

MARIJUANA POLICY REPORT

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Prestigious Medical Organization Endorses Medical Marijuana Access

In January, the American College of Physicians (ACP) — the largest medical specialty organization and the second largest physician group in the United States, representing over 124,000 members — released a landmark position paper in support of medical marijuana access.



Since the ACP is one of the country's most elite and prestigious physician organizations, the resolution represents the most

With its support of medical marijuana access, the American College of Physicians joins fellow medical organizations such as the American Nurses Association, American Public Health Association, and Leukemia & Lymphoma Society.

significant organizational endorsement of medical marijuana access in the field of medicine and science to date.

In its 13-page paper, the organization calls for legal protection for medical marijuana patients, reconsideration of marijuana's federal classification as a Schedule I drug (banned for medical use), and expanded research. Entitled "Supporting Research into the Therapeutic Role of Marijuana," the paper cites extensive evidence for the clinical safety and efficacy of marijuana and its active components, called cannabinoids.

The ACP's new position was covered — and MPP staff were quoted — by numerous media outlets, including the *Los Angeles*

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Congress Slashes Drug Czar's Budget

Congress has considerably reduced funding for the White House drug czar's anti-marijuana media campaign for the fiscal year 2008. Since 2002, the lobbying efforts of MPP and a host of other organizations have resulted in a 66% reduction in funding for this project.

An omnibus spending bill, passed by Congress in December, funded the program at only \$60 million for 2008. This figure is down from \$99 million in 2007 and is considerably less than President Bush's request of \$130 million.



This ad — part of the drug czar's anti-marijuana media campaign — draws from marijuana's supposed "amotivational syndrome," featuring three teenagers who use marijuana and then sit on a couch for 11 hours.

The Youth Anti-Drug Media Campaign, run by the drug czar, largely consists of absurd TV ads featuring teenagers committing violent crimes while under the influence of marijuana. One of the more ludicrous ads implies that marijuana users might commit rape while using the drug. Other ads resort to tired marijuana stereotypes like amotivational syndrome, loss of sexual appetite, and even outright insanity — all claims that have no basis in scientific fact or anecdotal support.

In reference to one of the new ads, U.S. Sen. Chuck Grassley (R-Iowa) told his colleagues on the floor of the Senate that he failed "to see how an ad such as this realistically portrays the dangers or harmful effects of doing drugs." He went on to point out that "[t]here [are] a wide variety of studies ... showing a lack of effectiveness. Even the Government Accountability Office recommended that Congress reduce funding for the campaign until it can be proven to be an effective prevention tool."

In 2005, an independent assessment of the ad campaign found that it not only failed to

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MPP, founded in January 1995, is a 501(c)(4) lobbying organization. Because MPP devotes 100% of its efforts toward influencing public policy, contributions are not tax-deductible.

MPP Foundation, founded in May 1996, is a 501(c)(3) educational organization. Contributions to MPP Foundation are tax-deductible.

MPP Medical Marijuana Political Action Committee, founded in September 2003, supports candidates for federal office who have taken action or pledged to take action to ensure that patients have safe and legal access to medical marijuana.



FROM THE EXECUTIVE DIRECTOR

People involved in marijuana policy reform are inevitably asked the question, “Are you a marijuana user?”

Whether or not the reformer uses marijuana, it isn’t obvious how the question should be answered.

Of course, whether or not a particular marijuana policy activist uses marijuana has very little to do with whether our nation’s marijuana laws should be changed.

But to answer the question by saying, “It’s none of your business,” isn’t the way to go. Why? Because it comes off as rude and therefore isn’t effective if you actually care about making a positive impression on the person who asked the question. So your answer shouldn’t focus on how offensive you find the question, but rather on how to direct your interlocutor to the real issue — arrests and prison, arrests and prison, arrests and prison.

Interestingly, those of us who have been arrested for marijuana are in the strongest position to answer the question. Because I’ve been arrested, I can say, “Given that I was arrested and went to jail for marijuana ... sure, I’ve used it.” This kind of answer points the conversation in the direction we want it to go — arrests and prison.

For people who haven’t been “lucky” enough to have been arrested, one way to answer the question is to treat the issue as the personal, private matter that it is. During MPP’s first ballot initiative campaign in Nevada in 2002,

a *Newsweek* reporter complained to me that one of our major supporters had refused to answer the question; the reporter couldn’t understand why someone who had invested so much, both personally and financially, in reforming our nation’s marijuana laws wouldn’t talk about his own marijuana use.

I responded by telling the reporter that he wouldn’t dream of asking a Planned Parenthood employee whether she had had an abortion. And, I continued, the marijuana question is even worse in some ways, because the Planned Parenthood employee wouldn’t be admitting to a crime if she were to answer in the affirmative.

And in thinking about the comparisons to another divisive social-change issue ...

The marijuana policy reform movement bears a strong resemblance to the gay rights movement, in part because both began to coalesce in the late 1960s with distinctive cultures of like-minded people. So why has the gay rights movement been much more effective than our movement? Largely because the gay rights movement has incorporated the strategy of its members “outing” themselves: Many of its leaders quickly recognized the simple truth that it’s harder to demonize a group of people if you actually know (and even admire or love) someone who is part of that group.

The marijuana policy reform movement could have the same

success if more of its proponents were to disclose their own marijuana use. It would then be much harder for our opponents to invoke the term “pothead” or cling to other pejorative stereotypes.

Of course, in publicly admitting to one’s marijuana use, could you be subjecting yourself to arrest and criminal penalties? No, because there’s a difference between disclosing that you currently possess/grow marijuana versus disclosing that you currently use marijuana. It’s a matter of wording, and the latter wording is the smarter wording.

In my opinion, it’s best for most marijuana users to come out of the closet, perhaps by saying something like, “I’ve used marijuana, it hasn’t hurt me, and it actually has a beneficial impact on my life.” More people need to hear this message from more of us.

