients to access physician-recommended medicine," and said California should be free to implement its law without interference.

Mendocino County Supervisor John McCowen called the federal raid on Northstone "outrageous," and said in a statement, "The elimination of dispensaries that operate legally and openly will endanger patients and the public."

ASA's lawsuit acknowledges that the US Supreme Court has granted authority to the federal government to enforce its marijuana laws, but distinguishes that from interfering in California's legislative affairs. The lawsuit states that this is a "misuse of the government's Commerce Clause powers, designed to deprive the State of its sovereign ability to chart a separate course."



State officials cry foul, but no quick fix in sight

By **Morgan Fox**, Marijuana Policy Project, mpp.org

The last few months have seen unexpected intensity in federal enforcement against those involved with medical marijuana, despite earlier assurances by the administration that it would not spend Department of Justice resources interfering in states that have passed medical marijuana laws.

Puzzling political analysts and patient activists alike is the scarcity of politicians who are willing openly to support medical use programs, despite national polls showing that up to 80% of the public supports medical use. Some state officials, however, have shown disagreement with the feds.

California Lt. Gov. Gavin Newsom spoke out against the threats at the Nov. 3 Drug Policy Alliance Reform Conference in LA. Assemblyman Tom Ammiano, Senators Mark Leno and Leland Yee, and Board of Equalization member Betty Yee all urged the Feds to cease the attacks and let the state regulate its industry. Attorney General Kamala Harris offered a more tepid response, asking the Dept. of Justice to "show restraint" in its enforcement.

In late September, the ATF sent a letter to federally licensed firearms dealers, instructing them not to sell guns or ammunition to anyone with a state license to use

medical marijuana. This directive, based on a contradiction between state and federal law as to what defines an "unlawful drug user," was first discovered in Montana. Soon afterward, the state's entire congressional delegation was crying foul. The state attorney general quickly followed with a letter asking federal officials not to prosecute patients for exercising their Second Amendment rights.

The announcement by US attorneys in California that they would begin to target large collectives, their landlords and media outlets that ran dispensary advertisements elicited a similar response, as did the IRS decision to declare medical marijuana businesses ineligible for normal tax deductions.

Aside from applying political pressure, however, there is little state and local officials can do to halt federal encroachment. While public opinion and political support may influence federal policy, the DoJ still has the legal power to enforce federal marijuana prohibition to the extent it deems necessary. Several Congressional bills are proposing to change that.

A package of bills was recently introduced that would protect people in compliance with state medical-use laws from federal prosecution, as well as banks that

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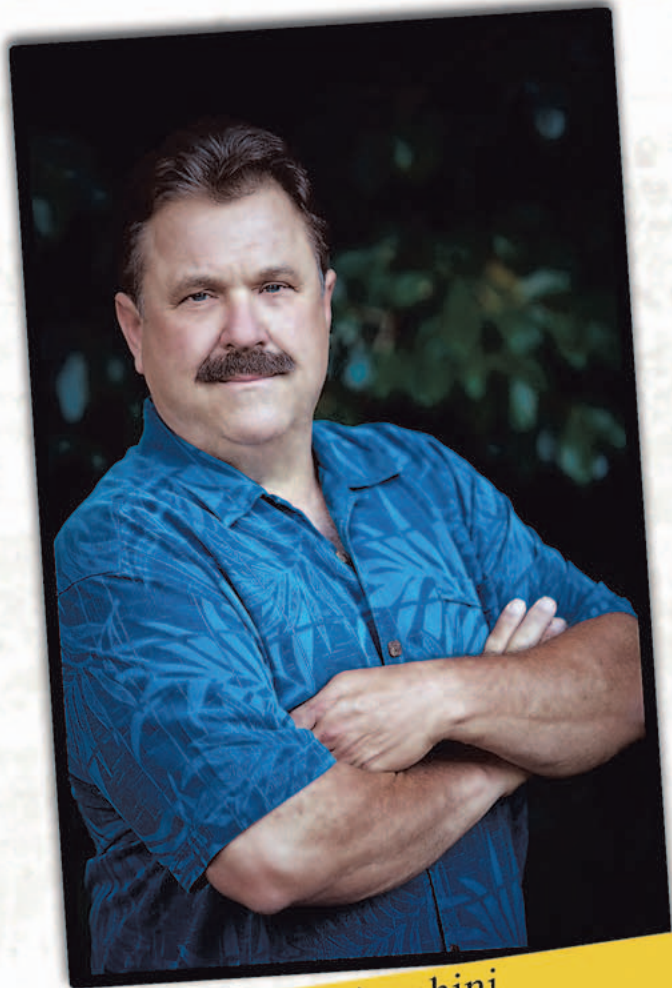
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George Bianchini
Founder, CEO Medi-Cone

A Word of Thanks and Note of Regret

Medi-Cone founder and CEO, George Bianchini, was near death after twenty-five years exposure to the toxic chemical, Tetrachloroethene in a former workplace. Compounded by repeated major spinal cord surgeries and seven knee surgeries, George became addicted to prescription pain medication and was barely able to function. George turned to cannabis for pain relief, as an alternative to the Oxycontin that was destroying him and his family's life. George became a medical marijuana patient. He made cone joints, by hand, after one surgery left him unable to roll his own medication without severe pain.

Hence, the birth of Medi-Cone.

George founded Medi-Cone 5 years ago, with a commitment to providing safe, organically grown cannabis to verified member patients in the California medical marijuana community. Under full compliance with all state and local laws, George was determined to operate within the specified protections and legal parameters outlined in Prop 215, SB420 and Jerry Brown's Attorney guidelines. According to Bianchini, Medi-Cone products are fully labeled and branded, which might draw attention from the Dept. of Justice, whose activities have included dispensary raids, bank account seizures and asset forfeiture, threats to landlords and even the media.

All Medi-Cone employees are proud union members belonging to UFCW Local 5 and pay all federal, state and local taxes. Medi-Cone also offers medical benefits to its 14 employees. "We are now forced to cease operations and lay off our employees, who will then apply for unemployment", says Bianchini. "We can not and will not subject our staff to possible arrest and prosecution by these machine-gun toting, Jack-booted thugs, and the drug cartels WILL replace us. We proved that a cannabis company dedicated to following the law could operate safely and successfully. Now, we're made to feel like common criminals while the real criminals continue to operate freely. Not only is the Federal Government forcing out the good guys, the Federal Government is selling assault weapons to Mexican drug cartels. This is a dangerous direction for the medical marijuana community, nationwide.

"We would love to be part of a reasonable dialogue, with the goal of amending some areas of current law, to carefully establish properly worded regulation and control of medical cannabis. Then, when safe to do so, and with the proper investor, return Medi-Cone products to patients, throughout California."

George Bianchini is a CannaBusiness success story and a positive **Force For Change**. He would like to thank all of the wonderful people who helped Medi-Cone become a first-class, successful company, providing the most natural of ANY medicine on the face of this planet.



George Bianchini - Treatment



Medi-Cone is a division of California's Cooperative of Choice, Inc., a medical cannabis patient cooperative, organized pursuant to all California law. Available only to qualified and verified member patients

Weather, DC mess with Cal sunshine crops

From the field

By Chris Van Hook, cleangreencert.com

Stability is needed in any agricultural development and medical cannabis is no different. The 2011 actions of the US Attorney's office have thrown the medical cannabis community into troubled times.

Likewise, the weather has continued to be difficult for the outdoor crop in large portions of the state. Many areas were already having a difficult time recovering from the late rains and cooler weather of the spring. The slow plants seemed to catch up during the warm summer months. Many plants were smaller than usual, but it looked as if the flowers would mature fully. Late summer rains and moist conditions in much of the state this fall could not have come at a worse time. Powdery mildews, molds and wind-broken branches presented serious problems as farmers struggled to decide whether to harvest early or to wait for the crop to mature fully.

Those who aggressively pruned and thinned their plants seemed to control mildew better, as air passes more easily through thinned plants to help dry the leaves and buds. Many farmers were in the fields cutting mold-bearing sections out of their plants, hoping to save the remainder, and this technique showed good results.

The year's unusual weather patterns made processing the harvested crop especially difficult. Drying areas placed in uninsulated sheds, under trees or in tents — normally safe during a dry year — allowed some molds to grow and contaminate otherwise clean plants. Growers who had insulated drying rooms where moisture could be removed and temperature controlled had better results. Product must be properly dried prior to long-term storage, with all portions showing signs of mold or mildew removed. Higher reimbursement values may be in order this year, given the difficulties of the season and the smaller yields.

Seed exchanges have been a mainstay

of farming for centuries — seeds are exchanged among farmers, with or without reimbursement. This has helped keep heirloom crop seed available even as the use of corporate-owned and licensed seed increases. One farmer has begun a potential game-changer for seed exchanges: he makes his cannabis seed available still in the flower. The seed is delivered on a small branch with a couple of flowers, the seed still intact and protected within the flowers. Freshness is thus guaranteed, and the farmer can see and try the specimen.



Cannabinoid 'completely' prevents chemo-induced neuropathy

By Paul Armentano, NORML.org

Administration of the non-psychotropic plant cannabinoid cannabidiol (CBD) "completely prevents" the onset of nerve pain associated with chemotherapy treatment, according to preclinical data published in the October, 2011 issue of the journal *Anesthesia and Analgesia*. CBD previously has been shown to inhibit breast cancer metastasis in preclinical settings.

Investigators at Temple University in Philadelphia assessed the effect in animals of CBD on paclitaxel-induced allodynia (pain caused by an otherwise innocuous stimulus). "We found that cannabidiol completely prevented the onset of the neuropathic, or nerve pain caused by the chemo drug Paclitaxel, which is used to treat breast cancer," said the study's lead investigator.

Researchers in the study, "Cannabidiol

Year's end is time to assess crops past and future

Inside Out

By Samuel Janovici

Whether a person is growing indoors or in the sun, winter is the best time for the fastidious practitioner to inventory their practices and plan for the future.

While everything is packed away or still curing, gardeners can take stock of their successes and note their failures or mistakes. How did last season's expectations compare with its results? Why?

