



Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

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Powerful Congressman to Question DEA on California Tactics ASA Lobbying Helps Convince Judiciary Committee Chair to Intervene on Intimidation

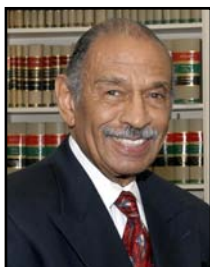
Congress may intervene with the federal Drug Enforcement Administration over the DEA's recent attacks on medical marijuana in California, thanks in part to ASA's lobbying on behalf of patients.

The DEA's new acting administrator of the DEA, Michele Leonhart, will soon be forced to answer "sharp questions" about its latest tactics, according to a December 7 statement issued by Representative John Conyers (D, MI), chairman of the powerful House Judiciary Committee, which has oversight of the DEA.

ASA Government Affairs Director Caren Woodson has been on Capitol Hill urging Rep. Conyers and other members of Congress to rein in the DEA. The DEA has sent what it describes as "courtesy" letters to hundreds of landlords in California, threatening them with imprisonment and forfeiture of their property for renting space to legal patient collectives that dispense cannabis in accordance with California law.

Rep. Conyers' statement, which notes that the committee has already "questioned the DEA about its

efforts to undermine California state law" on medical marijuana, says that he is "deeply concerned" about the DEA's attempt to "evict organizations legally dispensing medical marijuana to suffering patients." And Rep. Conyers is not the only one speaking out.



Rep. John Conyers

the mayor's action came thanks in part to the lobbying of a coalition of activists, including ASA, the Marijuana Policy Project and the Drug Policy Alliance.

"The DEA's recent surge tactics, such as the dissemination of threatening letters to property owners and unrelenting raids that continue to place citizens in harm's way, undermine state and local authority, and

jeopardize the integrity of state law," Dellums wrote. He noted that Oakland has a "long history of successful regulation" of its cannabis dispensaries.

Mayor Dellums' call for action comes on the heels of a resolution by the Oakland City Council earlier in the week, which also called for Congressional hearings on the DEA's intimidation tactics.

The hundreds of letters sent to landlords throughout California, in addition to the more than 50 raids on medical cannabis collectives in the state, represent a serious escalation of federal interference with the state's efforts to care for its most seriously ill and injured citizens.

ASA's National Office will continue to work with Conyers' staff and other Democratic leadership in the New Year to ensure that the voice of patients and property owners are heard on Capitol Hill.

Chairman Conyers' statement is available online at www.AmericansForSafeAccess.org/Conyers.

ASA's 2007 YEAR IN REVIEW—BIG STRIDES FOR SAFE ACCESS

Right to Return of Marijuana

In November, ASA's legal team won a landmark victory when a California appeals court said police must return marijuana seized from qualified patients. The ruling means state and local law enforcement agencies must return medical marijuana wrongfully seized from patients, despite federal prohibition.

Fight for Employment Rights

On November 6, ASA Chief Counsel Joe Elford appeared before the California Supreme Court on behalf of a disabled veteran who was fired in September 2001 for failing a drug test—even though the man was a qualified patient and only used the drug away from work. The case will decide whether patients can be fired for using the medical marijuana state law allows.



Joe Elford

ASA Partners with HIV Group for AIDS Watch 2007

On April 23-25, ASA helped raise awareness about how cannabis may help fight the effects of HIV/AIDS by partnering with the National Association of People with AIDS, the nation's largest HIV/AIDS group, to co-sponsor AIDS Watch 2007.

ASA Defends Democracy

In June, a court win by ASA helped ensure fairer and more accountable election results around the country. The ability to re-count ballots cast on electronic voting machines was in question after a local medical marijuana initiative was defeated by the narrowest of margins. The court ruled that election officials must be able to verify vote counts and prove machines were working properly.

Campaign Pressures Governor

In October, ASA organized a campaign to convince California Governor Arnold Schwarzenegger to stand up to the dramatic increase in federal raids. The cam-

paign—which included more than 40,000 postcards to the Governor, as well as hundreds of phone calls and emails and a rally with 300 patients and advocates at his LA office—resulted in a productive meeting with a representative of the governor.



Don Duncan at the rally

Specialist Educates Calif. Docs

In September, Dr. David Bearman, a member of ASA's Board of Directors and a leading physician specializing in cannabis therapeutics, gave a workshop for more than 200 doctors. The Continuing Medical Education workshop organized by ASA was the first hosted by Kaiser Permanente in San Jose.

Conference Prepares Activists

In January, patients and activists participated in ASA's 2007 California State

Conference, "Implementation = Victory: Preparing for the Next Ten Years." The conference, which included presentations and collaborative workshops on a variety of topics important to the patient community, also provided an unexpected bit of hands-on strategizing and rapid-response training on the last day.

Suing for Truth about Cannabis

In February, ASA challenged the federal government's continuing denials of the medical efficacy of cannabis in court. ASA filed suit in federal court to stop government agencies from spreading misinformation on medical cannabis. A series of legal rulings during the year have allowed ASA to file new complaints, which will be heard in the new year.

