



# Americans for Safe Access

Activist Newsletter

**Defending Patients' Access to Medical Marijuana**

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## Host of Elected Officials Decry DEA Raids

Recent federal raids have drawn official rebuke from local and state officials across the country. Those raids—including one on Oaksterdam University, a professional training center for medical cannabis providers and patients in California—have brought condemnation from lawmakers in five states and House Minority Leader Nancy Pelosi, as well as San Francisco's mayor and the Democratic Party Committees in San Francisco and Alameda counties.

The state lawmakers representing California, Colorado, Maine, New Mexico, and Washington sent a bipartisan letter to the White House urging President Obama to respect state laws.

"States with medical marijuana laws have chosen to embrace an approach that is based on science, reason, and compassion," say the officials in their letter. "Our state medical marijuana laws differ from one another in their details... Each of our laws, however, is motivated by a desire to protect seriously ill patients from criminal penalties under state law."

The letter states the Department of Justice's new aggressive policy "makes no sense" and is "not a good use of our resources," echoing what President Obama said as a candidate, Eric Holder has said as Attorney General, and the DOJ 2009 memo on medical cannabis enforcement.

The five-state letter was signed by Assemblymembers Tom Ammiano (D-Calif.)

and Chris Norby (R-Calif.), Sen. Jeanne Kohl-Welles (D-Wash.), Rep. Antonio Maestas (D-N.M.), Sen. Cisco McSorley (D-N.M.), Rep. Deborah Sanderson (R-Maine) and Sen. Pat Steadman (D-Colo.).



Rep. Nancy Pelosi

House Minority Leader Nancy Pelosi (D-Calif.) issued a statement May 2, condemning federal interference with the state-sanctioned medical cannabis distribution she says she strongly supports. Speaker Pelosi says she will continue to "advocate federal

policies that recognize the scientific evidence and clinical research demonstrating the medical benefits of medicinal marijuana, that respects the wishes of the states in providing relief to ill individuals, and that prevents the federal government from acting to harm the safe access of medicinal marijuana provided under state law."

San Francisco Mayor Ed Lee issued a statement in early April denouncing "recent federal actions targeting duly permitted Medicinal Cannabis Dispensaries...that aim to limit our citizens' ability to have safe access to the medicine they need." That statement followed a rally of more than 500 patient advocates and a press conference in which several San Francisco supervisors and California state officials denounced the Obama Administration's aggressive tactics.

*(continued page 2)*

## Calif. Court Reverses Two Convictions Dispensary Operators Faced Biased Judge

Two California dispensary operators didn't have to wait for appeal to see their convictions on state charges overturned. The trial judge recused himself before sentencing, and the new judge promptly tossed the convictions of Joe Grumbine and Joe Byron, saying this was "a terrible, terrible, terrible trial."

Long Beach Superior Court Judge Joan Comparet-Cassani cited a number of improprieties by the trial judge—including compelling the prosecutor in the presence of the jury, while being extremely rude to the

defense team—in granting Grumbine and Byron's motion for a new trial.

Grumbine and Byron had been tried under rules of evidence that prevented the jury from hearing any evidence of their compliance with state law in operating collectives in Long Beach and Garden Grove.

The original trial judge, Superior Court Judge Charles D. Sheldon, recused himself from the case after he admitted sending a congratulatory letter to the prosecutor.

## CONN. HOUSE PASSES MEDICAL CANNABIS BILL

The Connecticut state House sent a medical cannabis bill last month to the state Senate by a vote of 96-51.



Gov. Dan Malloy

Governor Dan Malloy has voiced support for the measure and is expected to sign it.

Two state senators opposing the bill have solicited a letter from the U.S. Attorney for the state, David Fein, saying he may prosecute individuals involved in the distribution program

the measure mandates.

HB 5389 specifies qualifying conditions for which registered patients and their caregivers would be allowed to possess a one-month supply of cannabis. Confidential registration with the Department of Consumer Protection would cost up to \$25 and last one year.

The cultivation and distribution of medicine would be confined to Connecticut.

## NEW HAMP. HOUSE PASSES MEDICAL CANNABIS BILL

Lawmakers in New Hampshire are sending a bipartisan medical cannabis bill to the governor's desk. The Republican-dominated state House last month overwhelmingly passed a Senate bill sponsored by Republican state Sen. Jim Forsythe. SB 409 returns to the Senate for a concurrence vote before going to Democratic Gov. John Lynch, who has threatened to veto it, as he did similar legislation in 2009.

The margin of 236-96 in the House is enough to override a veto, but the Senate vote of 13-11 vote means three additional senators will be needed to push it through. All five Democrats in the Senate voted in favor, as did eight of the 19 Republicans.