Dialing in all the specifics required to

grow 'The Kind' takes some practice and an open mind, but most growers find themselves pleasantly surprised. Cannabis is a very forgiving plant for those who understand the basics of horticulture. Remember, there's more than one way to do any of it, but any garden requires the grower to make a commitment to a medium, a method and a specific technology to deliver the bounty it can produce.


Changing location? Whether a grower is considering security or access to light, space, nutrients or water, a good site is vital to success. Sunshine farmers need light to be unfettered at a location discreet enough to bring in a seasonal harvest. Light deprivation can force two harvests per year. In shifting from the vegetative cycle to bloom, the quality of the light is vital, but the quantity of the darkness counts even more. As when growing indoors, 12 hours of pure darkness must be strictly observed, or plants produce poorly. Even a few minutes of extra light can change a poor girl's mind and alter her development.

Whether customized soils or exotic growth mediums are used, remember the principles of good agricultural practices. Balance the pH, provide good drainage, feed the plants but don't overfeed or poison them, arrange good air circulation and filtered ventilation and provide bright, well-timed light.

Sunshine crops may be done for the year, but indoor crops are still cycling through a process of constant attention, tracking and adjustments. Keep a log of the photocycles, when water and nutrients are changed and mark your setback dates, but don't hold onto outdated records that could come back to haunt you in court.

Most importantly, be safe out there.

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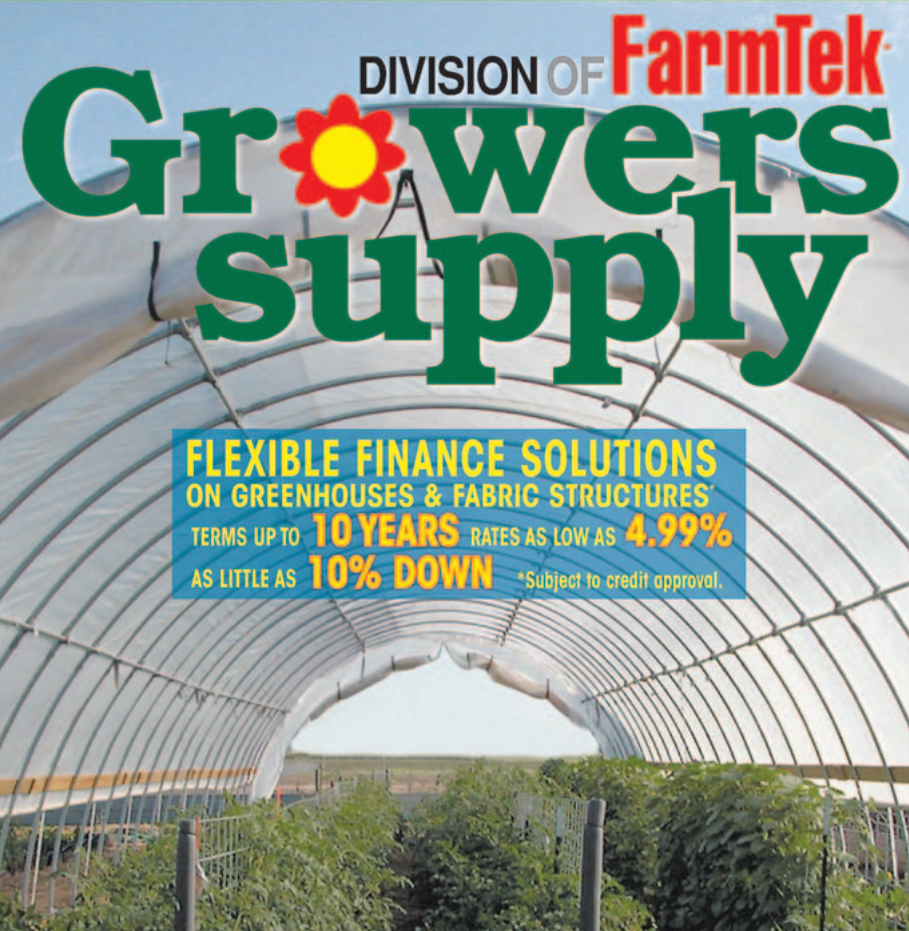
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Appeals courts adds confusion on preemption

By Kris Hermes, AmericansforSafeAccess.org

The California Court of Appeal for the Second Appellate District issued an opinion in October 2011 in *Pack v. City of Long Beach*, a civil case challenging a medical cannabis dispensary ordinance adopted last year by the Long Beach (LB) City Council. The ruling adds uncertainty about local medical cannabis distribution, rather than resolving or clarifying the issue.

The court did not invalidate the ordinance in its entirety, but instead found that federal law preempted certain provisions of the LB permitting scheme. In particular, the court found that only "the permit provisions [of the ordinance], including the substantial application fees, and the lottery system, are federally preempted."

Notably, the court made a distinction between a permitting or licensing scheme and an ordinance that merely protects such facilities against local civil or criminal prosecution. This leaves open the possibility that the city could comply with the court's decision by simply making semantic changes to its ordinance, requiring "registration," not "permits" or "licenses."

This ruling expressly disagrees with two published decisions on federal preemption by the Court of Appeal for the Fourth Appellate District, one in *County of San Diego v. San Diego NORML* and another in *Qualified Patients Association v. City of Anaheim*. Because of this conflict, the LB decision is not likely binding on trial courts outside of the Second District.

Americans for Safe Access (ASA) had argued against federal preemption in the LB case by filing an amicus 'friend of the court' brief in June with the American Civil Liberties Union (ACLU) and Drug Policy

Alliance (DPA).

The Court of Appeal for the Fourth Appellate District on Nov. 9, 2011 rejected the proposition that federal law preempts local regulation of medical cannabis dispensaries. The court ruled in *City of Riverside v. Inland Empire Patient's Health and Wellness Center, Inc.* that, "[T]he city cannot rely on the proposition that federal law, which criminalizes the possession of marijuana, preempts state law allowing limiting the medical use of marijuana and [medical marijuana dispensaries]."

Although the City of Long Beach has not decided what to do about its regulatory ordinance, it has chosen to appeal the Pack decision to the California Supreme Court. ASA intends to file a request for depublication of the Pack decision to prevent it from being cited in other cases, and will also file an amicus brief in support of review by the high court.

Abuse of power alleged

Continued from page 5

work with medical marijuana businesses, and would allow the industry to be taxed like other legitimate enterprises.

Even more wide-reaching is the "Ending Federal Marijuana Prohibition Act of 2012," which would completely remove the federal government from marijuana enforcement within the states, allowing them to enact any marijuana laws they see fit.

These bills may be a long way from serious consideration. Until they or similar legislation pass, medical marijuana states remain at the mercy of the Feds.

NRA not defending gun rights of legal patients

By Mickey Martin, TCompConsulting.com

A US government policy handed down by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) asserts that the Second Amendment's right "to keep and bear arms" does not apply to medical marijuana patients.

Federal ATF Bureau Asst. Dir. Arthur Herbert wrote on Sept 21, 2011 that, "Any person who uses or is addicted to marijuana, regardless of whether his or her State has passed legislation authorizing marijuana use for medicinal purposes, is ... prohibited by Federal law from possessing firearms or ammunition." His letter goes on to threaten to punish gun sellers for knowingly selling firearms to qualified medical cannabis patients.

This policy has concerned both medical cannabis patients and gun rights advocates. "It is egregious that people may be sentenced to years in a federal prison only because they possessed a firearm while using a state-approved medicine," said Gary Marbut, president of the Montana Shooting Sports Assn.

The letter from the ATF noted that marijuana is a Schedule I substance under federal law, adding, "There are no exceptions in federal law for marijuana purportedly used for medicinal purposes, even if such use is sanctioned by state law."

A person who answered the phone at the National Rifle Association (NRA), the nation's largest and most powerful gun rights advocacy group, identified only as "Kyle," said that the NRA policy was to follow the 1968 Gun Control Act, which made it illegal for those who use illegal drugs to possess firearms.

Oddly, when the Act was passed, the NRA was against any gun regulation and lobbied heavily through mass-mailings to undermine the new law. The group succeeded in wiping out large portions of the bill as put forth after Robert Kennedy's assassination.

Upon finding out that this reporter was not a concerned NRA member, but a journalist, Kyle referred us to the NRA public affairs office. The public affairs office was not available for immediate comment.

Lawsuits have already begun to be

filed challenging the ATF policy. A Nevada woman identified in court documents as medical technician S. Wilson is suing the federal government to overturn the ban. She was denied the right to buy a .357 Magnum for self-protection by a firearms dealer who learned she was listed on the NV cannabis patient registry.

Her filing states, "I sought to purchase a firearm for personal protection, but discovered, in my attempt to make the purchase, that my mere possession of a medical marijuana registry card prohibits any federal firearms licensee from selling me any firearm or ammunition." It adds, "The defendants have prohibited a certain class of law-abiding, responsible citizens from exercising their right to keep and bear arms; the defendants have enacted policies, procedures and customs with the specific intent of denying the Second Amendment rights of persons who have registered to use medical marijuana pursuant to and in accordance with state law."

In Oregon, a lawsuit is being filed by four people from two counties who were denied concealed-handgun licenses because they are registered patients. The OR trial court, Court of Appeals and Supreme Court all reversed permit denials issued by sheriffs. The matter may go to the US Supreme Court.

In Montana, several public officials, including Attorney General Steve Bullock (D), blasted the ATF policy. Bullock chided that, "A reasonable approach would be much better than the type of unilateral proclamation represented by the ATF letter, which was issued without any advance notice or discussion with the elected officials who represent more than one-fourth of this nation's population and one-third of its states. In the meantime, I respectfully request that the Dept. of Justice not pursue any criminal prosecutions against law-abiding citizens in Montana who exercise

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CALL OFF THE DOGS — Above: Dale Jones of Oaksterdam University and Steph Sherer of Americans for Safe Access flank Harborside's Steve DeAngelo as he addresses the Nov 9 rally on the steps of the Federal Building in Sacramento. Left: Assemblyman Tom Ammiano joined the State Board of Equalization's Betty Yee in giving rousing speeches to the protesters. Lower left: National IND medical marijuana patient Elvy Musikka showed reporters part of her supply of legal, federal marijuana grown in Mississippi. Photos by Mikki Norris



State officials join SF press conference

Continued from page 1

and representatives of UFCW Local 5.