And if you’re not a marijuana user — and many marijuana policy reformers are not — the question is a perfect opportunity to explain why marijuana policy reform isn’t about changing the laws for personal gain. Rather, it’s a serious civil liberties issue that everyone, not just marijuana users, should care about.

Back to the issue of outing oneself: I’m a marijuana user.

MPP advocates harm-reduction-based marijuana policies.

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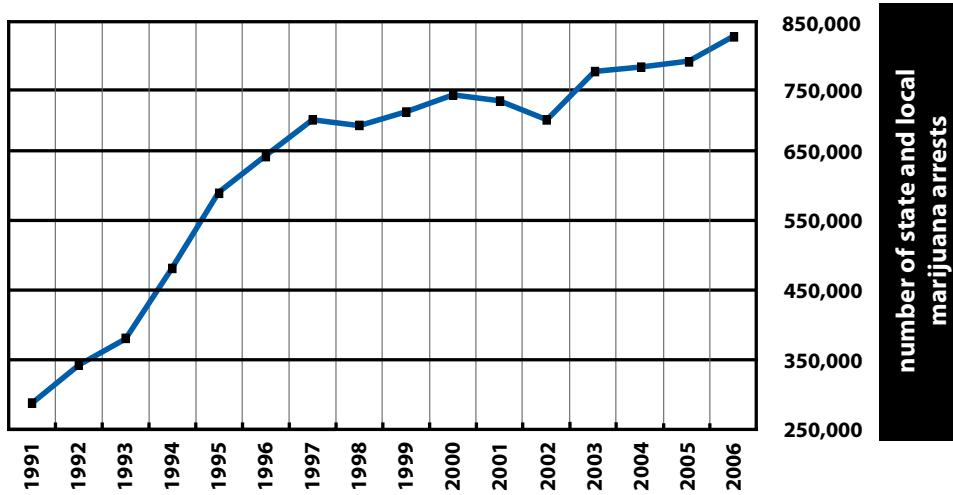
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FBI Statistics Show Increase in Arrests

The marijuana arrest rate hit an all-time record for the fourth year in a row, an annual FBI report released in September shows. According to the latest FBI Uniform Crime Reports, there were 829,627 state and local marijuana arrests in 2006 — 89% of which were for possession, not sale or manufacture. That’s one marijuana arrest every 38 seconds.

DEA Head Resigns

DEA chief Karen Tandy announced in October that she would be stepping down as the agency’s first female director. Tandy, who headed the agency since 2003, became a senior vice president of the Motorola



Karen Tandy

Company — the chief financial sponsor of the DEA’s controversial exhibit “Target America,” which argues that illicit drug use sponsors international terrorism, including the September 11

attacks on New York City and Washington, D.C. During Tandy’s tenure, DEA officials dramatically stepped up their efforts to target and federally prosecute medical marijuana patients and providers in California, as well as other states that allow for the drug’s use under state law. Tandy also led extradition efforts against Canadian publisher and marijuana law reform

activist Marc Emery and two colleagues on charges that they distributed marijuana seeds to U.S. citizens. As of press time, her successor had not been named.

U.S. Attorney Prioritizes Drug Charges Over Murder

In October, the U.S. Attorney for Colorado decided to make drug charges against a defendant a higher priority than the attempted murder case against the same man. A Denver judge had to dismiss murder charges against Brian Hicks to avoid violating Hicks’ right to a speedy trial, because the U.S. Attorney’s office would not make him available to state authorities, claiming that he is a key defendant in an ongoing federal prosecution of a major drug ring. Hicks was supposed to face a jury in October in a 2005 attempted murder of a woman who was killed in a subsequent shooting a week before she was set to testify against Hicks. The U.S. Attorney’s priorities match those of the U.S. Sentencing Guidelines, which frequently require nonviolent drug offenders to serve sentences much longer than murderers.

Marijuana Defendant Receives Two-Year Sentence

In November, Tom Kikuchi was given a two-year prison term as punishment for violating the conditions of his federal supervised release — though the evidence tying the defendant to a marijuana growing operation in a Southern California residence was circumstantial at best. Kikuchi

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Times, the Wall Street Journal, Bloomberg News, and Reuters.

Key excerpts from the report include:

- “A clear discord exists between the scientific community and federal legal and regulatory agencies over the medicinal value of marijuana, which impedes the expansion of research.”
- “ACP strongly urges protection from criminal or civil penalties for patients who use medical marijuana as permitted under state laws.”
- “For patients with AIDS or those undergoing chemotherapy, who suffer severe pain, nausea and appetite loss, cannabinoid drugs may provide symptom relief not found in any other medication.”
- “Marijuana has not been proven to be the cause or even the most serious predictor of serious drug abuse. It is also important to note that the data on marijuana’s role in illicit drug use progression only pertains to its non-medical use.”

In the months leading up to this release, MPP supplied the organization’s physician members with studies, research, and position papers from other organizations, as part of MPP’s work to build a coalition of national organizations that endorse medical marijuana access.

More information, and the full position paper, can be found at www.mpp.org/ACP. **MPP**

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reduce teen marijuana use, but in some cases actually increased teen marijuana use. In late 2006, it became clear that the drug czar’s office had buried the report for a year-and-a-half — while continuing to run the ads in question.

In addition to reducing funding for the ad campaign, Congress admonished the drug czar for using public money to campaign on behalf of political candidates. During the November 2006 elections, the drug czar and his deputies traveled to 20 events to help vulnerable Republican members of Congress get re-elected — illegally spending taxpayer money to do so. This included two trips to Nevada where officials also campaigned against MPP’s ballot initiative to end marijuana prohibition statewide.

The budget slashing came after intensive MPP efforts on Capitol Hill. MPP’s congressional lobbyist met with dozens of staffers and members of Congress who serve on the House and Senate Appropriations Committees. See www.mpp.org/warondrugczar for more details. **MPP**

was not apprehended at the location, but during a traffic stop a significant distance away. Los Angeles police officers executing the search were



Tom Kikuchi

unable to use any of his keys to unlock the door of the house, nor were they able to find any documentation listing the address as Kikuchi's residence. And a single session of surveillance on the property two months prior had documented a male entering the house, but this man was described as notably shorter, 35 pounds heavier, and more than 20 years younger than Kikuchi. Although the sentence was the maximum penalty that could have been imposed, Judge William Alsup went on record as saying that he wished he could have sentenced Kikuchi even more harshly: "If I could give you five years, I would give you five years, because you deserve it."

