



Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

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Calif. Legislature OKs Job Rights for Cannabis Patients

The California legislature has taken action to guarantee employment rights for cannabis patients. The state senate this month sent to the governor's desk an assembly bill that would prevent discriminating against patients in "hiring, termination, or any term or condition of employment" based on their status as a state-qualified medical cannabis user or a positive drug test for marijuana.

The bill, AB 2279, was introduced by Assemblymember Mark Leno in answer to a California Supreme Court decision that found medical marijuana patients can be fired for positive drug tests, even if their cannabis use is legal under state law and occurs only outside the workplace. AB 2279 is sponsored by ASA and was drafted with assistance from ASA's Legislative Analyst, Noah Mamber.

The bill leaves intact existing state law prohibiting consumption at the workplace and

protects employers from liability by allowing exceptions for jobs where physical safety could be a concern.

"The California legislature has stood up for the right of patients to work and be productive members of society," said ASA Chief Counsel Joe Elford, who represented Gary Ross, the software engineer whose firing became a test of California's medical marijuana law. "Now the governor must act to protect the jobs of thousands of law-abiding Californians who are



Gary Ross

fighting serious illnesses such as cancer and HIV/AIDS."

The employment rights bill has the support of unions representing nearly 1 million workers in California, as well as the National Lawyers

Guild and several HIV/AIDS advocacy organizations. ASA lobbying helped gain the early endorsements of these organizations.

More about the bill can be seen at www.AmericansForSafeAccess.org/AB2279.

ASA FORMS ALLIANCE WITH STUDENT DRUG POLICY GROUP

The national leadership of Students for Sensible Drug Policy (SSDP) and Americans for Safe Access have formed an alliance to work more closely on the common goal of a compassionate drug policy.

SSDP, one of the most effective and fastest-growing student organizations in the country, and ASA, the largest organization working solely on safe access to medical cannabis for research and patients, are asking student chapters to become official ASA affiliates.

SSDP chapters across the country have long worked on ASA campaigns, and over the years many ASA staffers have had their beginnings with SSDP. But by becoming official affiliates, SSDP chapters can work directly with ASA on federal and local campaigns, promote educational events on campus, and make a larger impact.

SSDP chapters can contact ASA's national office to find out how to:

- Host screenings of the award-winning documentary *Waiting to Inhale* and bring writer and director Jed Riffe to speak about it
- Host lectures with researchers, patients and activists to learn about medical cannabis
- Work with ASA on campaigns to influence schools and communities to help change state and federal medical cannabis laws.

ASA's is providing SSDP chapters with professional activist training in event planning, lobbying, media training, and other activist skills, as well as giving students a chance to gain experience on professional legislative campaigns. ASA also helps SSDP chapters work together locally, regionally and nationally.

As ASA affiliates, SSDP chapters can benefit from ASA's credibility with legislators and

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Calif. AG Issues Medical Cannabis Rules Guidelines for Police, Patients, Dispensaries

Guidelines for California medical cannabis patients and the operation of dispensaries that serve them have been issued by the state's attorney general.

Under the new guidelines, California law enforcement agencies should not take qualified patients into custody or seize their cannabis, so long as they are abiding by state law and local regulation. In instances where medical cannabis is seized, officials are required to return it to patients. The guidelines also provide recommendations for operating medical cannabis dispensaries in accordance with state law.

"Today we stand beside the Attorney General of California in his effort to fully implement the state's medical marijuana law," said ASA Chief Counsel Joe Elford. "We welcome this leadership and expect compliance with these guidelines will result in fewer unnecessary arrests, citations and seizures of medicine from qualified patients and their caregivers."

Americans for Safe Access and other advocates have been urging Attorney General

Jerry Brown and other state officials to take action on implementing the medical cannabis program. The guidelines on return of patient cannabis are in keeping with recent court decisions won by ASA.



Jerry Brown

The most significant aspect of the guidelines may prove to be the recommendations for operating storefront medical marijuana dispensaries in accordance with state law. Lack of state guidance has meant that the issue of how to regulate the operation of such dispensaries—which some estimates say more than half the state's cannabis patients rely on for access—has been left to city councils, county supervisors and local zoning boards.