"With national polls showing support for marijuana at an all-time high, it defies common sense that the Department of Justice would return to the failed policies of the past. Instead of supporting state efforts to effectively regulate medical marijuana in accordance with Prop 215, the Obama administration seems committed to re-criminalizing it," said Ammiano. "This

destructive attack on medical marijuana patients is a waste of limited law enforcement resources and will cost the state millions in tax revenue and harm countless lives. President Obama needs to reverse this bad policy decision and respect California's right to provide medicine to its residents."

"Obama needs to immediately rein in the Justice Dept. for defying his administration's stated policy to respect state medical marijuana laws. Using federal resources to undermine California law and target lawful businesses is not only horrible public policy, it's just bad politics," said

Aaron Smith, executive director for the National Cannabis Industry Assn., a group representing the legitimate medical marijuana industry in Washington, DC. "It's baffling that the administration would seek to eliminate an industry that not only enjoys the support of the American public, but has created thousands of jobs and significant tax revenues for state and local governments — and in an election season, no less."

"The federal war on medical marijuana threatens to force patients to purchase their medicine from criminals, drug dealers, and violent gangs instead of from state-sanctioned, locally regulated facilities that are



Constitutional challenge filed

Continued from page 3

Justice (DoJ) from taking further action against state-authorized patients and providers. They argue that the government's actions are in violation of the Ninth, Tenth, and 14th Amendments of the US Constitution.

Plaintiffs also argue, using the theory of judicial estoppel, that DoJ had previously affirmed in federal court (*WAMM, et al v. Eric Holder, et al.*) that it would no longer use federal resources to prosecute cannabis patients or providers who are compliant with state law. Reversing that policy is tantamount to entrapment, the suit contends.

The defendants in the suits are US Attorney General Eric Holder, federal DEA Administrator Michelle Leonhart and the four US Attorneys from California. Federal officials have threatened to begin closing and prosecuting various California dispensary operations as of Nov. 12.

For more info online: norml.org.

CMA joins effort to reform cannabis laws

Continued from page 1

to cannabinoid medicine, the AACM Board applauded the "courageous leadership of the CMA in challenging one of the central tenets of widely discredited propaganda [used to rationalize] a failed War on Drugs that has cost over one trillion dollars and countless lives." As over 1,000 drug policy reform advocates were meeting in LA, federal agents were raiding legally licensed medicinal cannabis growers and suppliers and confiscating medical cannabis, often without cooperation or oversight by state and local authorities, some of whom condemned the raids.

"The CMA's leadership on this critical issue should encourage all physicians and other qualified caregivers to lobby their professional associations to take a similar stand against cannabis prohibition," the

AACM statement continued, "in order that clinical use and research can be unleashed from unsubstantiated fears and Draconian measures [despite] the growing scientific and popular opinion that cannabis and many of its hundreds of active ingredients are both safer and less addictive than FDA-approved medications."

If the AMA adopts the CMA position, it will restore the principles laid out by the AMA leadership in 1937 that the federal prohibition against the prescription of cannabis by physicians was a word game, a fraud, and a direct assault on the medical profession's development of improved pharmacological therapy.

safe and create decent jobs for Californians," said Matthew Witemyre, Special Projects Union Representative for UFCW Local 5, the labor union representing many of the state's medical cannabis workers. "If the federal government closes commercial dispensaries and collectives in California, thousands of hardworking and taxpaying citizens across the state will lose their jobs in the midst of the worst economic crisis since the Great Depression."

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Most testing labs did well in testing bud potency

By Dale Gieringer, CANORML.org

How accurate is laboratory testing of cannabis potency? ProjectCBD.org and Cal NORML sponsored a ring test of 10 different labs and found that potency tests of liquid extracts were not consistent, but tests of identical raw cannabis samples were consistent within 20% in most cases and often within 10%. In lay terms, most of the reported bud potencies, for example “9% THC,” might be off a bit, but not by much.

The study was designed to test the consistency of results reported by various laboratories when testing identical samples. Each lab tested six pre-prepared samples for potency of three major cannabinoids: THC, CBD and CBN. There were four herbal samples, including one CBD-rich strain, and two tinctures or alcohol extracts. The participating labs employed a variety of techniques and instrumentation to conduct their analysis.

The precision and proficiency of a majority of cannabis testing labs compared favorably to other analytical testing industries. In most cases, lab results were consistent to the extent that a 10% average THC content might range from 8% to 12% in different lab results. This is similar to the accuracy of the government’s potency testing at NIDA’s lab in Mississippi and comparable government-regulated industries such as environmental testing.

Not all cannabis testing labs are up to par, however. While a majority of labs performed within acceptable limits, some reported results that deviated substantially from the average, with unacceptably high deviations of more than 25% from the mean. Three of the 10 labs performed unacceptably on half of the tests. Consumers should check the reputations and profes-

sional experience of labs they work with and, where accuracy is essential, arrange backup tests from more than one lab.

- Both gas chromatography (GC) and liquid chromatography (LC) instruments yielded accurate results from testing raw samples, with comparable and acceptable repeatability for identical samples.

- No lab demonstrated repeated precision that supports reporting results to two decimal places. By reporting approximate results to the 1/100th percentile, some labs created an unrealistic illusion of precision and raised false expectations of accuracy — given the 20% variation observed.

- In the case of tinctures, there were significant discrepancies in results among different labs, with GC generally reporting significantly higher potencies than LC. This made it impossible to reliably estimate the actual potency of the original samples. More work is needed for testing cannabis tinctures, edibles and extracts.

Cannabis testing is a new industry, so improvements can be expected. A number of ring-test participants formed a new group to help develop industry standards.

More in Autumn 2011 O’Shaughnessy’s at ProjectCBD.org.

Study describes cannabis “entourage”

Cannabinoids and terpenes

By Michael Krawitz, VMCA

Modern research into the endo-cannabinoid system has shown that the marijuana plant can produce a multitude of therapeutic benefits for many chronic medical conditions.

A new paper by Dr. Ethan Russo* published in the October 2011 issue of the *British Journal of Pharmacology* terms the synergy of many different medicinal components of the plant working together ‘the entourage effect.’ The paper, titled “Taming THC: Potential cannabis synergy and phytocannabinoid-terpenoid entourage effects,” was published as part one of a two-part themed series, “Cannabinoids in Biology and Medicine.” Russo is a senior advisor to GW Pharma.

This entourage effect helps explain why patients have generally rejected marinol, the synthetic marijuana pill that contains a petroleum-based copy of THC with none of the other, less psychoactive but apparently equally medically important, constituents.

While THC has been the primary focus

of cannabis research since Raphael Mechoulam isolated and synthesized it in 1964, Russo’s review will explore another echelon of phytotherapeutic agents, the terpenoids. He wrote that, if proven, phytocannabinoid-terpenoid synergy will point to an extensive pipeline of possible new therapeutic products from cannabis.

Many doctors who favor patient access to marijuana seem to have an insight into the entourage effects, while others often see the patient’s attempts at access to the whole plant as mere ‘drug-seeking’ behavior. Doctors of 100 years ago hadn’t yet discovered THC, nor did they know that cannabis operated on a separate receptor system from that of opiates. They did understand that opiates taken with cannabis were more effective than opiates alone, and they also knew that a patient with stomach problems could tolerate the cannabis better than the opiates. Today medical patients are often forced to choose between opiates and cannabis, even though they are shown to work together synergistically.

Krawitz is Director of Veterans for Medical Cannabis Access.

* *Brit J of Pharm* (2011) 163:1344+ medicinalgenomics.com/wp-content/uploads/2011/09/Taming-THC-Russo.pdf

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Ohio Medical Cannabis Amendment 2012 proposed

The new version of the OMCA2012 proposes eight rights based on Article 1 of the Ohio Constitution, which declares Ohioans to be “free and independent, and to have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property and seeking and obtaining happiness and safety.” It gives “eligible residents,” (aka medical marijuana patients) who have attained the age of majority and are diagnosed with a debilitating medical condition the right to use, possess, produce, purchase and acquire medical cannabis in amounts sufficient to meet their medical needs and alleviate their suffering. It gives them the right to possess drug paraphernalia and to access goods and services to enable their use of medical cannabis. After defining these rights, the OMCA2012 creates an Ohio Commission of Cannabis Control to not only regulate permits and licenses, but also to protect these rights through participation by the Ohio Civil Rights Commission.

Two Missouri initiatives to circulate

Missouri Secretary of State Robin Carnahan announced Nov. 7, 2011 that two initiatives for cannabis legalization have been approved for circulation. Both were filed by attorney Dan Viets, a member of the national NORML Legal Committee and board of directors. The two measures are identical, except that one would amend the state constitution and the other would amend state law. Both call for marijuana legalization for persons 21 and over, provide a process for licensing establishments, lift criminal sanctions against people imprisoned or under state supervision for nonviolent offenses that would no longer be illegal, and mandate expunging of all criminal records for such offenses. Both also allow approved medical use by minors and compel the legislature to enact a tax of \$100 a pound on retail sales. They now move on to the signature-gathering phase, which extends to May 6, 2012. — *Phil Smith, stopthedrugwar.org*

Kalamazoo voters reduce cannabis enforcement, AG not so good

Citizens of Kalamazoo, MI, a small city with a large university and liberal arts college, voted with 66% of the Nov. 8, 2011 vote to amend the city charter to give possession of an ounce or less of marijuana the lowest law enforcement priority. Coalition for Pragmatic Cannabis Laws sponsored the measure. A similar vote may take place in Detroit next year if the Appeals Court agrees with proponent Tim Beck that the city was wrong to deny city residents that vote in 2011. Some 2,000 people rallied Sept 7 on the steps of the State Capitol in Lansing. Organized by MI Medical Marijuana Assn. (MMA) and other advocates, demanding that the original initiative to allow marijuana usage by seriously debilitated people be left intact. However, former judge, state senator, US congressman, chief advocate of the unsuccessful 2008 “no” on medical marijuana campaign and now Attorney General William Schuette is Mitt Romney’s MI presidential campaign manager — and wants to be the next US Attorney General. — *Michael Whitty*



NO MORE DRUG WAR — Renowned Mexican poet Javier Sicilia, who lost a son to narco-violence, came to Los Angeles for the International Drug Policy Reform Conference and to speak at the Nov. 3, 2011 Rally to End the Drug War in MacArthur Park.