Employers May Fire Workers for Medical Marijuana Use

In January, the California Supreme Court said that the state's employers may fire workers for using medical marijuana with a doctor's recom-



Gary Ross

mendation while off duty even if the drug does not impair an employee's performance. In its 5-2 ruling, the court upheld the firing of Gary Ross, an Air Force veteran whose doctor recommended he use marijuana for chronic back pain and whose disability qualified him for government benefits. Before taking a required drug test, Ross provided a copy of his physician's recommendation for marijuana to his employer, RagingWire Telecommunications, Inc. The company fired him a week after he started the job because of his marijuana use. In her dissent, Justice Joyce L. Kennard wrote, "The majority's holding disrespects the will of California's voters

who, when they enacted the Compassionate Use Act, surely never intended that persons who availed themselves of its provisions would thereby disqualify themselves from employment."

Hailey, Idaho, Voters Approve Marijuana Reform

In November, the voters of Hailey, Idaho, passed three marijuana-related initiatives. The measures legalize marijuana for medical use, make enforcement of marijuana laws the town's lowest law enforcement priority, and allow the production of industrial hemp. In response to the voters' mandate, the city attorney has advised the mayor and city council to challenge the new laws, and civic leaders have announced their intention to file a court case to do just that. It would not be the first time that city officials have tried to brush aside public sentiment in Hailey: City leaders had previously refused to put the matters on the ballot but were forced to do so by the Idaho Supreme Court.

Judge Orders Medical Marijuana Returned to Colorado Couple

A district court judge in Colorado ruled in November that, in accordance with the state's medical marijuana law, authorities must return the marijuana plants and growing equipment seized in an August 2006 raid on a private residence. The homeowners were medical marijuana providers for themselves and eight to 10 other people. Brian Vicente, head of Sensible Colorado — an MPP grantee — served as lead attorney for defendants James and Lisa Masters in the ruling. In January, the couple filed a request to have the Fort Collins police compensate them — in the amount of \$200,000 — for improperly confiscating and destroying 39 marijuana plants.

Less than a month later, another medical marijuana patient announced plans to sue the city of Aurora for \$360,000 after local police illegally confiscated more than 65 marijuana plants during an April 2007 raid on his house. Kevin Dickes — a disabled Desert Shield Marine — was initially charged with felony cultivation until, eight months later, it was determined that he was a certified grower and charges against

him were dismissed. When he attempted to recover his property, however, he discovered that none of it was usable "from a medical perspective."

Emery Agrees to Five Years in Canadian Prison

In January, Marc Emery, Vancouver's self-styled "Prince of Pot," tentatively agreed to a five-year prison term in a plea bargain over U.S. money laundering and marijuana seed-selling charges. Facing an extradition hearing and the all-but-certain prospect of delivery to American authorities, Emery cut a deal with U.S. prosecutors to serve his sentence in Canada. Emery and his two co-defendants were arrested in August 2005 at the request of the United States and charged even though none had ventured south of the border.



Marc Emery

California Court Orders Marijuana Returned to Patient

In December, a California appeals court upheld a lower court decision ordering the police to give back the marijuana seized from a driver during a routine traffic stop. In 2005, Garden Grove police officers stopped Felix Kha for failing to yield at a red light. Kha consented to a search of his car, and police found one-third of an ounce of marijuana that Kha explained was for medical purposes. Orange County prosecutors dismissed drug charges against him after contacting his doctor, and Kha sought the return of his property. The police refused, saying that returning the drug would violate federal laws against marijuana distribution and possession. The Superior Court of Orange County found for Kha, saying the state never convicted him of possessing marijuana illegally and therefore, under California law, the stash was not contraband. By returning Kha's marijuana, the court wrote, "Garden Grove police will actually be facilitating a primary principle of federalism, which is to allow the states to innovate in areas bearing on the health and well-being of their citizens."

Appeals Court Rules on Police Right to Perform Body Cavity Search

In November, a federal appeals court overturned a ruling that said a Woonsocket, R.I., police officer lacked the reasonable suspicion required to check for drugs between Kenny Barnes' buttocks. After his arrest for possessing crack cocaine with intention to distribute, Barnes was strip searched, and when the police told him he had to undergo a visual cavity search, he "reached behind his back and removed a bag containing cocaine base from between his buttocks," according to the decision. Federal public defenders argued that the drugs had been seized in violation of Barnes' Fourth Amendment right to be free from unreasonable searches and seizures. And in June 2006, a U.S. district judge refused to allow prosecutors to use the crack cocaine as evidence. However, federal prosecutors successfully appealed the suppression of the evidence in the Boston-based First U.S. Circuit Court of Appeals.

Federal Court Rules Against Warrantless Entry Based on Smell of Marijuana

In January, the Fourth U.S. Circuit Court of Appeals held that police who entered an apartment after smelling marijuana smoke violated the Fourth Amendment's protections against unreasonable searches and seizures. The court also held that evidence found during a subsequent search with a search warrant based on that illegal entry must also be thrown out. The decision involved Maryland police officers who showed up at the apartment of Karim Mowatt in response to a noise complaint. The officers smelled marijuana and demanded entrance to the apartment. Mowatt refused, asking repeatedly if they had a warrant. The officers then forced their way into the apartment, where they found drugs and guns. Police then used the evidence discovered to get a warrant to further search the apartment. The trial judge denied Mowatt's motions to suppress the evidence on the grounds that the warrantless entry was lawful because "the risk of destruction of the evidence of marijuana possession constituted exigent circumstances." Mowatt was found guilty in May 2006 and sentenced to more than

16 years, but the Fourth Circuit disagreed and overturned the conviction. Judge William B. Traxler wrote in his opinion, "[A]lthough the officers had every right to knock on Mowatt's door to try to talk to him about the complaint... without a warrant, they could not require him to open it."

