



Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

May 2010

Volume 5, Issue 5

ASA Launches National Strategy for Access at Workshop *Activist Workshop Follows Clinical Conference in Rhode Island*

Medical cannabis activists from across the country participated last month in the launch of ASA's new National Strategy to secure safe access for all Americans by 2013. The two-day workshop in Warwick, Rhode Island followed the Sixth National Clinical Conference on Cannabis Therapeutics, sponsored by Patients Out of Time.

ASA's core strategy recognizes that the changing of Federal law will likely not happen without a much stronger national grassroots base demanding safe access for all Americans. With this in mind, ASA national staff led activists through a series of trainings and discussions on everything from strategic planning to lobbying and media training.

Small groups with representatives from states both with and without medical cannabis laws facilitated dialog on anticipating and resolving issues with implementing safe access. Activists from New Jersey, Maryland, Michigan, California and Maine were able to discuss what

is working and what's not with each other, as well as representatives from states without patient protections, such as Tennessee and Florida.



Caren Woodson

"Having patients and activists from so many parts of the country helped everyone gain a better sense of what's possible and what's difficult," said Caren Woodson, ASA's Government Affairs Director. "ASA's national strategy to mobilize the grassroots is providing them with key support. They know they're not alone in the process."

ASA's strategy focuses on the specific needs and constraints of individual states within a framework of national impact. Workshop participants learned how their work toward passing meaningful medical cannabis legislation in more states and successfully implementing

local medical cannabis laws links to the passage of Federal initiatives that will grant access to all Americans who need it. ASA staff explained how increasing the nationwide grassroots base helps put constant local pressure to pass comprehensive federal legislation, as does effectively implementing the current medical cannabis laws in 15 states and the District of Columbia.

(continued page 2)

ASA Legal Challenge Gets Change in LA Regulations

The nation's second-largest city will have regulations in effect for the distribution of medical cannabis next month, after the Los Angeles City Council voted 9-1 to approve final amendments to a local dispensary ordinance it passed earlier this year.

While the restrictive provisions on where and how many dispensing collectives may operate will result in the closure of hundreds of dispensaries, legal action by ASA resulted in the removal of a particularly onerous provision.

As originally approved, the ordinance required dispensary operators to find a new location within seven days after the law took effect. ASA's lawsuit against the City of Los Angeles argued this was a violation of due process, and the City Attorney's office quietly dropped the language from the final ordinance. ASA had filed suit on behalf of Venice Beach Care Center and PureLife Alternative Wellness Center, two dispensaries that have operated in Los Angeles since before the city's widely ignored 2007 moratorium.

"Our legal challenge forced the city to improve its medical marijuana dispensary ordinance," said ASA Chief Counsel Joe Elford. "But the battle is far from over. The buffer zones and other location restrictions are so onerous and complicated that they throw into question whether any dispensaries will be able to fully comply with the ordinance."

In order to comply with the ordinance, dispensaries must be located at least 1,000 feet from

(continued page 2)

D.C. Closer to Medical Cannabis Protections *Council Passes Bill, Congress Has 30-Day Review*

After a wait of more than a decade, residents of Washington, D.C. who use medical cannabis should soon enjoy some legal protections. The District Council early this month passed a bill that will regulate and enact Initiative 59, which voters approved in 1998 but was blocked by an act of Congress. That ban was lifted this year.

In the final vote on amendments to the bill, the Council relented on a restrictive provision that would limit personal possession to no more than two ounces per month. Lobbying by patients and ASA staff -- including Executive Director Steph Sherer, who is a D.C. resident - convinced them to give the District Mayor discretion to increase that limit to four ounces. Other amendments to prevent the denial of employment or housing, to allow personal cultivation, and to ensure distribution centers are operated on a nonprofit basis were rejected.

"We are certainly excited to help implement a bill that has taken 11 years to see the light of day," said Sherer. "But the Council's failure to

listen to patients' needs will have serious unintended effects that may take years to correct."

The implementation bill's ban on personal cultivation while allowing for-profit distribution centers has been a particularly cause for concern among activists.

Since Congress lifted the ban on implementing Initiative 59 in December, the District Council has moved swiftly to implement the law. The "Legalization of Marijuana for Medical Treatment Initiative Amendment Act of 2010," was co-introduced earlier this year by District Council Chairman Vincent C. Gray (D) and Councilmembers David A. Catania (I-At Large) and Phil Mendelson (D-At Large).

A final vote on the measure has not yet been scheduled, but passage and signing by the Mayor is expected soon. Under the Home Rule Act, the bill then goes before Congress for a mandatory 30-day review period, as with all local laws in Washington D.C.

News from ASA Chapters and Affiliates

The Rhode Island Patient Advocacy Coalition (RIPAC), an ASA Affiliate, was the local host and partner with Patients Out of Time for the Sixth National Clinical Conference on Cannabis Therapeutics last month in Warwick, Rhode Island. The conference was the setting for the inaugural meetings of the American Cannabis Nurses Association (ACNA). The ACNA is working to become an affiliate of the American Nurses Association so it can better integrate patients and nurses into the emerging field of cannabis medicine, advocate for intelligent treatment of patients, and de-stigmatize cannabis in the nursing profession.