A major figure in Mexico's reform movement, Sicilia invoked a minute of silence for the over 50,000 of his fellow country people who have been killed in the past few years alone in his nation's US-backed Drug War.
Photo by Chris Conrad

Regulated legal access likely on Colo 2012 ballot

By Mason Tvert, SaferChoice.org

A statewide initiative to end cannabis prohibition in Colorado appears to be headed for the 2012 ballot. The proposed constitutional amendment would remove penalties for private adult possession and some home growing, establish a regulatory system like that for alcohol with licensed retail stores, cultivation facilities, product manufacturing facilities, research and testing facilities and allow cultivation, processing, and distribution of industrial hemp.

The Campaign to Regulate Marijuana Like Alcohol is approaching its goal of 145,000 total signatures and plans to submit its completed petition to the Colorado Secretary of State before the end of 2011. About 86,000 valid signatures of registered voters are required to qualify for the state ballot. As of this writing, the campaign had more than 120,000 signatures on hand.

More than 450 volunteer activists have taken part in the effort and petitions can be found in nearly 200 medical cannabis businesses throughout the state. The coalition backing the initiative continues to grow, with the state's oldest and largest organization dedicated to enhancing and protecting civil rights and liberties, ACLU of CO, joining the several local, state and national groups already backing the measure.

“The energy behind this effort has been phenomenal,” said initiative proponent Brian Vicente. “They recognize that this is perhaps the best opportunity in history to make marijuana legal at the state level. It’s not just Coloradans — people from all over the country are signing up to be a part of this campaign.”

Several polls conducted over the past year show Colorado voters are increasingly supportive of such an initiative. In August, Public Policy Polling found that 51% of likely voters approve of legalization, compared to 38% opposed. Internally commissioned polls have also shown between 51% to 54% of likely voters in support and around 40% to 42% opposed.

“This campaign isn’t going to be a walk in the park, but it’s definitely winnable and we’re ready to take it on,” Vicente said. “More importantly, the voters of Colorado are ready.”

More information about the Campaign to Regulate Marijuana Like Alcohol, including the full text of the Colorado initiative, is available at RegulateMarijuana.org.

What is ‘legalization’?

By Laura Kriho, cannabistherapyinstitute.com

Polls have showed that “legalization” is supported by 50% of voters in Colorado, but two distinct political ideologies are aiming at the state ballot. One group wants to create regulated controls; the other wants to repeal all criminal penalties.

The CO General Assembly may modify or repeal initiative statutes by simple majority, but a constitutional amendment may be modified only by a two-thirds majority, and also needs voter approval.

Initiative 30 is a constitutional amendment supported by SAFER, MPP, Sensible Colorado, DPA and NORML. Proponents got the word ‘legalization’ removed from the ballot title. At the Title Board’s June hearing, co-author Steve Fox of MPP said, “Legalization is not what this is. What we are doing is regulating marijuana.”

The proposal is modeled after a 2010 legislative bill that many local activists opposed, HB 10-1284, which gave sweeping powers to a new Dept. of Revenue (DoR) law enforcement agency to oversee rules intended to shut down most of the existing dispensaries. This Medical Marijuana Criminal Enforcement Division is to be funded entirely by the medical marijuana industry, and its regulations now fill more than 200 pages. Full compliance is nearly impossible.

Meanwhile, Legalize2012.com has been working since 2010 to put repeal on the ballot, and plans to begin circulating petitions next year. If it gathers the signatures and passes, the measure would remove all marijuana crimes from state law and create an independent Cannabis Commission composed of experts in the field to make recommendations to the legislature, a Truth Comsn. to investigate officials who refuse to implement the proposed new laws and an Amnesty Comsn. to accept petitions from people who are incarcerated or on parole for cannabis crimes, recommending amnesty on a case-by-case basis.

For more information on the two ballot efforts, please see: RegulateMarijuana.org and Legalize2012.com.



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Dutch govt next wants to label 'strong weed' as a hard drug

By Derrick Bergman, GONZO Media, VOC

Will the 2011 High Times Cup in Amsterdam turn out to be the last one ever? The most recent plan hatched by the Dutch government is to make illegal most of the high-grade cannabis now sold in Dutch coffeeshops.

The government announced its plan Oct. 6, 2011 to declare cannabis with more than 15% THC a hard drug. The move follows a review of the Dutch system of different lists for different drugs. Since 1976 cannabis has been on the second list, as having an acceptable risk. This is the basis of the policy that allows coffeeshops to sell small quantities of cannabis to adults. The new plan has been criticized and ridiculed by scientists and leftwing political parties, but Justice Minister Opstelten seems determined to push it through.

Since 2000, an independent institute has collected samples from coffeeshops to



A cannabis wreath was placed at the base of The Netherlands Monument to Tolerance in Hilversum, in honor of 35 years of the nation's tolerance of Dutch coffeeshops.

Photo by Derrick Bergman

determine the THC potency of the cannabis they sell. Average potency peaked in 2004 at 20.4% and has been going down since, most recently averaging 16.5%. Most media still erroneously report that THC levels have been rising over the years. The study on which the government based its decision states that there is no scientific evidence for a 15% limit and that

this limit is arbitrary, but that it should be banned anyway under "the precautionary principle."

There will be lots of practical and legal problems if the plan is implemented. Cultivation is illegal, so coffeeshops cannot enforce the limit or even get samples tested

without breaking the law. Laboratories need a permit to handle cannabis. There is variation of THC content within a crop of plants or even within different parts of the same plant. The stronger weed will simply move to the streets. Since the plan was presented, members of Parliament have raised these issues. The Society to Abolish Cannabis Prohibition (VOC) is reaching out to politicians and journalists to oppose the proposed limit.

Research shows that THC might be the most active compound in cannabis, but there are many others present. It is the balance of compounds and dosages that determines the effect. The THC limit is the latest in a string of Opstelten's 'get tough on coffeeshops' hits, including a ban on purchases by foreign visitors and the "weed-pass"—all of which benefit street dealers over coffeeshops. Due to growing pressure from local governments and Parliament, the three provinces that were to introduce the weed-pass by Jan. 1 have been granted some room to postpone this date. Come what may, 2012 will be a crucial year for Dutch coffeeshops.

More information at voc-nederland.org

A Colorado constitutional right to use medical marijuana?

By Joshua Kappel, Esq., SensibleColorado.org

Jason Beinor, a street sweeper, was denied state unemployment benefits because he used medical marijuana outside of work.

A split CO Court of Appeals held on Aug. 18, 2011 in *Beinor v. Industrial Claim Appeals Office* that there is no general constitutional right to medical marijuana, hence a denial of unemployment benefits did not impermissibly infringe on his rights. It reasoned that the voter-enacted law provides protection only from criminal prosecution for medical use, not an affirmative constitutional right to use it.

This distinction seems nuanced, but is extremely significant. In 2000, state voters approved Amendment 20 (A-20), adding a new section to the state constitution granting certain rights to cannabis patients and caregivers. Many experts believe it provides at least three different types of rights to patients: (1) an affirmative defense; (2) an exception from criminal laws; and (3) a general constitutional right. There is no disagreement among the appellate judges that A-20 provides the first two rights. The disagreement is whether it also provides a

general constitutional right to medical use.

As noted by Judge Gabriel's dissent in *Beinor*, language in A-20 § 4(a) states that, "A patient may engage in the medical use of marijuana," and declares a "patient's medical use of marijuana, within the following limits, is lawful," and should be interpreted to create a more general constitutional right for patients to use cannabis. He wrote that it is clear voters intended to "make legal," or authorize, its medical use by patients, not simply protect them from criminal prosecution, and concluded that the denial of Beinor's unemployment benefits was an "unconstitutional condition."

Nonetheless, the *Beinor* Court majority gracefully dismissed this section as providing a patient with "exception" from the state's criminal laws.

That interpretation could have far-reaching and unintended consequences. Without a constitutional right to use it, cannabis patients will continue to be denied everyday civil and statutory protections affecting child-rearing, medical treatment, employment, education, gun rights, housing and more.

Taking aim at patients' gun rights

By Bryan Brickner

DEA agents and Saginaw County, MI, Sheriffs served a federal search warrant to Edwin Boyke on Apr. 15, 2010. The warrant to search his residence was based on confidential information alleging he had violated Michigan's medical cannabis laws.

The DEA agents found nothing of interest and left. The sheriffs, however, continued the search to see if Boyke "had broken any state laws." They ransacked his house, destroyed his garden, seized property,

taunted him about his vote in the last presidential election, and confiscated his guns.

Michigan forfeiture laws require contesting property owners to file a claim with the county clerk within 20 days of a seizure. They then have to present a copy of the claim to the prosecutor's office and pay a bond ranging from \$250 to \$5,000.

Boyke paid the sheriff's department \$5,000 to get his property back. In spite of this, they did not return his guns, including

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California NORML Director Dale Gieringer (center) received the Robert Randall Award for Achievement in the Field of Citizen Action at the Nov. 5 ceremony held by the Drug Policy Alliance in Los Angeles. DPA Director Emerita Marsha Rosenbaum (right) introduced Gieringer. DPA Director Ethan Nadelman (left) presented the award, which came on the 15th anniversary of the passage of California's Prop 215, which Gieringer helped to write. Photo by Chris Conrad

Leaked DoJ memo shows prosecution guidelines

By Mickey Martin, TCompConsulting.com

A Dept. of Justice memo from federal prosecutors addressed to California DEA, HIDTA and federal drug task force agents was leaked to Cal NORML and is circulating on the Internet.