The proposed law would allow patients and caregivers to possess up to six ounces of cannabis and cultivate four mature and 12 immature plants.

## DC Approves 4 Distribution Locations

A tentative list of four medical cannabis distribution locations in the District of Columbia has been released by the Department of Health's Health Regulation & Licensing Administration. Applicants were required to meet a minimum score on a set of restrictive criteria, and only four qualified under the guidelines.

If the four gain final approval, DC will have one dispensary for every 125,000 residents. Six cultivation centers have been approved separately; each may cultivate no more than 95 plants, or less than one for every 1,000 residents.

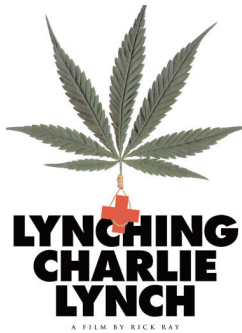
The District Council has amended the bill to limit access to those with cancer, HIV/AIDS, glaucoma or severe muscle spasms, though there are provisions for expanding the list.

Qualifying patients or their caregivers will be required to obtain their medicine from one of the licensed distribution centers and may possess no more than two ounces. The D.C. Council created the implementation process in May 2010 after Congress lifted a ban on a 1998 initiative passed with 69% of the vote.

## New Documentary on Calif. Trial Film Examines Prosecution of Dispensary Operator

The 2007 arrest and federal prosecution of a California dispensary operator is the subject of a new film from an award-winning documentary filmmaker.

Rick Ray and Brainstorm Media have just released *Lynching Charlie Lynch*, which they say "explores the conflict between the state-permitted medical marijuana business and Federal drug law in America, and the human cost of the arbitrary and inconsistent application of the law." The film includes in-depth interviews with experts and advocates across the country, including ASA California Director Don Duncan.



Though Lynch worked closely with local officials in Morro Bay to ensure his compliance with state law, and was even welcomed into the Chamber of Commerce, he became one of more than 200 Californians raided by the DEA under the George W. Bush Administration.

His trial became a cause célèbre and the focus of media attention, with coverage in Time Magazine, Larry King Live, interviews with John Stossel and Al Roker, and a previous documentary with Drew Carey.

*Lynching Charlie Lynch* is available at Amazon.

### ACTION ALERT: Tell Obama Medical Cannabis is No Joke!

Comedian Jimmy Kimmel called out Pres. Obama at the White House Correspondents' Dinner. Now's your chance to tell the President medical cannabis is no joke. Call the White House today at 202-456-1414 and ask him:

*What's with the medical marijuana crackdown? Jimmy Kimmel is right! Cannabis is something real people like me care about, and medical cannabis patients vote, too. Tell federal prosecutors to stop intimidating elected officials who are trying to regulate the distribution of medicine. Tell them to stop prosecuting the people who are working with those officials to provide it. Medical cannabis is not, as you told Rolling Stone, "really doing folks damage." But your interference with state programs is!*

## CRMM California Unity Conference & Lobbying Day

**Sacramento May 19-21**

Californians to Regulate Medical Marijuana (CRMM), a statewide coalition of patients, advocates, organized labor, and other stakeholders, is holding a unity conference in Sacramento this month to help promote sensible statewide regulations for medical cannabis in California.

Hosted by Americans for Safe Access, a coalition member, the CRMM California Unity Conference will help attendees develop strategies and skills necessary to adopt beneficial legislation this year.

The conference will include two days of state and local strategy sessions, skills trainings for advocates, community building, and more. On Monday, May 21, attendees will be visiting every legislative office in the state capitol to put their strategies and skills into practice.

ASA will also be holding a Gala Celebration of our 10-year anniversary on the evening of Saturday, May 19.

Advance tickets for the conference will cost \$50 for both days or \$75 for both days including lunches.

Tickets purchased at the conference will be \$75 for both days or \$100 for both days including lunches.

ASA Anniversary Gala tickets are \$75 for conference attendees and \$100 for others.

Register at [AmericansForSafeAccess.org/CRMM](http://AmericansForSafeAccess.org/CRMM)

Get sponsorship information online at: [AmericansForSafeAccess.org/downloads/CRMM\\_sponsorship\\_packet.pdf](http://AmericansForSafeAccess.org/downloads/CRMM_sponsorship_packet.pdf).

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## YES! Please accept my donation

**OFFICIAL REBUKE**, continued from page 1

The Democratic Party Committees of both San Francisco and Alameda counties have also adopted resolutions asking federal agencies to cease interference.

Since the beginning of the year, five San Francisco dispensaries have been forced to shut down due to threats from federal prosecutors, and in early April federal agents raided city-compliant medical cannabis businesses in Oakland, including one of the state's oldest distribution facilities and Oaksterdam University.