



# Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

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## ASA's Vote Medical Marijuana Campaign a Success

The voter education project launched by Americans for Safe Access, Vote Medical Marijuana, successfully helped concerned citizens identify which candidates for state and national offices support safe access. The campaign cataloged the voting records of incumbents and surveyed hundreds of candidates on their positions on issues affecting patients.

Despite the change in leadership in the Senate, all of the Congressional incumbents identified as "Patient Champions" were reelected, so the medical cannabis community has retained its

strong political leadership in both the Senate and the House. A list of the Patient Champions is at [VoteMedicalMarijuana.org](http://VoteMedicalMarijuana.org).

Congress was not the only place that compassionate politicians were elected. Voters in Pennsylvania rejected the reelection bid of Governor Tom Corbett (R), who had told the state legislature he would veto any broad medical marijuana legislation. Replacing him will be Democrat Tom Wolf, who is on record as being a strong supporter of a comprehensive medical cannabis program.

In the US territory of Guam, an island in the Pacific Ocean with a population of about 160,000 that is home to a large military installation, more than 56 percent of voters approved a medical cannabis measure. The measure allows residents with such debilitating medical conditions as cancer, HIV, epilepsy or glaucoma. The Supreme Court of Guam had to direct the election commission to place the Joaquin (KC) Concepcion II Compassionate Cannabis Use Act on the ballot. Guam joins 34 states and the District of Columbia in adopting some form of medical cannabis law.

## Florida Amendment 2 Garner a Majority

Close to 58 percent of Florida voters selected yes on Amendment 2, the voter initiative that would have created a comprehensive medical cannabis program in the state. But state law requires a super-majority of 60 percent to amend the state constitution, so the United for Care coalition that filed the initiative are turning their attention to state lawmakers.

Last year, the Florida legislature passed a bill creating a sharply limited program that restricts the types of cannabis products to those with only limited applications and excludes many common qualifying conditions. The strong showing at the polls has encouraged both initiative proponents and state legislators that a program that meets the needs of patients may be established soon. If the legislature fails to take the will of the people as a mandate for a more comprehensive program,

advocates say a similar statewide referendum could pass in 2016.

The United for Care campaign and local ASA advocates in Florida were joined for "get out the vote" efforts by national staffers from Americans for Safe Access, including Executive Director Steph Sherer and Chief of Staff Hunter Holliman. ASA also organized phone banks to call the more than 25,000 voters who pledged to vote for Amendment 2.



Steph Sherer

Americans for Safe Access will be lobbying lawmakers in Tallahassee to take immediate action on behalf of all patients in the Sunshine State.

An even larger percentage of voters in Florida, almost 58 percent, said yes to that state's Amendment 2, but state rules require a 60 percent majority for passage.

[VoteMedicalMarijuana.org](http://VoteMedicalMarijuana.org) will continue to educate voters through future elections.

## Seattle Seeks to Close Dispensaries

More than 300 medical marijuana businesses received cease and desist letters from the City of Seattle in October. The city is demanding that businesses involving more than 45 plants or 72 ounces of dried cannabis obtain a license from the Washington State Liquor Control Board (LCB) or shut down by July 1, 2015. But those licenses are not available because the state legislature failed to create a licensing system during its 2014 session. The state's voters approved a medical cannabis program 16 years ago.

"Patients are counting on these businesses to provide the medicine that they need," said Kari Boiter, Washington State Coordinator with Americans for Safe Access. "This affects thousands of sick and vulnerable residents and forces patients to rely on an ill-prepared and inadequate adult-use market."

According to city records, about 25,000 Seattle residents are medical cannabis patients. At the time Seattle adopted its law requiring medical cannabis businesses to be licensed by the state, more than 100 dispensaries were already legally operating in the city. By contrast, the LCB has licensed just 65 adult-use stores in the entire state, and only five of those are in Seattle.

## Cannabis Measures Pass in Oregon, Alaska, DC

Voters in two states and the District of Columbia approved ballot measures to allow legal access to cannabis for all adults over the age of 21. Each measure will create a different type of program, with Oregon establishing a broad regulated distribution system, Alaska allowing for cultivation and possession of small amounts of cannabis as well as limited sales, and the District of Columbia simply removing all criminal penalties for personal possession.



Alaska's Ballot Measure 2 will tax cannabis at \$50 per ounce wholesale and permit sales only to those 21 and older through a system to be determined by state officials. Once the law is in effect, which happens 90 days after the election is ratified,

adults will be allowed up to one ounce of cannabis and up to six plants. Up to one ounce of marijuana or six immature plants could be given by one person to another. Smoking in public will be subject to a \$100 citation.