In the February 2011 memo, labeled, "For internal law enforcement use only. Not for public use or circulation," four US Attorneys declare that, "This memorandum outlines factors that all four California US Attorneys Offices agree may render a particular marijuana case suitable for federal prosecution." They recognize that cannabis is prevalent in the state and attempt to set boundaries for enforcement, noting that, "The memorandum is intended for prospective guidance only." It then outlines relative enforcement guidelines for four categories: 1) domestic distribution cases, 2) cultivation cases, 3) dispensary cases and 4) civil forfeiture.

The memo shows a certain level of tolerance for medical cannabis operations. It sets thresholds that approximately follow guidelines for cases that carry 10-year mandatory prison sentences. It states that domestic distribution cases should "generally involve at least 200 or more kilograms

(440 lbs.) and also include additional factors that reflect clear federal interest ..."

For cultivation cases, it sets a threshold at 1,000 plants, adding that the "more marijuana above 1,000 plants, the better potential for federal prosecution," and sets a lower threshold of 500 plants on federal land. Below those levels, cases should have other elements "of strong federal interest" or should not be prosecuted with cultivation as the sole charge.

The memo targets dispensaries with "provable sales through seizures or records [emphasis added] of over 200 kg of cannabis or 1,000 plants," with "sales in clear violation of state law," or with "additional factors of federal interest." It adds that, "Selling for profit, though a violation of state law, typically alone will not satisfy this requirement." The last section acknowledges that, in some circumstances, "civil forfeiture alone is the best option."

It lists "additional factors" in each section to trigger enforcement. These include ties to drug trafficking organizations, selling cannabis outside of California, criminal histories, street gangs, funding criminal activity, money laundering, firearms, and being near "protected locations" like schools. For cultivation it adds "booby traps." For dispensaries it lists "stores" that "employ minors under 18 and/or sell a significant amount to minors under the age of 21, especially where evidence [shows] that minors aren't using it for medical purposes," as

Please turn to page 20

Cannabis forgetfulness a blessing for PTSD

The Lab Bench

By Jahan Marcu

The International Assn. for Cannabinoid Medicine recently published a bulletin highlighting preliminary results of a two-year clinical trial on the effects of cannabis on post-traumatic stress disorder (PTSD).

"According to an observational study by scientists of MaReNa Diagnostic and Consulting Center in Bat-Yam, Israel, presented at the Cannabinoid Conference 2011 in Bonn, Germany, the use of cannabis may improve symptoms of PTSD. As a part of their routine consulting work, they assessed the mental condition of 79 adult PTSD patients who applied to the Ministry of Health in order to obtain a license for the medical use of cannabis. Only part of them (about 50%) got cannabis licenses and constitute the study group."

Adverse memories underlie or cause many anxiety disorders such as PTSD. One of the oldest known medical uses for cannabis is in the treatment of psychiatric disorders, as described in the ancient *Ayurvedic* texts from India (Russo 2005). This ancient medicinal claim is proving to be true in recent scientific studies. Scientists studying fear conditioning in animals discovered that the CB1 receptor is necessary to fully forget adverse memories (Marsicano 2002). Researchers showed that mice that are genetically bred without the CB1 receptors have an impaired ability to extinguish fear. Scientists have also tried using the drug Rimobandit, which blocks the CB1 receptor, and have seen similar results (Lutz 2007).

The CB1 receptor is the most abundant protein in the human brain, and memory lapses are a well known effect of THC. The memory impairment associated with cannabis can be harnessed for medical benefit. The CB1 receptor is part of the endocannabinoid system (ECS), a natural part of the body that controls, among many things, eating, sleeping, relaxing and memory. THC from cannabis plus endocannabinoids in the body may control the extinction of adverse memories acting through the CB1 receptor. Conceptually, adding THC to the brain turns on the ECS to begin its work. Elimination of adverse memories through the CB1 receptor is emerging as a universal mechanism in the brain.

Despite a vast amount of scientific information on the effect of cannabinoids on memory, the first clinical trial on cannabis and PTSD is yet to be completed. This is the next step to test the effects of CB1 receptor stimulation on adaptation to fear. Scientists have not yet

been allowed to study this in humans.

Lutz, B. (2007). "Endocann, System and Extinction Learning." *Molecular Neurobiology*, 36:92-101.

Marsicano, G. (2002). "Endogenous Cannabinoid System Controls Extinction of Adverse Memories." *Nature*, 530-534.

Russo, E. (2005). "Cannabis in India: Ancient lore, modern medicine. In R. Mechoulam, *Cannabinoids as Therapeutics*.

Birkhäuser Verlag/Switzerland. Sah, P. (2002). Never Fear, Cannabinoids are Here. *Nature*, 488-489.

Crohn's Disease patients on cannabis have fewer surgeries, use less prescription drugs

By Paul Armentano, NORML.org

Cannabis use is associated with a reduction in Crohn's disease (CD) activity and disease-related surgeries, according to a report in the August 2011 issue of the *Journal of the Israeli Medical Association*.

Investigators at the Meir Medical Center, Institute of Gastroenterology and Hepatology in Tel Aviv, Israel assessed "disease activity, use of medication, need for surgery, and hospitalization" in 30 CD patients before and after cannabis use.

Authors reported, "All patients stated that consuming cannabis had a positive effect on their disease activity" and documented "significant improvement" in 21 subjects. Those subjects showed "significantly reduced" need for other drugs. Participants also reported requiring fewer surgeries following their use of cannabis.

"Fifteen of the patients had 19 surgeries during an average period of nine years before cannabis use, but only two required surgery during an average period of three years of cannabis use." The authors concluded, "Prospective placebo-controlled studies are warranted to fully evaluate the efficacy and side effects of cannabis in CD."

Researchers at the Center are gauging the safety and efficacy of inhaled cannabis for patients with either CD or ulcerative colitis in a double-blind, placebo-controlled trial. Crohn's disease and ulcerative colitis are inflammatory bowel diseases.

According to survey data published earlier this year in the *European Journal of Gastroenterology and Hepatology*, an estimated one-third of patients with colitis and half of those with CD acknowledge having used cannabis to mitigate their symptoms.

The full text of the study, "Treatment of Crohn's disease with cannabis: an observational study," appears in the *Journal of the Israeli Medical Association*.

Read the study online: ta.org.il/imag/ar11aug-01.pdf.

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Washington State voters eye reform package

By Allison Holcomb, NewApproachWA.org

New Approach Washington, the campaign backing State Initiative 502 to legalize, tax, and regulate marijuana for adults 21 and over, received major support from funders and endorsers in November, as it entered

Driving under the radar

By Martin Martinez, CannabisMD.org

Washington State legislators crafted a comprehensive dispensary system regulating safe access for qualified patients in 2010 that was decimated by the governor's veto pen. This year, as legislators ponder what might survive the governor's desk, competing legalization initiative campaigns head toward the 2012 ballot.

Leading the race is Initiative 502. Despite their best intentions, the authors' efforts to broaden voter appeal have created two provisions that will have to be rectified if and when the ballot measure becomes law. The Legislature can repeal or amend provisions of a Washington initiative by a two-thirds vote of each house during the first two years of enactment and by majority vote thereafter.

Section 1 of I-502 reads in part, "This measure authorizes the state liquor control board to regulate and tax marijuana for persons 21 years of age and older, and add a new threshold for driving under the influence of marijuana. And it further directs state employees ... to cooperate with all agencies charged with the enforcement of the laws of the US"

Attorney Jeff Steinborn said there is a built-in conflict with an approach that "requires that the Liquor Control Board cooperate with federal law enforcement agencies. This is the same agency that's given the responsibility to license and regulate cannabis." That situation poses risks for both patients and bureaucrats.

Another major concern is that I-502's "new threshold" for marijuana DUI was set without any scientific basis and does not take into account the widely varying results obtained when testing cannabis patients. Instead, it sets an arbitrary DUI threshold of 5 ng/ml (nanograms per milliliter) THC in the bloodstream.

This worries Gil Mobley, MD, a medical review officer active in substance abuse testing. "I strongly suggest that patients Please turn to page 20

its final weeks of signature gathering.

The month opened with the announcement that established entrepreneur, conservationist and civic leader of the Pacific Northwest Harriet Bullitt had contributed \$100,000 to help ensure I-502 would gather sufficient signatures to reach the ballot. Her father had been a respected attorney active in state politics and an advocate of alcohol Prohibition repeal, and she personally experienced the collateral damage of prohibitionist policies when she lost two family members to drug-related violence.

Eleven days after that announcement, former US Attorney Kate Pflaumer endorsed I-502, joined by former state superior court judge Robert Alsdorf and former municipal court judge and Seattle deputy mayor Anne Levinson. Pflaumer served as the top federal prosecutor for the Western District of WA from 1993 to 2001, when she was succeeded by Bush-appointed John McKay, an I-502 sponsor. "We don't see treating adult marijuana users as criminals as an appropriate use of government resources," said Pflaumer.

Two days later, Charles Mandigo, former head of the Seattle office of the FBI, came forward to endorse I-502 as well. He said, "I do not believe that criminalizing the use of marijuana by adults is a cost-effective utilization of our criminal justice system." Mandigo expressed concern about the racial disparities in marijuana law enforcement and marijuana prohibition's contribution to the violence in Mexico. He worked for the FBI for 27 years in anti-terrorism, intelligence and criminal matters and was promoted to the position of special agent in charge of the Seattle Division in 1999.

New Approach Washington has until Dec. 30, 2011 to submit 241,153 signatures to the Secretary of State. Once signatures are filed, it will be referred to the state legislature, which convenes Jan. 9. If the legislature fails to pass I-502, it will go onto the November 2012 general election ballot.

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ORANGE COUNTY — Supporters of safe access rallied at the Lake Forest City Council meeting Oct. 18, 2011. Photo by Steve Baker

Feds use legal medical marijuana to go after Second Amendment

Continued from page 13

an heirloom rifle belonging to his late wife. Boyke pleaded with the department to

Ruling disregards patients' right to obtain cannabis

Continued from page 2

"Nothing stated in the CUA and MMP precludes cities from enacting zoning ordinances banning MMD's within their jurisdictions."

