

The Medical Cannabis Advocate's Handbook

**ORGANIZING
COURT SUPPORT**

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Cannabis is not only utilized as medicine in states that have medical cannabis laws.

Medical cannabis patients are being arrested, tried, and are going to jail all over the country. As advocates, it is our job to highlight these injustices both in state and federal courts.



Federal laws make it difficult for patients and caregivers to speak out about medical cannabis because of fear of harassment, arrest, and imprisonment. That is why

supporting someone whose use is already in the public eye is a good way to bring this crisis to your community's attention.

Hundreds of medical cannabis patients and providers went to jail before the first state law changed in 1996. Several of these patients and caregivers stood up in the public eye and pointed out the injustices facing them, which helped define medical cannabis's place in politics.

WHAT IS COURT SUPPORT?

Court support is a group of tactics used to support a patient or caregiver while they are going through state and federal legal systems. It is important to understand that as activists, we possess a toolbox of tactics we can use. Just like other tools, it is important to decide which tools are appropriate for each situation. Listed below are some examples of these tools. You may want to use some or all of them depending on the situation. Remember, the health and safety of the defendant must ALWAYS be your first priority.

1. Media:

- Get all the facts straight: Before you contact the press, make sure you have a first or at least second-hand account of

what has happened. Get contact numbers for the defendant and anyone they would like to speak on their behalf: their attorney, family members, local officials, doctors, etc. Make sure to let the press know you are willing to help them with interviews.

• Contact local media about the case:

Either immediately following the raid or a week before a hearing, you should send a media advisory to your local press outlets letting them know that a medical cannabis patient has been arrested and is awaiting trial.

- **Press Release:** Before a court date, hearing, or any other relevant event, it is a good idea to send a press release at least 24 hours in advance. A press release lets the press know who, when, where, and what. Press releases have very specific formats, so if it is your first release, check out ASA's media manual for tips and tricks of the trade.

<http://www.safeaccessnow.org/article.php?list=type&type=71>

- **Backgrounder:** Medical cannabis trials can be very confusing for the public and press. It is a good idea to have a one page handout to give to the press that explains the specifics of the case, information about the state laws, and information about the state/federal conflict.

- **Press Conferences:** Press conferences should only be between 10-30 minutes long. Having an MC can help keep things moving. Make sure everyone knows the speakers' order, only have a press conference when there is something NEW to say, make sure someone helps the press set up and get all the interviews they need, and don't forget signs and visuals!

2. In the courtroom:

Fill the courtroom with supporters...

- **Be respectful.** It is often hard to sit and

watch injustices unfold in front of you, but interruptions in the courtroom can cause a judge to take his anger out on the defendant.

- **Dress for court.** Dress like it is YOU who is on the stand. As supporters in the courtroom, your appearance reflects on the defendant.

TIP: No need to draw attention to yourself; just all stand up and leave with the defendant.

3. Outside the courtroom:

- Protests and rallies: Get creative! Street theatre, easy-to-read signs, marches, pickets, and large puppets can deliver a complex message to the public and to the press. Trials can run for weeks, so if you want to keep something going, mix it up for attendees so they will want to come back.

CAUTION: Be aware of laws concerning jury tampering. Do not hand out information about the defendant once jury selection begins or during the trial.

4. Emotional Support



Going through the legal system can be both financially and emotionally draining. Awaiting a trial can be a lonely and frustrating experience. If we are to build a strong, vibrant movement, we must make sure we do not let anyone slip through

the cracks. Sometimes people need an ear, a ride to court, or childcare for their children. Don't be afraid to reach out and ask what they need. It is important to only commit to what is viable for you.

II WHEN SHOULD YOU USE COURT SUPPORT?

Court support should be used any time a medical cannabis patient or caregiver is arrested anywhere in the U.S. A defendant or even your community may decide that a specific

case may be too cloudy for the local political landscape, and media may do more harm than good. If this is the case, you can still do everything else but contact the media (protests, presence in the court, emotional support, etc.).

III WHY DO COURT SUPPORT?

- **Organizing opportunity:** Court cases create a crisis in a community and for many supporters, court support gives them an opportunity to move from a quiet supporter to an active supporter.
- **Community awareness:** Court cases create an opportunity to educate your community, local media, and legislators about the injustices surrounding medical cannabis.
- **Bring the issue home:** Court cases give patients and advocates the opportunity to localize and put a human face on the issue of medical cannabis. To many people, medical cannabis seems like a simple policy matter until they learn of a community member facing jail for their medication.
- **The fate of the defendant:** Quite simply, judges and prosecutors are less likely to screw people over when they have a large public audience.

IV WHO CAN DO COURT SUPPORT?

YOU and anyone who cares about the persecution of patients!

V HOW DO YOU FIND CASES TO SUPPORT?

- Keep an eye on the paper for local medical cannabis busts
- Put out flyers
- Stay in touch with people in the medical cannabis community
- Hold medical cannabis town hall meetings
- List of pending federal cases: AmericansForSafeAccess.org/PendingCases
- List of upcoming federal court dates: AmericansForSafeAccess.org/UpcomingCourtDates