In Oregon, voters approved Measure 91, which creates a regulated system for the commercial production, distribution and sale of cannabis to people 21 years of age and older that is similar to what Colorado has implemented this year. Anyone over 21 will be able to carry up to one ounce of cannabis and have up to eight ounces in their residence, as well as four plants. Up to one pound of cannabis edibles, 72 ounces of

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# Federal Court Hears Evidence on Cannabis Classification

At the end of October, medical cannabis defendants charged in federal court with conspiracy to grow more than 1,000 marijuana plants were given an exceedingly rare opportunity to introduce scientific evidence on the medical uses of cannabis.

For three days, the U.S. District Court for the Eastern District of California considered testimony on whether cannabis is misclassified by the federal government as a dangerous drug

with no medical value. The defense is arguing that the indictment against Brian Justin Pickard and others violates the U.S. Constitution because the drug is improperly classified.

Judge Kimberly J. Mueller heard expert testimony from Carl Hart, Associate Professor of Psychology at Columbia University in New York City; Dr. Greg Carter, Medical Director of St. Luke's Rehabilitation Institute in Spokane,

Washington; and retired physician Philip Denny; as well as author, consultant, and expert witness Chris Conrad.

Bertha Madras, Ph.D., Professor of Psychobiology at Harvard Medical School and formerly with the White House Office of National Drug Control Policy under President George W. Bush, testified on behalf of the government's position that cannabis has no accepted medical uses.

## Chapter Profile: Nevada County ASA Chapter



The Nevada County California ASA Chapter got started in 2010 after local officials passed a ban on dispensaries and a restrictive cultivation ordinance. Soon after, county supervisor meetings were attracting upward of 350 concerned citizens, which led to the first local meetings of medical cannabis advocates.

The ASA chapter was organized by Patricia Smith, who had been a costume designer in Hollywood in the 1980s when the AIDS epidemic started. She had decided to make medicated brownies for local AIDS patients and began to hear stories about how her brownies were helping with not just appetite but pain relief and nausea control that helped people with AIDS stay on medications. "That really

opened my eyes to the medical properties," she says. "I've been an activist ever since."

The focus of the last three years for the chapter has been an attempt to repeal the local restrictions via a ballot initiative. That process proved grueling, as the county elections office repeatedly provided inconsistent information. Initially, the local ASA organizers were told they would need 9,000 signatures to qualify Measure S for the November ballot, then it was 10,000. Eventually, about 15,000 petition signatures were submitted. Then County Counsel Alison Barratt-Green worded the ballot question in a misleading way, saying the measure would "expand" cannabis cultivation when it would have replaced a square-foot limit with a numerical plant count.

Nevada County ASA challenged the counsel's wording, and Nevada County Superior Court Judge Sean Dowling ruled that the language was not impartial, as required by law. But the ruling did not come until about a month before the election, which the judge decided was not sufficient time to reprint ballots. Nonetheless, a delay in mailing voters guides resulted in some people receiving their vote-by-mail ballots before they got to read the arguments for and against Measure S.

The defeat leaves in place a May 8 county ordinance that limits most cultivation sites to 11 contiguous square feet, but Smith is optimistic the campaign will help persuade elected officials to create better regulations.

### ACTION ALERT: Register Today for Unity 2015

Register today for ASA's third annual national conference March 27-31, 2015, in Washington, DC. The National Medical Cannabis Unity Conference 2015 will be our largest and most important conference yet. Hundreds of patients, advocates, scientists, and industry leaders will meet at the Lowes Madison Hotel in the heart of downtown for three days of networking, education, and action.

ASA will have a scholarship program for some participants again this year, but everyone can save by planning ahead. Special discounts on registration are available for ASA members. If you still haven't joined ASA, you can save \$50 on your conference fees by joining when you register.

You can also save money by booking at the Lowes Madison Hotel right now. Be sure to tell them you're with ASA's National Medical Cannabis Unity Conference 2015. Register today at [nationalmedicalcannabisunityconference.org](http://nationalmedicalcannabisunityconference.org).

### DEA Raids LA Dispensary

The federal Drug Enforcement Administration raided two locations of a well-known L.A. area dispensary. Medicine was seized at the Farmacy in West Hollywood and Westwood, but no arrests were made.

The manager for one of the Farmacy locations told the media they have been operating for close to 10 years, are "completely 100 percent state-compliant" and pay their taxes.

*ADULT USE, continued from page 1*

infused liquid such as beverages or topicals and up to one ounce of cannabis extract are also allowed. The Oregon Liquor Control Commission has until January 1 to create rules for commercial distribution, which should be in effect by mid summer.

### Become a Member!

**YES! Please accept my donation**

(check one)  Monthly  One-time  \$100  \$50  \$35  Other Amount \$ \_\_\_\_\_

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Washington, D.C. voters said yes to a referendum that would allow anyone over 21 to possess up to two ounces of cannabis and grow up to six cannabis plants in their home. Sales would be prohibited, but individuals could transfer up to one ounce of cannabis to another person. Because all laws in D.C. are subject to being overruled by Congress, whether this initiative will be allowed to take effect is unknown. A medical cannabis initiative that had received more than 65 percent support was blocked by Congress for over a decade.

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