The collective's attorney J. David Nick argued on a Supreme Court precedent that ruled cities could not ban electro-shock therapy or residential treatment facilities for the mentally ill because they are permitted under state law.

The court held these cases are not relevant because, "They do not concern medical marijuana, the CUA, the MMPA, or local ordinances regulating or banning MMDs." Nick expects the Supreme Court to hear the case and side with the patient collectives' right to exist statewide.

return only that rifle, but they told him, "Your guns are gone."

The Sheriff argues that Boyke, in paying the \$5,000, inadvertently waived his right to a court hearing about his property.

"That may be so," says Charmie Gholson, editor of *The Midwest Cultivator*, "but he never waived his Second Amendment right to bear arms. They took that from him." People are asking when the National Rifle Assn. (NRA) will get involved. A citizen does not surrender any Constitutional rights by becoming a legal herbal cannabinoid patient and caregiver.

"In Michigan, law enforcement receives all proceeds of civil forfeiture," Gholson said. "The theory is that this will encourage police to fight crime. Instead, the law creates the conditions for other things to happen. Like they take your property and never have to charge you with a crime. That's what they did to Boyke — he has never been charged with a crime." The Institute for Justice released its 2010 report *Policing for Profit: The Abuse of Civil Asset Forfeiture*. Under Gov. Rick Snyder and AG Bill Schuette, Michigan received the lowest score possible, a "D minus."

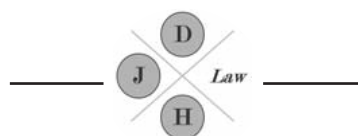
NRA silent about gun rights

Continued from page 8

their constitutional rights to possess guns and enjoy hunting, or the licensees who are implicitly threatened by ATF's letter."

Morgan Fox with Marijuana Policy Project noted, "Trying to treat medical marijuana patients like second-class citizens and stripping them of their rights as they are dealing with illness is just despicable."

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WEST COAST LEAF

Editorials and Commentary

Obama: Time to ‘man up’ on MMJ

How can a politician screw up on an issue supported by about 80% of his voter base and by 60% of those who voted against him? President Obama has given us a great illustration. Get elected suggesting you will not use federal government resources against state-legal medical marijuana activity. Make promising policy changes, but retain staffers appointed by your political enemies, like Director Michelle Leonhart at the DEA, and keep her after she tells Congress she will disregard your policies. Undermine research. Let bureaucrats ignore both the science and States Rights you had endorsed. Escalate arrests. Empower a jingo like James M. Cole at the Department of (so-called) Justice to use multiple federal agencies including DOJ, Treasury, Interior, Alcohol, Tobacco and Firearms, IRS, DEA, etc., to launch a coordinated multi-agency war on patients, providers, landlords, workers, local officials — even news media. When core supporters use your online forums to challenge this, hand off your response for a lackey to regurgitate the same old rhetoric. Push patients into the streets to protest your betrayal and abuses of power. Seize property from people who supply their medicine. Pressed to explain why, say, “Let’s leave it at that.”

Let’s instead say, in the political idiom, that you ‘man up,’ take control and set things right. Apologize for this little dustup and announce that you are back in command. Show your underlings who’s in charge of your Administration. Heads should roll, namely the four US Attorneys who launched the attacks, Cole and Leonhart. Drop charges and civil proceedings against those who have engaged in state-legal medical marijuana activities, and by that we mean let *state* courts decide what’s legal, not a bunch of federal prosecutors’ whimsy. Adopt medical marijuana tax reform. Issue clemencies to Bryan Epis, Eddy Lepp, Marc Emery, Dustin Costa, Mollie Fry, Dale Shafer, et al. America heads into its next election looking for a leader. It’s time for you to earn our 2012 vote.

Organized, invigorated and undeterred

The International Drug Policy Reform Conference in November could not have come at a better time. Burned by Obama’s broken campaign promises and struggling against state officials’ tactics to relegate the cannabis community to the ‘back of the bus’ as second class citizens, we came to Los Angeles to find a political movement that is organized, invigorated and undeterred — a growing and diverse mix of activists, organizations, researchers, students, law enforcement, harm reductionists, artists, patients and the formerly incarcerated. California Lt. Gov. Gavin Newsom and other state officials came to encourage us, as did GOP presidential candidate Gary Johnson and up-and-comers like Roger Goodman for Congress. As Ethan Nadelman said in his opening address, “We have never been stronger.” Unlike the 1980s Reagan broadside, this new war on cannabis finds us neither complacent nor in hiding, but organized and outspoken. Do something right now. Grab banners and take to the streets. Support civil suits to stop the Feds. Write letters. Blog. Call your congressman at 202-224-3121 weekly to demand that they support reform bills. No one can afford to sit this out. What have you done for freedom lately?

Support, sign ballot initiatives: Vote reform

While Americans seem to have little clout in Washington DC these days, in state after state, in the face of legislative impasse and gubernatorial vetoes, we see reformers turning to the voters. Time is running out to get an initiative on the 2012 ballot. The *West Coast Leaf* encourages our readers to sign the voter petitions, contribute time and donate money to the ones you most endorse.

Setting the record straight

The NORML Women’s Alliance party was held June 24, 2011 at Pier 5 Law.

Reminder: *West Coast Leaf* has moved, so please see our new contact information in the staff box to the right. We now post longer versions of some of our print articles online at WestCoastLeaf.com.

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Chris Conrad, executive editor
Mikki Norris, managing editor

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Making legal lemonade from court rulings

By Allison Margolin, Attorney at Law

Although medical marijuana advocates who favor state regulation are battling two recent California Court of Appeals’ decisions permitting cities to ban but not regulate marijuana, these decisions can actually be used to buttress arguments for the legality of patient-to-patient marijuana sales.

Local prosecutors have waged a witch-hunt on those who distribute marijuana to patients. With a frightening uniformity of mediocre (but sometimes successful) arguments, prosecutors maintain that any post-harvest collective activity is illegal. This is contrary to logic, the limited case law in this area (namely *People v Urziceanu* and *People v Hochanadal*) and the opinion of the State Attorney General, but nonetheless is followed by nearly every DA’s office.

Defense attorneys can add to their arsenal the Nov. 9, 2011 Fourth Appellate District decision in *City of Riverside v Inland Empire Patients’ Health and Wellness Center*, and the October decision by the Second Appellate District, *Pack v City of Long Beach*.

The Riverside court made the following observations about medical marijuana dispensaries (MMDs).

“In addition, the MMP [SB 420 Medical Marijuana Program Act] provides immunity only as to lawful MMD’s. An MMD operating in violation of a zoning ordinance prohibiting MMD’s is not lawful. ... Because the state statutory scheme [MMP and Prop 215 Compassionate Use Act (CUA)] expresses an intent to permit local regulation of MMD’s, preemption by implication of legislative intent may not be found here. ... [A] local government can zone where MMD’s are permissible and apply nuisance laws to MMD’s that do not comply with valid ordinances.”

Note that the court recognizes that some dispensaries are lawful under state law — a proposition accepted as true by the public and even the federal Ninth Circuit Court of Appeal (*US v \$186,416*) but rejected by state prosecutors.

The *Pack* appellate court also supports the argument that the MMP does not simply decriminalize cultivation but in some cases it decriminalizes sales and possession for sale of marijuana. As the *Pack* court explained, “First, the MMPA expands the immunities provided by the CUA. While the CUA decriminalizes the cultivation and possession of medical marijuana by patients and their primary caregivers, the MMPA extends that decriminalization to possession for sale, transportation, sale, maintaining a place for sale or use, and other offenses. Cultivation or distribution for profit, however, is still prohibited. (Health & Safety Code, § 11362.765.)”

The term “profit” is not defined in 11362.765 or any marijuana statute and the notion that criminal liability hinges on an undefined term is a violation of due process. HS 11362.775, the statute creating collectives, is silent on the issue of profits.

Defense attorneys and patient advocates need to turn attention to defeating the non-profit ‘requirements’ of the statute.

Interpretation by DAs and courts of CA law regarding sales has consequences beyond the state jurisdiction. The recent announcement by US Attorneys in California that all dispensaries must shut down was laced with suggestions that dispensaries violate state law anyway, and therefore should receive no *de facto* protection under federal law either. The consequence of such a legal manipulation: Medical marijuana providers are made subject to penalties in federal court such as 10 years to life imprisonment under mandatory minimum drug and conspiracy statutes that allow for even dead plants to enter into calculations of quantity.

So-called ‘Patriot Act’ just another weapon in Drug War

By Robert A. Raich, Attorney at Law

October marked the 10th anniversary of the deceptively named US Patriot Act. As many people in the drug policy reform movement had predicted, the national security establishment is using its expanded powers primarily to advance Drug War policies rather than to identify and prosecute terrorists.

In the aftermath of the attacks on Sept. 11, 2001, agents of the federal government did their best to make the American public feel vulnerable and eager for protection from the threat of terrorism.

From 2006 to 2009, sneak-and-peek warrants were issued only 15 times for terrorism investigations — but 1,618 times for drug cases

One of the Patriot Act’s little-noted provisions undermining individual liberty was its authorization of “sneak-and-peek” search warrants allowing law enforcement to execute searches without notifying their targets. According to *New York* magazine, between 2006 and 2009 alone, sneak-and-peek warrants were issued only 15 times for terrorism investigations — but a whopping 1,618 times for drug cases.

Congress should never again renew the Patriot Act, which is used largely to wage war against the American people rather than to protect America from terrorists.

* Raich specializes in medical cannabis law and is the attorney who took both of the medical cannabis cases to the US Supreme Court. See robertraich.com.

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Obama can't afford to lose the 'marijuana vote'

By Mary Jane Borden, drugwarfacts.org

An October 2011 editorial in the *Christian Science Monitor* lauded the federal crack-down on medical marijuana in California, taking the un-Christian, unscientific stand that, "Pot smokers are a small [containable] minority." Actually, they are people and patients — many of whom are voters.

Consider them as a wedge-issue minority vote. The same influence that minorities exercise over election outcomes may apply to the 'marijuana vote,' whose numbers and percentages can be computed by matching 2008 US Census election data with the 2008 results from the *National Survey on Drug Use and Health* (NSDUH).