U.S. Attorney Speaks Out Against DEA Raids



Joseph Russoniello

At his first press briefing in January, incoming U.S. Attorney for Northern California Joseph Russoniello spoke out against the DEA's raids and federal prosecution of medical marijuana providers in the state. Though both personally opposed to medical marijuana and openly skeptical of the patients who use it, Russoniello nevertheless suggested that trying to prosecute dispensaries out of existence was pointless: "It would be terribly unproductive and probably not an efficient use of precious federal resources." Russoniello also noted that his higher priorities include gun crimes, hard drugs, gangs, and child pornography.

Supreme Court Rules on Sentencing Guidelines Disparity

In December, the U.S. Supreme Court ruled that judges can ignore unjust sentencing guidelines that recommend sentences for crack cocaine offenses that are harsher than those for powder cocaine offenses. The ruling didn't change the draconian mandatory minimums that are the main source of the problem, but it gave judges greater discretion to show mercy to nonviolent drug law offenders. In November, the U.S. Sentencing Commission partially reduced recommended sentences for crack cocaine offenses and later that month voted to

make the recommendation retroactive, saving those affected 27 months of prison time on average. The practical effect of the vote was to make up to 19,500 currently incarcerated people eligible for early release over the next three decades, after a judicial review in each case. While the decision does not directly affect marijuana policy, it does represent a growing trend against mandatory minimum sentences. In freeing judges to consider the sentencing guidelines advisory, the Supreme Court made it harder to impose strict mandatory sentences administratively and less likely that they will be imposed legislatively.

California Court Rules Against Warrantless Marijuana Search

Police can't enter a home without a warrant just because they see someone inside smoking marijuana, a California appeals court determined in a 3-0 ruling in January. In overturning a Pacifica man's conviction, the state Court of Appeals in San Francisco said officers may enter someone's home to preserve evidence of a crime — but only if the crime is punishable by jail or prison. Under a 1975 California law, the court noted, possession of less than an ounce of marijuana is a misdemeanor carrying a fine of as much as \$100, with no jail time even for a repeat offense. That means police who see someone smoking can enter only if they have the resident's permission or a warrant from a judge, the court said.

Migraines May Be Linked to Cannabinoid Underproduction

Patients with a history of migraine headaches may be suffering from a clinical deficiency of the endocannabinoid system, according to clinical trial data published in the November 2007 issue of the *European Journal of Clinical Pharmacology*. Investigators at Italy's University of Perugia reported that patients with chronic migraines possessed "significantly lower" levels of several cannabinoids compared to age-matched controls. (Cannabinoids are the active components in marijuana. Endocannabinoids are marijuana-like chemicals naturally produced by the human body.) A previous paper published in

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the journal *Neuroendocrinology Letters* similarly suggested that migraine, fibromyalgia, and other treatment-resistant conditions may be associated with dysfunctions in the endocannabinoid system. This system is believed to play a primary role in regulating humans' moods, appetite, skeletal development, motor coordination, digestion, and reproduction.

Supreme Court Refuses Case on Access to Drugs

In January, the U.S. Supreme Court turned away a right-to-life appeal filed on behalf of dying patients who want to try promising but unapproved, experimental drugs that might save their lives. Instead, the court let stand the policy of the FDA, which generally forbids doctors from treating patients with experimental drugs. Lawyers for the plaintiffs said the court should give hope to terminally ill patients who have “no remaining approved treatment options,” arguing that the Constitution gives dying patients a right to try potentially life-saving drugs. They focused their claim on drugs that were found to be promising in early trials, but had yet to be tested widely and shown to be safe for general use. A federal judge initially rejected this claim, but the group won a 2-1 ruling from a U.S. appeals court in Washington. That court ruled that the rights to life and liberty were fundamental rights, and the FDA should not stand in the way of their claims. But the full U.S. Circuit Court of Appeals overturned that decision last year and said it was up to Congress and the FDA, not judges, to decide when experimental drugs may be given to patients.

Court Rejects North Dakota Farmers' Bid to Grow Hemp

Two North Dakota farmers who filed a federal lawsuit in June to end the DEA's ban on commercial hemp farming in the United States had their case dismissed by a federal judge in November. Lawyers working on behalf of the farmers are considering an appeal on a number of issues. In particular, the court ruled —

contrary to scientific evidence — that hemp and marijuana are the same, as the DEA has contended for years. In a possibly related development, however, the DEA did send a “Memorandum of Agreement” to North Dakota State University (NDSU) that could clear the way for industrial hemp research there. NDSU filed an amicus brief in support of the farmers' lawsuit that highlighted the university's eight-year struggle to secure a license from the DEA to grow industrial hemp for research as mandated by state law.

Drew Carey Speaks Out About Medical Marijuana

In October, “The Price is Right” host Drew Carey appeared in an online video advocating for medical marijuana access and marijuana rescheduling. “Smell that smell,” the comedian says as he walks into a Los Angeles medical marijuana dispensary. “That's the smell of freedom.” The video was one of 20 that Carey will host for the libertarian Reason Foundation on topics ranging from traffic congestion to immigration. The videos are available at www.reason.tv.



MPP's Rob Kampia (center) talks with “The Price is Right” host Drew Carey (left) at Reason's annual conference in Washington, D.C., on October 27.

Student Drug Testing Comes Under Fire

A study published in the November issue of the *Journal of Adolescent Health* found that random drug testing programs that target high school athletes do not reduce drug use and may encourage greater risk-taking behaviors. Investigators from Oregon's Health & Science University performed the two-year trial,

which was the first-ever randomized clinical trial to assess the deterrent effect of drug and alcohol testing among high school athletes. Researchers found that students who underwent random drug testing did not differ in their self-reported drug use compared to students at neighboring schools who were not enrolled in drug testing programs. Investigators also determined that students subjected to random drug testing were more likely to report an “increase in some risk factors for future substance use,” compared with students who attended schools without drug and alcohol testing.

