

TALKING POINTS: MEDICAL CANNABIS COLLECTIVE DISPENSARY BANS

Given that medical cannabis law is still being developed, it is reasonable for civic leaders to have concerns about medical cannabis regulations. It is crucial that policymakers and other stakeholders be reminded that medical cannabis collective dispensaries are legal under state law and municipalities are required to determine what is best for the health and wellbeing of its residents.

DISPENSARY BAN CREATES LEGAL CONSEQUENCES FOR LOCAL GOVERNMENT AND IS UNECESSARY

- ✓ California voters passed The Compassionate Use Act to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes. To advance the will of the California voters, the Legislature enacted SB 420, which established cooperatives and collectives as the recognized forms of medical marijuana cultivation and distribution to those who are too sick or otherwise unable to cultivate it for themselves.
- ✓ The expiration of a moratorium on medical cannabis dispensaries does not necessitate immediate action. The notion that allowing the current moratorium to ban without passing a ban or ordinance will result in dispensaries flocking to a city is misinformation. Several locations, such as Morrow Bay and Mountain View did not see an influx of dispensaries after the expiration of their moratoria.
- ✓ State Attorney General Bill Lockyer recently issued an opinion affirming that municipalities may not restrict the protections afforded by the Compassionate Use Act and SB420 to qualified medical marijuana patients. Municipalities debating ordinances that curtail the right of seriously ill Californians to obtain the medicine they need ought to be aware that such regulation conflicts with the general rule of California law.

PATIENT ISSUES

- ✓ A rigid policy that bans medical marijuana collectives deprives qualified patients of the medicine promised them by the Compassionate Use Act. Banning dispensing collectives places unnecessary hardship on patients with limited mobility and financial security. It is crucial that medical cannabis dispensing collectives be readily accessible to patients throughout and across our community.

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- ✓ Medical cannabis dispensaries provide support and healing for patients. Dispensing collectives have positive psychosocial health benefits for chronically ill people who are otherwise isolated. The type of support and services offered by many dispensaries improves the quality of life, and, in some cases may even prolong life.
- ✓ Medical cannabis dispensaries are necessary for patients who are financially, physically, or otherwise restricted from producing their own medicine – particularly for patients who reside in Section 8 or other restrictive housing arrangements.

MEDICAL DISPENSING COLLECTIVES PROVIDE SAFE ACCESS AND POSITIVE BENEFITS FOR THE COMMUNITY

- ✓ Medical cannabis collective dispensaries are wellness facilities where individuals suffering from serious illnesses can find safe access to medicine, support, and healing. It is shameful for our elected officials to actively trying to prevent safe and legal access for patients.
- ✓ Medical cannabis collective dispensaries can be a positive part of our community. When properly permitted, regulated and operated, dispensing collectives will prevent lawful patients from unnecessary and potentially harmful entanglements with illicit markets or law enforcement. The Council ought to be supporting efforts to develop regulations that provide safe and legal access to medical cannabis so patients aren't forced to access medicine in illegitimate places.
- ✓ Research confirms that support services are effective for patients with a variety of cancers and other terminal illnesses. Participants active in support services are less anxious and depressed, make better use of their time and are more likely to return to work than patients who receive only standardized care. The Council should be supporting efforts to improve the health, welfare and quality of life of patients in our community.
- ✓ There is no evidence that a well-run dispensing collective leads to crime. It is unfair to stigmatize legal patients by treating their collective like a criminal or nuisance activity.