According to the US Census, some 131 million US Americans voted in 2008, 63.6% of eligible citizens. Among minority groups, 16 million voters were African-American, 12.3% of the total vote. About eight million Hispanics and three million Asians cast ballots at 7.4% and 2.6% of the 2008 vote, respectively.

The youth vote, those age 18-24, had a "statistically significant increase in turnout" in 2008 and numbered 12.5 million, 9.5% of the total. The Census reported that 2008 was "the second straight presidential election where young citizens significantly increased their voting rates."

For 2008, NSDUH said that some 22.5 million American citizens over age 18 had used marijuana in the past year, 13.5 million in the past month. Applying to these user groups the Census's reduction factor of actual voters to total citizens by age computes the "marijuana vote."

The marijuana vote comprised about 13 million voters in 2008, with around 7.8 million making up the "medical marijuana vote," respectively 9.8% and 5.9% of the total vote. These are well within the ranges that define minority voting blocs like Hispanics, Asians and youth.

Further, the age range with the largest increase in voter turnout — 18-24-year-olds — represents one the largest groups of

marijuana users: almost 40% report past-year or monthly use. About a quarter of 25-34-year-olds claim similar use patterns. Together, these two groups cast 3.4% of the total 2008 vote, more than the Asian vote.

The Searle Center on Law, Regulation and Economic Growth notes that, "In 2004 less than 2.5 percentage points separated President Bush and Senator Kerry and the margin in 2000 between then-Governor Bush and Vice-President Gore was less than half a percentage point."

According to the Population Studies Center at University of Michigan, "[V]oting margins [in the 2004 and 2008 presidential elections] become magnified when we consider that minorities comprised a larger part of the voter base in 2008 ... almost one in four voters were minorities in 2008." It goes on to state that, "Minority support for Obama was instrumental in his success."

In scientific conclusion, the marijuana vote is large enough that it can and does help determine election outcomes. In other words, 'pot smokers' are neither a small nor containable minority. And we vote.

Wine / cannabis model is easy sell for Cal voters

By Deputy Police Chief Stephen Downing, LAPD, retired

The Regulate Marijuana Like Wine (RMLW) signature petition campaign is off to a smokin' start with over 10,000 signatures gathered in its first two weeks.

Volunteers and professionals gathering signatures on the streets have been amazed at the responses they get. Many people when asked to sign literally turn on their heels, grab a pen and start writing, making comments like, "Medical marijuana dispensaries are a mess, let's just legalize it!"

Angelo Paparella of PCI Consultants, who has overseen the gathering of over 47 million signatures to help qualify more than 250 measures across the country over the past 20 years, wrote in his report to the executive committee: "My reading of the

White House spurns online petitioners, even as cannabis soars above it in national polls

By Tom Angel, CopsSayLegalizeDrugs.com

The White House again issued a generic rejection of several cannabis reform petitions that had collected more signatures than any other issue on its "We the People" website. Even though recent polls show that more voters support marijuana legalization than approve of President Obama's job performance, the Administration categorically dismissed the option of reforming any laws, focusing on the alleged harms of marijuana use but not addressing the many real harms due to prohibition that were detailed in the petitions. One of the top petitions, by retired Baltimore narcotics cop Neill Franklin, called on Obama to simply stop interfering with states' efforts to set their own marijuana laws.

"It's maddening that the administration wants to continue failed prohibition policies that do nothing to reduce drug use and succeed only in funneling billions of dollars into the pockets of the cartels and gangs that control the illegal market," said Franklin, executive director of Law

Enforcement Against Prohibition (LEAP). LEAP represents police, prosecutors, judges, FBI/DEA agents and others who, after their experiences fighting on the front lines of the war on drugs and learning first-hand that prohibition is counterproductive, want to legalize and regulate drugs.

"If the president and his advisers think they're being politically savvy by shying away from much-needed change to our drug policies, they're wrong. The recent Gallup poll shows that more Americans support legalizing marijuana than support prohibition. Obama needs to remember his campaign pledge not to waste scarce resources interfering with state marijuana laws and his 2004 statement about the 'utter failure' of the drug war."

Five of the top 10 petitions on the "We the People" site are about some aspect of marijuana or drug policy reform. The eight marijuana petitions that the White House's Friday rejection was intended to address have collectively garnered more than 150,000 signatures.

This isn't the first time cannabis reform has proven popular in online forums hosted by the White House. A question from LEAP member and former sheriff's deputy MacKenzie Allen got the most votes in its January 2011 YouTube forum.

Cannabis also dominated the White House "Open for Questions" online town hall in March 2009, just as it had led on the Obama transition team's Change.gov website in late 2008.

Each time, the administration has issued terse rejections that contradict Obama's 2004 statement that, "We need to rethink and decriminalize our marijuana laws." It's time to deliver real change.

notes from the five statewide coordinators is that a marijuana petition would probably be a stopper (an issue the public goes out if its way to sign), a lead issue amongst a majority of circulators. That is typically a really good sign for success at the ballot."

Endorsements poured in over the same two-week period by notables such as Republican presidential candidate and former Governor Gary Johnson; Cal NAACP president and newly appointed Law Enforcement Against Prohibition (LEAP) Please turn to page 20

If You Want to Change Federal Marijuana Laws, We Need Roger Goodman in Congress.

"Our current drug policies are irrational and counterproductive, feeding violent illegal markets and public corruption, clogging the courts, bringing disrespect for the law, and arresting more than 800,000 adults each year for marijuana possession alone. "Building on my strong legislative record in state drug policy reform, I will continue to champion the urgent need to bring marijuana back into the law, regulate it for adult use and extinguish the corrosive black market. It's time for an 'exit strategy' for the failed War on Drugs."

Washington State Rep. Roger Goodman will bring his proven political skills to the US Congress to represent all Americans who believe the time for cannabis reform is now.

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Glaucoma sufferer Elvy Musikka is one of 4 patients who receive a monthly supply of medical marijuana from the federal government.

Yet the Obama administration refuses to reschedule marijuana for medical use and has attacked medical marijuana in California.

Since 1972, California NORML has fought for the rights of marijuana smokers. Now more than ever, we need your support to educate and activate for freedom.

WEST COAST LEAF

Calendar and Community Directory

Dec. 8, Students for Sensible Drug Policy (SSDP) Holiday Party, Oakland, CA. Junior Ballroom, Oakland Marriott City Center, 1001 Broadway, 2nd floor, 7 to 10 PM. Fundraiser at the site of the MAPS conference. For tickets, go to ssdpholiday.eventbrite.com

Dec. 8-12, Multidisciplinary Association for Psychedelic Studies (MAPS) 25th Anniversary Conference, Cartographie Psychedelica, Oakland, CA. Oakland Marriott City Center, 1001 Broadway. Celebrating 25 years of research and education about the medical uses of psychedelics and marijuana. Lectures and workshops with highly acclaimed scientists,

artists, and healers, banquet, auction, party, benefit, and cruise. For details, see maps.org or call 831-429-6362.

Dec. 10, Eighth Annual Emerald Cup, Laytonville, CA. Area 101, 10 miles north of Laytonville on east side of highway. Renowned regional cannabis competition and daytime conference, "The War on Cannabis and What We're Doing About It," moderated by Ngaio Bealum includes legal symposium, information about federal lawsuits and three 2012 ballot initiatives, films, and more, Noon-7 PM. Evening awards ceremony, dinner and music from the Mighty Diamond, from 8 PM on. For info, call 707-984-9174.

Community Announcements



30 YEAR ANNIVERSARY PROTEST — West Coast Leaf publishers Mikki Norris and Chris Conrad were in LA's MacArthur Park for the Nov. 3, 2011 Rally to End the Drug War — 30 years after they first met in 1981 at an anti-Reagan rally on the exact same park hillside.

Steve Jobs: Visionary, stoner

By Ellen Komp, VeryImportantPotheads.com

RIP to Steve Jobs, who enjoyed marijuana and LSD in his youth and went on to reshape personal computing, the music business, animation, and more. *Time* magazine called him "The Inventor of the Future" and said he "remade the world as completely as any single human ever has." The drug war may have helped kill this American visionary. The pancreatic cancer that ended his life at age 56 could possibly have been cured if US researchers were allowed to properly study the use of cannabinoids in cancer treatment. In 2006, Spanish researchers found that THC inhibited breast and pancreatic cancer cell lines in animal studies.



OCCUPY CANNABIS Melissa Balin marked the 15th anniversary of California passing Prop 215 with a fist and a leaf at the Occupy Los Angeles encampment Nov. 5, 2011.

Photo by Jessica Lux

Jan. 6-8, HempCon, Anaheim, CA. Anaheim Convention Center, 800 W. Katella Ave. Medical marijuana Expo. \$20. hempcon.com

March 23-24, 13th Annual SSDP National Conference, Denver, Co. Hyatt Regency Denver Tech Center, 7800 East Tufts Ave. For details and to register, see ssdp.org

April 21, Deep Green 2012, Richmond, CA. Craneway Pavilion. Festival and conference, exploring the real potential of cannabis and hemp as part of Earth Day Weekend. For info, deepgreenfest.com

April 26-28, Seventh National Clinical Conference on Cannabis Therapeutics, Tucson, AZ. Lowe's Ventana Canyon Resort. Details at medicalcannabis.com

Local and regional meetings

Americans for Safe 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, South County OC NORML, first Fri./mo., 7 PM, Fuddrucker's, 26221 El Toro Rd., Lake Forest. OrangeCountyNORML.org

North County (Main) OC NORML, third Fri./mo., Giovanni's, 7 PM, 922 W. Williamson, Fullerton

OrangeCountyNORML.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

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Parallels between Occupy and cannabis reform

By Jim Squatter

There are some obvious parallels between the Occupy Wall St. movement and the movement to end unjust drugs laws in this country.

Both are challenging entrenched, powerful interests that have achieved their ends in part by corrupting the political process with cash, thereby controlling elected officials. Also, both movements rely on civil disobedience to raise the stakes.