And in the December issue of the journal *Pediatrics*, the American Academy of Pediatrics Council on School Health published a policy statement stating that pediatricians should oppose student drug testing programs in public schools because they may decrease student involvement in extracurricular activities and undermine trust between pupils and educators. Yet since 2005, the U.S. Department of Education has appropriated over \$10 million to enact random drug testing programs in public middle schools and high schools around the nation. The White House has repeatedly lauded the programs, claiming that “student drug testing has proven to be effective in schools that have tried it.”

Seattle Panel Concludes Local Marijuana Ordinance Working as Intended

In January, after more than three years of meetings and reviews, Seattle's Marijuana Policy Review Panel issued its final report on the city's lowest law enforcement priority initiative, passed by voters in 2003. The report noted that “there is no evidence of any adverse effect” of the law and that “there is evidence of arguably positive effects,” including increased availability of police resources for public safety priorities. The report concluded with the recommendation to keep the ordinance in effect and to disband the review panel. **MPP**

MPP Saves 12 States' Medical Marijuana Laws

In September, MPP and its allies on Capitol Hill successfully defeated an amendment to the Food and Drug Administration (FDA) Amendments Act of 2007 that could have seriously threatened the 12 state laws protecting medical marijuana patients from arrest and jail.

MPP's work led to the defeat of the greatest threat medical marijuana has ever faced.

The amendment, offered by U.S. Sen. Tom Coburn (R–Okla.) was an attempt to undermine the medical marijuana laws in 12 states — Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, New Mexico, Oregon, Rhode Island, Vermont, and Washington — by putting patients and caregivers at risk of being charged with violations of the Federal Food, Drug and Cosmetic Act (FFDCA), possibly even in cases where, for example, an elderly woman was growing marijuana legally under state law for her husband with terminal cancer.

Some reformers have argued that the FDA should regulate marijuana, and indeed, Sen. Coburn's legislation seemed to propose just that. (Currently, the Justice Department has jurisdiction over the drug because of its illegality.)

However, Sen. Coburn's proposed scheme would have allowed the DEA to retain control over licenses to produce marijuana for research, a necessary prerequisite to FDA clinical trials. In all the years the DEA has had this power, it has never granted a license for medical marijuana research. Sen. Coburn knew the DEA's obstructionist policy wouldn't change and that FDA approval would never happen without adequate pre-trial research.

This scenario would have left medical marijuana in regulatory limbo, creating new avenues for undermining state laws and keeping all of the traditional roadblocks in place.

By giving the FDA new regulatory power, the amendment would have brought state medical marijuana programs into conflict with the FFDCA. Consequently, a federal agency could have sued the Oregon government, for example, for the purpose of persuading a federal judge to shut down Oregon's medical marijuana ID card program



that has protected more than 10,000 patients in the state.

The Coburn amendment was attached to “must-pass” legislation approved by the Senate back in April, so Congress was under pressure to pass the bill in order to prevent funding problems for the FDA. Any attempts to change the bill would hold up the process and were therefore politically unpopular. This complicated MPP's efforts to remove the medical marijuana language.

Working with other reform organizations and supportive staff on Capitol Hill, MPP's congressional lobbyist managed to block the offending language in the House version of the bill and then lobbied successfully to ensure that the amendment was not included in the final legislation. The reauthorization bill was signed by the president and became law on September 27 without Sen. Coburn's amendment. **MPP**

MPP Turns 13

On January 25, MPP turned 13 years old and celebrated how far it has come since its founding in 1995.



MPP executive director Rob Kambia (left) meets with MPP staff members Troy Dayton (center) and Marc Brandl in a local restaurant about D.C.'s medical marijuana initiative in 1998.

In December 1995, MPP counted only 237 dues-paying members; 13 years later, that number has grown to more than 24,000. In 1995, medical marijuana was illegal in every state and favorable legislation had not been introduced in Congress in a decade. Since then, the federal penalties for marijuana cultivation have been changed to provide for the early release of hundreds of prisoners; positive medical marijuana bills have been introduced in six consecutive Congresses, with the U.S. House even debating and voting on MPP's legislation in the summers of 2003, 2004, 2005, 2006, and 2007; the National Academy of Sciences' Institute of Medicine declared that marijuana has medical value; medical marijuana is now legal in 12 states; and much more.

See www.mpp.org/history for more information on MPP's accomplishments during its 13 years. **MPP**

Signature drives conclude in Michigan and Massachusetts

Signature drives to place marijuana-related initiatives on the November ballots in Michigan and Massachusetts both came to a close at the end of 2007, setting the stage for further action in the spring.

Medical Marijuana Initiative in Michigan

On November 21, MPP turned in nearly 500,000 raw signatures to place a medical marijuana initiative on the November 2008 ballot. In March, the state Elections Department announced that the measure officially qualified for the ballot — with an unprecedented signature validity rate of 80%. (Signature validity rates generally hover around 55%.)

If the measure is passed by a majority of voters in November, Michigan will allow patients to use, possess, and grow their own marijuana for medical purposes with their doctors' approval. The law would make Michigan the 13th medical marijuana state — and the first in the Midwest.

In the meantime, MPP has hired Hamtramck city councilmember and Mayor Pro Tem Scott Klein to manage the upcoming campaign. Along with former legislator Dianne Byrum, who is the campaign's spokesperson, Klein will be working to tap into the extensive support for medical marijuana in Michigan. Voters in five Michigan cities — Ann Arbor, Detroit, Ferndale, Flint, and Traverse City — have previously passed local medical marijuana

initiatives, and a resolution in support of a statewide law was unanimously endorsed by the Michigan Democratic Party in February 2007.

For updates on the campaign, please visit www.StopArrestingPatients.org.

Marijuana Decriminalization Initiative in Massachusetts

On December 13, a marijuana decriminalization measure officially cleared the first signature hurdle in Massachusetts' ballot initiative process. The Committee for Sensible Marijuana Policy (CSMP) had 80,372 of its collected signatures accepted by the Secretary of the Commonwealth's Elections Division, exceeding the legal requirement of 66,593 to move ahead in the process.