The Metro Detroit ASA chapter is now part of a coalition called "Cannabis Patients United," which is hiring its own lobbyist to represent the interests of patients at the Michigan state capitol in Lansing.

ASA was well represented last month at the International Cannabis and Hemp Expo at the San Francisco Cow Palace. The ASA booth included representatives from the national office in Oakland, as well as four local chapters: San Francisco, Sonoma County, Silicon Valley, and East Bay. The over 15,000 participants who attended the expo learned about ASA's extensive work on behalf of medical cannabis, many for the first time.

The San Luis Obispo ASA chapter launched their first community outreach at the Earth Day event in Atascadero, distributing cards and information. Organizers report that the day went well, with many people surprised but happy to see a local ASA chapter. One of the

candidates for sheriff stopped by with lots of questions, as did an Atascadero City Council member. After speaking with a chapter member, the councilmember said the Council had not been given the full picture of patient's rights and that they had made a mistake. She promised to reconsider the dispensary ban.

The Fresno ASA chapter participated last month in a local cancer research walk to benefit St. Jude's. Fresno ASA also staffed a booth at the event, where they distributed ASA pamphlets and helped educate participants on the medical benefits of cannabis. All profits from the event have been donated to St. Jude's.

The Sonoma ASA Chapter joined in hosting a Medical Cannabis Forum to hear from candidates for District Attorney. The room was filled to capacity (over 135 people), but those turned away were able to see the debate streaming live on the internet courtesy of the local paper, The Press Democrat. Moderated by Sonoma County Public Defender Joe Rogoway, the debate included questions for the candidates on local guidelines and prosecution standards for medical cannabis patients, collectives, cooperatives, and dispensaries, as well as California's November ballot initiative. Both candidates expressed a strong commitment to patient access.

Sonoma Alliance for Medical Marijuana (SAMM) was the other host for the candidates debate, which was sponsored by the California Law Institute, Sonoma Patients Group, Peace in Medicine, and Organicann.

AMERICANS FOR SAFE ACCESS
www.AmericansForSafeAccess.org
1322 Webster Street, #402
Oakland, California 94612
Phone: 510-251-1856

(NATIONAL STRATEGY, continued from page 1)

The guided process -- facilitated by ASA Executive Director Steph Sherer, Legal Coordinator Lauren Payne, and Elizabeth Mewhiney and Caren Woodson from ASA's Government Affairs office - helped activists identify specific goals and create local action plans appropriate for their area.

"Criticizing what happens in a particular state as either too permissive or too restrictive is easy from the outside," said Woodson. "But after hearing the local truth from activists on the ground, people were able to keep a more open mind about the big picture—achieving national access."

ASA's legal and government affairs staff also unveiled how they will apply direct pressure for change on the national level. ASA's government affairs office is building on momentum with the Obama Administration and Congress to fix harmful federal policies on asset forfeiture, drug classification, and cannabis research. Meanwhile, the ASA legal team is pursuing pivotal medical cannabis litigation that can guarantee safe access nationwide, including ASA's Data Quality Act petition and another to "reschedule" cannabis to a classification that removes barriers to research and medical use.

"What's most exciting about this is seeing the grassroots take ownership of the process," said Woodson. "Medical cannabis patients are realizing how to move forward together as a community to accomplish safe access for everyone. ASA is building a strong grassroots now to prepare for the coming victory."

(LOS ANGELES, continued from page 1)

schools, parks, libraries, churches and other so-called "sensitive uses." Dispensaries are also prohibited from locating next to or across the street from residential property, which excludes almost all of the city's commercial zones. The Planning Department has yet to produce maps showing where dispensaries can be located.

The removal of the requirement to move within seven days was ASA's second victory in the regulatory process in L.A. In November, when the council was considering banning any cash sale of medical marijuana, ASA threatened to file suit and the council crafted compromise language.

The new regulations go into effect June 7.

ACTION ALERT: Be Part of ASA's National Strategy!

ASA has a new National Strategy for securing safe access for all patients by 2013. This strategy is built around empowering grassroots activists to make a national impact by taking action in their communities.

Check out the whole plan online at AmericansForSafeAccess.org/Strategy2010. Then tell a friend why being part of ASA's grassroots campaign can make all the difference in achieving safe access for everyone! Ask them to become a member at: AmericansForSafeAccess/join.

Become a Member

YES! Please accept my donation

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

Name _____ Check or Money Order Enclosed.

Address _____ Visa Mastercard AMEX Discover

City, State, Zip _____ Card Number: _____

Phone _____ Signature: _____

Email _____ Expiration Date: ____/____/____

Mail to: Americans for Safe Access, 1322 Webster St., Suite 402, Oakland, CA 94612

www.AmericansForSafeAccess.org