State Laws Protected

Beginning in May, ASA's national lobbying efforts helped stave off an attempt to undermine state medical marijuana laws. At issue was a Senate amendment to a

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Food and Drug Administration bill. By talking to key lawmakers and legislative staff and organizing allied patient groups in the HIV/AIDS community, ASA helped block the measure.



Rapid Response to DEA Raids in LA

In January, more than 200 protestors marched from the LA federal building to City Hall, demanding an end to DEA interference with local regulations, after simultaneous federal raids on more than a dozen dispensaries.

Maryland Lawmakers Hear from Patients

For the second consecutive year, ASA joined with a coalition of organizations and patients hoping to pass a new and improved medical marijuana law in Maryland. The effort was unsuccessful, but ASA will be back educating lawmakers in 2008.

Rosenthal Charges Dismissed

In March, noted marijuana author Ed Rosenthal had the majority of the federal charges against him dismissed, thanks to the legal work of ASA Chief Counsel, Joe Elford. In an extraordinarily rare ruling, the judge agreed that the government had engaged in "vindictive prosecution" when it expanded the charges upon re-indicting Rosenthal.

Activists Get Congress to Push DEA

In September, ASA lobbying was part of a successful effort to get Congress to support cannabis research. 45 members of the House sent a letter to the DEA, urging that UMass-Amherst be allowed to grow marijuana for research studies.

Win in Landmark Colo. Caregiver Case

In August, a judge overturned a state limit on the number of patients a caregiver can serve. The decision in the case of a Denver man living with HIV/AIDS came thanks to litigation led by Brian Vicente, director of the Colorado Campaign for Safe Access, a joint project of Sensible Colorado and ASA.



Brian Vicente

Double Victory For Colo. Caregivers

In November, two more legal victories for medical marijuana caregivers in Colorado helped further clarify state law. Both cases were litigated by Vicente of the Colorado Campaign for Safe Access.

Win on Collective Cultivation

On September 6, ASA's legal team won a ruling to protect the right of California patients. The court found that patients cultivating collectively "should not be required to risk criminal penalties and the stress and expense of a criminal trial in order to assert their rights."

Defense of Law Expanded in San Diego

In December, ASA expanded its legal arguments against San Diego County's attempt to opt out of issuing patient ID cards. ASA filed a new brief citing recent court rulings that confirm patients' rights. The city of San Diego also joined ASA and other groups in arguing against the county's appeal of last year's ruling that it must comply with the legislature's medical marijuana program.

Federal Win on Due Process

In May, the ASA legal team won a federal lawsuit on behalf of a California patient who lost his medical cannabis to police seizure. As a result of ASA's intervention, Michael Lee has received \$8,000 from the county, sending a powerful message that local authorities must respect the property rights of patients.

ASA Staff Attend AARP Convention



From September 6-8, members of the American Association of Retired Persons (AARP), had the opportunity to speak with ASA staff during the group's annual convention in Boston. More than 25,000 AARP members attended, with an average age of 62.

Seniors Consider Medical Marijuana

On August 1, medical marijuana was the subject of the "Viewpoint" program on Retirement Living Television (RLTV), a cable channel that boasts 29 million viewers. ASA's Director of Government Affairs, Caren Woodson, was part of an RLTV promotional program that aired the day before.

Patients Protest Raid on Edible Maker

On October 4th, ASA activists and medical marijuana patients gathered in protest at the Oakland Federal Building, as an activist turned himself in to federal authorities to face charges that he supplied edible medical cannabis products to other patients.

ASA at MS Society's National Meeting

In October, ASA staff members traveled to Dallas, Texas for the National Multiple Sclerosis Society's 2007 National Conference, the second time ASA has participated in the MS Society's annual gathering.

NATIONAL ACTION ALERT

Urge your U.S. Senators to Support Research

The federal government has created a gridlock by refusing to allow scientists to conduct medical research using non-governmental cannabis. But the FDA and DEA also claim there is not enough research on the medicinal value of marijuana. This hypocrisy and gridlock must end now! Congress must force the DEA to end the gridlock and allow scientists to conduct the necessary research on medical cannabis.

What You Can Do: Call both of your U.S. Senators today! Ask them to sign the Kennedy/Kerry letter to acting DEA Administrator Michele Leonhart.

SAMPLE PHONE SCRIPT

"Hello, my name is (YOUR NAME) and I live in (YOUR CITY and STATE). I am calling today to ask Senator (YOUR SENATOR'S LAST NAME) to help end the gridlock on medical marijuana research by co-signing the Kennedy/Kerry letter to Acting DEA Administrator, Michele Leonhart. The letter urges her agency to follow the recommendation of Administrative Law Judge Mary Ellen Bittner and grant a license to Prof. Lyle Craker of UMass Amherst to grow marijuana exclusively for federally approved research. To join the letter, contact Graham Shalgian in Senator Kennedy's office at 617 565-3170. Please let me know what you plan on doing. Thank you."

Don't forget to leave your name and number!

For phone numbers of your senators go to: www.senate.gov or call the congressional switchboard at: (202) 224-3121. Visit AmericansforSafeAccess.org/ResearchCampaign for background on the campaign and AmericansforSafeAccess.org/SenateResearchLetter for more ways to take action.

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