The Massachusetts initiative, which MPP is assisting with, would treat the possession of an ounce or less of marijuana for personal use as a civil infraction, punishable by a \$100 fine. Currently, offenders face up to six months in jail, a \$500 fine, and a permanent criminal record for the possession of any amount of marijuana.

The initiative is now in the hands of the Massachusetts state legislature, which has until May 6 to consider the proposal. The legislature has three options: It can pass the measure into law, propose its own version of the bill, or choose not to act on the measure at all. If the legislature does not act, CSMP will then have until June 18 to collect



MPP Michigan Campaign Manager Scott Klein is working to pass the medical marijuana initiative on the state's November 2008 ballot.

an additional 11,099 valid signatures to send the issue directly to the voters in November.

Eleven states, as well as numerous counties and municipalities, have decriminalized the possession of small amounts of marijuana. And similar, though non-binding, measures have a history of success in Massachusetts: Since 2000, Massachusetts voters have approved 30 out of 30 local marijuana decriminalization questions by an average of 62% of the vote.

For updates on the campaign, please visit www.SensibleMarijuanaPolicy.org.

MPP

Marijuana Prohibition Costs Taxpayers \$41.8 Billion Annually

Marijuana prohibition costs taxpayers \$41.8 billion annually in law enforcement expenses and lost revenues, according to a study by public policy researcher Jon Gettman, Ph.D., which MPP co-released on October 2.

Gettman's analysis was based primarily on government estimates of the U.S. marijuana supply, prices, and arrests.

Key findings of "Lost Taxes and Other Costs of Marijuana Laws" include:

- Marijuana arrests constitute 5.54% of all U.S. arrests, costing taxpayers \$10.7 billion in criminal justice expenses annually.
- The total U.S. marijuana supply is 14,349 metric tons annually, with a retail value of \$113 billion.

- Marijuana prohibition diverts the entire \$113 billion in sales from the legal, taxed economy. Based on the White House Office of Management and Budget's estimate that 28.7% of the U.S. gross domestic product goes to federal, local, and state governments as tax revenue, marijuana prohibition costs \$31.1 billion in lost tax revenues annually.

See www.drugscience.org/bcr/index.html for the full report. **MPP**



Dr. Jon Gettman's October report places the cost of marijuana prohibition at almost \$42 billion per year.

In Memoriam

The marijuana policy reform community lost six valuable proponents this fall and winter.

In October, medical marijuana patient Robin Prosser took her life, at the age of 50, after a 23-year struggle with the ravaging pain of the lupus-like immunosuppressive disease from which she suffered. The Missoula resident — one of Montana's most outspoken patients — garnered headlines in March 2007 when her supply of medicine was seized by the DEA, an event that devastated her.

In December, federal medical marijuana patient Corrine Millet passed away. One of the first five patients in the Compassionate Investigational New Drug program, she received marijuana from the federal government for glaucoma. In a rare public appearance, she spoke on film about her use of medical marijuana in the short "Marijuana as Medicine" in 1993.

In January, medical marijuana activist Mae Nutt passed away at the age of 86. She became involved in marijuana policy reform during her son's struggle with cancer, when he used medical marijuana to relieve his chemotherapy symptoms. She and her husband were instrumental in passing the first medical marijuana bill in Michigan in 1979, and in 2005 she was profiled in the documentary "Waiting to Inhale."

Later that month, Judge Eleanor Levington Schockett died of a stroke at the age of 70. After practicing law for 30 years and serving as a Dade County (Fla.) Circuit Judge for 12 years, she joined the board of Law Enforcement Against Prohibition and dedicated her retirement years to ending drug prohibition.

In February, psychologist Gardner Lindzey died in Palo Alto at the age of 87. A former president of the American Psychological Association, Dr. Lindzey

was a member of a 1982 panel that studied the effects of federal drug laws and a proposal to legalize marijuana. The 18-member panel, appointed by the National Academy of Sciences, concluded that such legal changes would bring "substantial savings" to law enforcement and society at large by keeping small-scale users out of the penal system.

Later that month, physician and pharmacologist John P. Morgan passed away from leukemia at the age of 67. A professor of pharmacology at the City University of New York Medical School from 1977 to 2004, Dr. Morgan played a prominent role in the drug policy reform movement and served for 10 years on NORML's board of directors. His 1997 book, "Marijuana Myths, Marijuana Facts" — which he co-authored with Dr. Lynn Zimmer — concisely and authoritatively debunks the major themes of anti-marijuana propaganda. **MPP**



Robin Prosser



Corrine Millet



Mae Nutt



Eleanor Schockett



John Morgan

MPP Gets Around



MPP's Sara Cannon and Nydia Swaby offer MPP literature at the International Drug Policy Reform Conference in New Orleans on December 6.

MPP Participates in Drug Policy Reform Conference

In December, MPP co-hosted the Drug Policy Alliance's International Drug Policy Reform Conference, held in New Orleans December 5-8. MPP executive director Rob Kampia spoke on a panel about national marijuana policy, while MPP communications director Bruce Mirken co-led a workshop on media coverage. **MPP**

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If you aren't already subscribed to our e-mail list, please sign up at www.mpp.org/subscribe so that we can send you alerts on breaking news updates and important legislative developments in your state and in Congress. (Don't worry — we only send out a handful of messages each month!)

MPP Launches Major Initiatives in California

This spring, as a leading partner in a coalition tentatively known as Californians for Self Determination, MPP will be working to advance significant medical marijuana legislation in California. MPP has hired the prestigious lobbying firm Governmental Advocates and a skilled grassroots organizer and will be promoting legislation to protect the state's medical marijuana dispensaries and patients.

Courts have interpreted state law as protecting California's medical marijuana dispensaries. But because existing statutes are not as clear as they could be, MPP is promoting legislation to codify these court decisions, making it less likely that a state agency would not recognize the facilities or that the existence of dispensaries could be challenged in future court cases.