The medical marijuana movement really began with a civil-disobedience campaign that opened what are now referred to as medical cannabis dispensaries to confront federal law, and ended up changing the debate on drug reform efforts.

Occupy also relies on civil disobedience to bring attention to many of the same issues, principally that those in electoral office have turned a deaf ear to the people, the electorate, and are beholden to monied interests such as big pharma and the alcohol industry. Poll after poll show broad support among the American people for marijuana to be used therapeutically under

a physician's supervision. Yet, no change is evident in the halls of Congress. Occupy is even more acutely directed at the tone-deafness of Washington to ordinary people, the 99% who are being ignored in favor of political-contribution-laden lobbyists for the ultra-rich.

Another similarity between the Occupy and the drug reform movements is that they are not directed at political-party politics. Occupy recognizes the danger of being played off by one party against its twin-like opposition. Partisan politics has been a dead end for change, and the power of reform movements must come from the bottom up.

Both have a multiplicity of voices, often chosen by circumstance, that carry the message to a wider audience. The Occupiers have international links because their struggle, as with drug policy reform, addresses a problem of international scope. As members of the two movements meet and collaborate they will be able to gain insights and learn new tactics that may bring greater success to both.

Rejection of PTSD study may prove NIDA's undoing

By Lauren Payne, MAPS

Publication of a much-anticipated study by Dr. Sue Sisley of the University of Arizona on the safety and effects of cannabis on 50 veterans suffering from post-traumatic stress disorder (PTSD) was blocked in September 2011 by the US Dept. of Health and Human Services, despite its already having received clearance from the Food and Drug Administration.

The nonprofit Multidisciplinary Assn. for Psychedelic Studies (MAPS), sponsor of the FDA-approved PTSD study, had requested that the federal National Institute on Drug Abuse sell researchers a small amount of research cannabis, only to be denied. The rejection is only the most recent and dramatic example of how NIDA's monopoly on the supply of research marijuana blocks science and pre-

vents vital medical-safety and effectiveness studies from taking place.

All the cannabis used by medical and scientific researchers in the US is presently grown under a single contract issued to the U of Mississippi, Oxford, by NIDA, a federal agency that asserts its mission is to focus only on potential negative effects.

This denial provides researchers with more ammunition in their decade-long battle for U of Massachusetts, Amherst, Professor of Agronomy Dr. Lyle Craker to become the first independent DEA-licensed cultivator of whole-plant cannabis for research purposes. Craker originally applied for a license in 2001. He and MAPS are soliciting *amicus curiae* ("friend of the court") briefs to assist a three-judge panel in determining whether Professor Craker is legally entitled to a DEA research license.

New Miss USA shares thoughts on marijuana

By Ellen Komp, tokinwoman.blogspot.com

Reigning Miss USA Alyssa Campanella wore an emerald green gown when she answered a question about cannabis on her way to gaining her crown.

Campanella, as Miss California USA, was given points for answering the question, "Many have argued that marijuana should be legalized and taxed to boost the economy and alleviate drug wars. Do you believe in legalizing medical marijuana? Why or why not?"

"Well, I understand why that question would be asked, especially with today's economy, but I also understand that medical marijuana is very important to help those who need it medically," Campanella replied. "I'm not sure if it should be legalized, if it would really affect, with the drug war," she added. "I mean, it's abused today, unfortunately, so that's the only reason why I would kind of be a little bit against it, but medically it's OK."

One of only two Miss USA contestants who said they believe in evolution, Campanella is a self-proclaimed history geek who is dating "The Tudors" actor Torrance Coombs.

She didn't win Miss Universe, but she made a strong showing (in the top 16) and was a good sport about it. She tweeted on her plane ride home, "Just wasn't my destiny," and vacationed with Coombs in Vancouver afterwards.

One of the Miss Universe organization's charity partners is Gilda's Club, named in honor of *Saturday Night Live* star Gilda Radner, to support cancer patients and their families. This October — Breast

Cancer Awareness month — investigators at Temple University reported that the nonpsychoactive cannabinoid CBD "completely prevents" the onset of nerve pain in animals caused by the drug Paclitaxel, used to treat breast cancer. In 2007, Italian researchers' preclinical results found that CBD inhibits the spread of breast cancer.

It's high time that women, especially, stand up for our rights to cannabis for medical use. Campanella's term as Miss USA continues through June 2012.

CannCast.com coordinates collectives' supply network

By Martin Williams

For the last 10 years, Berkeley Patients Care Collective managers Erik Miller and David Bowers had been frustrated, with no reliable way for a medical cannabis dispensary to get the certain strains that their patients need. They spent too much time with providers who didn't have the strains or quality they needed. Meanwhile, their providers had to show up, wait and hope the collective needed their product.

"There wasn't any way to guarantee that certain strains that work well for patients would be available next month, or even next week," said Bowers. They decided to build a tracking network. With friend and web developer Dennis Park, they created an Internet-based social solution that emphasizes efficiency, predictability and privacy. CannCast.com was born.

CannCast.com facilitates meetings between providers and dispensaries based on specific strains. Dispensaries list their requests. Providers post the available types and qualities. Simple search, activity feeds and featured articles allow easy discovery of particular medications and participants, and an appointment can be scheduled. Dispensaries get only what they want, providers find a valid association and the end result is that qualified patients have better access to state-legal medicine.

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.

WestCoastLeaf.com

"While 'the dominant culture' may continue to be dubious of psychedelics, the medical community is undergoing somewhat of a revolution."
-ELLE Magazine, April 2011

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Car•to•gra•phy - *noun*, the art and science of making maps.
Psy•che•de•lic - *noun*, mind-manifesting.

MAPS works with the FDA to conduct research to make MDMA a prescription drug, and has studies approved or underway in the US, Canada, Mexico, Israel, Jordan, and Switzerland into the safety and effectiveness of MDMA, LSD, ibogaine, ayahuasca, and marijuana.

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Initiative would regulate marijuana like wine

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executive board member Alice Huffman; former Seattle Police Chief Norm Stamper, now on the front lines of the battle to end drug prohibition; and the famous Mexican poet Javier Sicilia, who led a caravan of 20,000 people across his country to Mexico City to protest drug cartels' slaying of 50,000 people over the past five years, among them his own son.

Many put this enthusiastic support at the doorstep of President Obama and his four US Attorneys, who in 2011 launched a tyrannical sledge-hammer attack on California dispensaries. They played right into the old adage: "If you want to kill a bad law, enforce the hell out of it!" Well, enforce it they did and California voters are angry, fed up and ready to vote down big government.

Supporters point to the RMLW initiative as the solution to this federal tyranny, not only because it provides a safety net for the California medical cannabis community who see their rights being eviscerated in courtrooms, but also because RMLW would legalize marijuana across the board for adults — *just like wine* — and back it up with requirements that all pending court cases be dismissed, that the state provide legal defense against all related litigation, and that CA law enforcement officers and all other state officials be prohibited from supporting federal enforcement that conflicts with RMLW.

The kicker is the fact that the State is also mandated to petition the Feds to remove marijuana from Schedule I of the Controlled Substances Act — making bad law into good law. And that smokes.



LIGHTEN UP — Museum staff member Gianni Feliciano is ready to accommodate Oakland's latest tourist attraction, the Oaksterbong, as it pauses for a light outside the Oaksterdam Cannabis Museum, 1776 Broadway.

Federal attorneys map out prosecution routes

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well as any that are "linked to a physician providing marijuana recommendations."

While answering some questions, the memo most likely will add more confusion to people try to manage vast patient needs under these loose guidelines. Does keeping paperwork for the county set up a collective to be raided by the Feds? Will dozens of small groups replace larger collectives to try to keep within the 440 pound limit? Will every collective plant 999 plants next year and hope they do not have any "additional factors?" Is it okay to pack under 440 lbs. in the car and sell it for profit? How about for a non-profit? Who knows?

Book Reviews: Clever, fun 'pot' book

By Mikki Norris, cannabisconsumers.org

The Hot Pot Handbook

By O.B. Gold, OB Gold Publishing, 2011

An enjoyable little book (literally — it's 3.5"x 5" in size, and 89 pages long), *The Hot Pot Handbook* by O.B. Gold (2011) is a useful guide for the novice cannabis consumer to learn how to safely use this sacred herb. It gives experienced consumers some helpful tips on preparing, using, storing, traveling with, and healthy consuming as well. The author describes the various ways to consume, how to get higher, and things to consider to maintain a positive relationship with cannabis, in what he calls the OB Smart System.



This easy read includes a profile of "Cannamerica" — demographics of cannabis use, the politics, and the reality that the war on marijuana is still very much alive. In this busy world, it's gratifying to be able to read an entire book in one sitting that's easy to digest and could possibly save the consumer some money by following its sage advice.

More information at thehotporthandbook.com.

Book outlines first defense to forfeiture

Asset Forfeiture: What To Do When Police Seize Your Property

By Brenda Grantland, Esq. and Judy Osborn

E-book (October 2011) \$5.99

smashwords.com/books/view/94700

This e-book can help you save your life savings, your house, your business, and other assets or property in the event that you are raided by law enforcement.

Written by attorney Brenda Grantland, the president of Forfeiture Endangers American Rights, and long-time reform activist Judy Osborn, who fought to keep her own property after a bust for cultivation for a dispensary, this could be the most valuable resource available on the topic.

It outlines the laws with links to statutes, cases and Internet resources available along with advice on how to qualify for a court-appointed attorney or to represent yourself.

Forfeiture Endangers American Rights, fear.org



Impairment levels not consistent in cannabis use

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understand where their levels are throughout the day and whether or not they have clinical signs of impairment when they medicate [before they drive]."

In 2011, Mobley began sending blood samples to MedTox in St. Paul, MN, one of only a few labs certified by NIDA. Many chronic users tested above 10 ng/ml upon awakening, before their first puff of the

day. One patient tested over 20 ng/ml 12 hours after her last dose and over 4 ng/ml 48 hours after smoking. Repeated sobriety tests failed to prove that even those elevated levels were associated with impairment, and no studies have confirmed uniform impairment at any level, especially as low as 5 ng/ml.

Even if I-502 passes, Washington patients still have political work to do.

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