The guidelines note that "a properly organized and operated collective or cooperative that dispenses medical marijuana through a storefront may be lawful under California law." The key question is what constitutes

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Chapter Update: ASA Launches Mentorship Program

ASA is launching a mentorship program to help new chapters and affiliates establish themselves. The ASA Chapter Mentorship Program is a response to the increasing interest in medical cannabis across the country.

New research, patient testimonials, and the abusive actions of federal agencies have led concerned citizens to speak out. Americans fed up with cruel, outdated policies are forming ASA chapters. Community organizations grappling with healthcare crises are becoming ASA affiliates. Condition-based groups whose members already use cannabis under threat of arrest are joining ASA campaigns.

Through "chapter mentorship," emerging ASA chapters are connected with seasoned veterans. New activists are guided through their campaigns step-by-step, while building relationships with groups that have reputations for success. The goals of the ASA Chapter Mentorship Program are to:

1. Expand the number of ASA chapters and affiliates across the US
2. Strengthen the impact of existing ASA chapters and affiliates
3. Promote greater cooperation, communication, and interconnectedness among ASA chapters and affiliates.

The "mentored-to-mentor" relationship means regular communication and support, as groups paired by ASA work step-by-step to plan and implement campaigns. Mentors help identify strategic projects, engage in step-by-step project planning, and communicate regularly to make change.

This program is for official ASA chapters or affiliates, though groups will be considered on a case-by-case basis. Interested chapters or parties should submit a one-page application outlining the recent activities of their group, why they need an ASA Mentor, and at least two specific projects they need help with. Inquiries should be directed to George Pappas at George@AmericansforSafeAccess.org.

Special Offer for ASA Members

Get 6 films on 2 DVDs FREE, including *Waiting to Inhale*—and support ASA at the same time.

For each ASA member who signs up at www.ironweedfilms.com/safe, Ironweed program will donate up to \$32 a year to ASA (\$10 after first month, \$2 additionally every month to \$32).

Ironweed Films is a monthly DVD subscription which features progressive documentaries and DVDs.

ACTION ALERT: Photos for Change Campaign

2008 is going to be a big year for change, and one of the most important changes will be our President. But regardless of whether it's Obama or McCain, one thing is clear: medical cannabis patients are fed up and ready for change, too.

Help us make that change by taking a photo for ASA! ASA is gathering pictures of medical cannabis patients, activists, and supporters, all holding signs that say:

Medical marijuana patients are ready for change, too.

Be creative with your photos, your signs, your backgrounds, (and yourselves!). We'll use the pictures to create a video of supporters to show on our website, use as a backdrop to public presentations, or send as a "human" reminder to elected officials and health care groups that there are many patients out there who need change.

Send pictures via email to George@AmericansForSafeAccess.org or by postal mail to Americans for Safe Access, 1322 Webster St. Suite 402, Oakland, CA 94612.

Become a Member

YES! Please accept my donation

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proper organization and operation. The attorney general's guidelines claim that medical cannabis dispensaries must operate on a not-for-profit basis.

This stems from language in the Medical Marijuana Program Act (SB 420), passed by the state legislature in 2003. But the voter-approved Compassionate Use Act (Prop. 215) makes no mention of profit or non-profit in its call for the establishing of a state distribution system.

The guidelines also make clear that state and local law enforcement are not to use federal law as an excuse for arresting state-qualified patients or seizing their cannabis. In so doing, the attorney general affirmed several court decisions that find California's medical marijuana law is not preempted by federal law.

The differences between state and federal laws have led to escalating interference by federal officials. The Drug Enforcement Administration (DEA) and Department of Justice have targeted California with a campaign of raids, seizures and prosecutions.

The new guidelines can be seen at: www.AmericansForSafeAccess.org/downloads/AG_Guidelines.pdf

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healthcare groups as an organization focused exclusively on medical cannabis as a healthcare crisis. In return, ASA benefits from the presence of SSDP chapters across the country.

"College students have played a central role in all social justice movements, this one included," said George Pappas, ASA Field Coordinator. "This an excellent opportunity for young activists, and one more step to making this movement a force for change."

For more information on how to get started, contact ASA Field Coordinator George Pappas (George@AmericansforSafeAccess.org) at (510) 251-1856, or SSDP National Field Director Micah Daigle (micah@ssdp.org) at (415) 875-9463.