Some agencies of the state government did not recognize the legal existence of dispensaries until recently. The Board of Equalization, which collects sales tax in California, did not consistently accept sales tax payments from dispensaries until 2005, when it reversed course and began attempts to collect sales taxes from some (though others were not contacted until last year). Due to the cost of back taxes, penalties, and interest, some dispensaries could be forced to end operations.

The legislation MPP is supporting, sponsored by state Sen. Carole Migden (D-San Francisco), would offer tax amnesty for the period prior to October 2005 for dispensaries that pay taxes prospectively and ask for the amnesty.

Sen. Migden is also sponsoring a resolution in the California Legislature calling on the federal government to end its raids on medical marijuana facilities that are in compliance with state law. MPP is supporting her efforts but is also seeking a sponsor for a more emphatic statement against such federal interference.

While the U.S. Constitution does not allow states to impede federal law enforcement efforts, it does not require the states to assist in such efforts. Under a bill now being drafted in the California Legislature, no state or local resources could be used to support federal law enforcement efforts against medical marijuana patients and providers who comply with state law. Federal defendants, for example, could not be housed in state or local jails, and local law enforcement would not be allowed to offer tactical, intelligence, or logistical



Photo Courtesy of Shray Sowden

LAPD officers line up outside the California Patients Group medical marijuana dispensary in Hollywood during the DEA's raid on the business on July 25.

support for raids. Moreover, federal drug convictions for conduct that would be legal under California's medical marijuana laws would not count as "prior convictions" for future sentencing proceedings in state court.

The concept of such non-cooperation has a long history in the U.S., dating back to the time when northern states refused to assist in the capture and return of fugitive slaves to the south. Because application of the concept to the medical marijuana issue is new, however, MPP and its allies will be educating legislators and exploring various legislative avenues for enacting non-cooperation provisions. **MPP**

Grants Program

The grants program administered by the Marijuana Policy Project supports, with grants of up to \$60,000, efforts that foster measurable changes in U.S. public policy that will lead to marijuana being regulated similarly to alcohol and to marijuana being available for medical use.

MPP's grants program has distributed \$10 million to the marijuana policy reform movement over the past six years.

The grants program will consider proposals for many types of projects related to marijuana policy reform, including local lobbying efforts or ballot initiative campaigns in support of medical marijuana or making marijuana a jurisdiction's lowest law enforcement priority. The grants program is also looking to fund efforts to build support for marijuana policy reform among mainstream organizations in local communities and nationwide, with the goal of raising the profile of the issue with legal associations, religious groups, health groups, women's advocacy and family groups, minority groups, and political parties, among others.

Grant application guidelines and all relevant contact information are available at www.mpp.org/grants. The grants program does not fund political parties or candidates for office, state ballot initiatives, or hemp-related projects. **MPP**

Donor Spotlight

"MPP is a well run organization that has a proven track record of success. The staff is enthusiastic, and interacting with them has been energizing. It is a pleasure passing out MPP materials in my area. Every little bit helps, and I am glad to be doing my part."



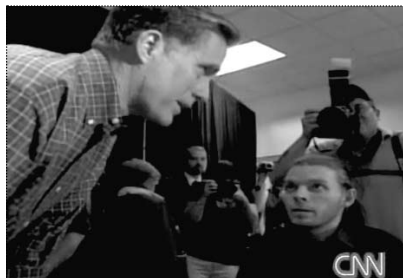
— Matt Rifkin, retired investment banker

Media Highlights

Marijuana on the Campaign Trail

MPP's campaign to persuade the presidential candidates to publicly support protection for medical marijuana patients generated national attention on October 6 after former Massachusetts Gov. Mitt Romney (R) snubbed a wheelchair-bound volunteer on camera. The snafu appeared on CNN, ABC News, and YouTube.

Meanwhile, MPP's offer to contribute to the campaigns of Republican candidates Rudy Giuliani, Mitt Romney, and John McCain if they could supply evidence supporting their dishonest claims about medical marijuana generated a great deal of publicity. (See "Candidates," p. 15.) *Scientific American*, the *Ft. Worth Star-Tribune*, the *Reno News and Review*, and *The New York Times* blog covered the challenge. MPP's Bruce Mirken discussed the challenge on radio shows, including the nationally syndicated "Mancow Show" and "The Mario Solis-Marich Show" on KTLK-AM in Los Angeles.



MPP volunteer Clayton Holton confronts GOP presidential candidate Mitt Romney about federal raids on medical marijuana patients at an October 6 campaign event in Dover, N.H.

California Supreme Court: Employers Can Fire Medical Marijuana Patients

A January 24 decision by the California Supreme Court, which said employers have the right to fire legal medical marijuana patients if the patients test posi-



MPP's Bruce Mirken explains the California Supreme Court decision upholding the right of employers to fire medical marijuana patients on the Oakland FOX affiliate KTVU on January 24.

tive for their medicine in drug tests, gave MPP the opportunity to speak out. Mirken appeared on Oakland's FOX affiliate KTVU and was quoted in the *Los Angeles Times* that day and in the *Los Angeles Daily Journal* the next. He later discussed the case on San Francisco's NBC affiliate KRON, CNN radio, and "The Mario Solis-Marich Show." MPP's Dan Bernath wrote an opinion column for the Sacramento *Capitol Weekly* criticizing the decision on January 30.



Mirken discusses the California Supreme Court ruling on the San Francisco NBC affiliate KRON on January 27.

Debunking "Eradication" Myths

MPP's efforts to highlight the failure of Northern California law enforcement's campaign to "eradicate" outdoor marijuana growing operations continued to garner coverage throughout the end of the year, with Mirken quoted in the *Sacramento Bee* and doing interviews on KFPK-AM in Sacramento on October 18 and November 13, KSCO-AM in Santa Cruz on November 14, and KCAA-AM's "Baxter in the Morning" in San Bernadino on December 11.

On September 22, the *Eureka Times Standard* quoted Mirken's explanation of why the expensive program fails no matter how much marijuana it finds: "If you try to ban a popular product, someone else is going to supply it. It's time to rethink."

MPP in Print and on Air

On October 11, Rob Kambia was named "Best Visiting Activist" by the *Austin Chronicle* in Texas, and Aaron Houston was profiled in the *Washington Post Magazine* on January 13.

MPP successfully capitalized on pro-marijuana statements by California Gov. Arnold Schwarzenegger (R) — which he later claimed were made in jest — by

"Contrary to the mythology put out by Drug Czar John Walters and his ilk, the complete prohibition of marijuana for adults not only doesn't help to keep marijuana away from kids, but it actually hampers such efforts."

—MPP's Rob Kambia, quoted in the *Minneapolis Star-Tribune*

making the argument for marijuana policy reform, with Bernath quoted in Capitol Hill's *Roll Call* and Mirken appearing in syndicated columnist Debra Saunders' favorable opinion piece in the *San Francisco Chronicle*, both on October 10.

Print and online publications also published a number of MPP opinion columns. A column by Bernath about federal raids on dispensaries in California appeared online on popular news site AlterNet on September 25. Another AlterNet column by Mirken on November 10 demonstrated that by using the drug czar's twisted logic, one could argue — erroneously — that marijuana is good for children. Kambia contributed an opinion piece to *Rational Review* on November 26 about the Justice Department's National Threat Assessment 2008 and evidence that marijuana prohibition is forcing illegal indoor grows into suburban neighborhoods. Kambia also criticized the drug czar's assumptions based on the latest Monitoring the Future report on youth drug use in a *Minneapolis Star-Tribune* column on December 21, writing, "Contrary to the mythology put out by Drug Czar John Walters and his ilk, the complete prohibition of marijuana for adults not only doesn't help to keep marijuana away from kids, but it actually hampers such efforts." **MPP**

Marijuana and Mental Illness

by Mitch Earleywine, Ph.D.

associate professor of psychology, SUNY-Albany, and MPP Foundation board member



A new charge has been added to the never-ending cries that marijuana causes mental illness, with recent headlines suggesting that marijuana causes schizophrenia. But the

news fails to tell the whole story. I lived with 10 schizophrenics in a halfway house during graduate school. Schizophrenia is no picnic: It's a debilitating and haunting disorder. I wish it were as easy to eliminate as the news stories imply, but it's not.

Most recent stories focused on a paper in the prestigious medical journal *The Lancet*. The article was a meta-analysis — a summary of previous studies — so there weren't any new data involved. The paper suggested a link between marijuana use and psychosis, but a close look at the research reveals nuances that the headlines missed.

First, only seven studies were included, and only one of the seven actually looked at schizophrenia. One of the other six looked at schizophreniform disorder, a sort of "schizophrenia lite," with fewer, less severe symptoms. The remaining five looked at any possible symptom of schizophrenia, including hearing voices and other hallucinations, but also less bizarre manifestations, like "weird beliefs."

In addition, only one study required that participants actually have any impairment. Most readers interpret "psychotic" or "schizophrenic" as conditions requiring treatment in a mental hospital. But for six of the seven studies in the review, you could simply be a bit quirky and be labeled "psychotic." You wouldn't have to be hospitalized, unemployed, or troubled at all. Obviously, this fact makes the alarming headlines that scream, "Smoke a joint and get schizophrenia!" even more misleading.

Even with these caveats, the average across all of the studies suggests that

people who use marijuana heavily and early in life are 40% more likely to get labeled psychotic. But what does that really mean? Most journals don't publish a meta-analysis like this unless there's a doubling of risk: If marijuana makes you twice as likely to become schizophrenic, then the result merits attention. But this paper found a 40% increase, not a doubling. Schizophrenia is so rare, and the result is so small, the paper is in essence saying that your chance of becoming schizophrenic goes from 5 in 1,000 to 7 in 1,000.

But there's more: The risk is not actually becoming schizophrenic, but getting labeled psychotic, which might mean little more than some unconventional habits.

To put this into perspective, let's look at cigarette research. A completely different laboratory found that cigarettes increased the risk of mental illness. In fact, the size of the increase was the same as the one reported in *The Lancet* review. Another article reported that adolescents who smoked 10 cigarettes per day were twice as likely to be hospitalized with schizophrenia. But don't hold your breath waiting for cigarettes to become illegal because they cause psychosis.

Many stories implied that, based on this

meta-analysis, penalties for possession ought to be increased in an effort to get people to stay away from marijuana. But research shows that this is a fool's errand. Laws don't have much impact on the number of people who smoke marijuana. Rates of use are essentially the same in different places, even if they have dramatically different penalties for possession. Rates also seem to vary across different decades even when laws stay the same.

In addition, we're now supposed to tell teenagers not to smoke marijuana because it will make them crazy. The problem with this sort of crying wolf is that it destroys our credibility. Even the most isolated teens know somebody who smokes marijuana who isn't mentally ill. No one wants to see adolescents using marijuana, but telling them the drug will drive them batty will simply make them doubt everything else we say. We'd be much better off emphasizing how early use can increase their chances of dependence or abuse. Of course, taxed and regulated distribution with clear age restrictions would provide much better control than leaving sales to the underground market. Believing otherwise is a little psychotic. **MPP**

Victim Spotlight

Dallas resident Stephen Scott Thorton was a thyroid cancer survivor who used marijuana to control chronic pain, eliminate nausea, and gain weight. In 2005, a federal court in Texas convicted Thorton of "possession of a firearm by an unlawful user of a controlled substance and for distributing marijuana and marijuana plants." In other words, he faced a federal prison sentence for having a gun that would have been legal except for the presence of marijuana, which he was using to treat a life-threatening illness.

Thorton fled Texas in late 2005, fearing that his prison term would undermine his battle against cancer — and in the process became a fugitive who was wanted by the U.S. Marshals Service. He took up residence in Raleigh, N.C., where he continued to grow his medical marijuana. On January 4, he was shot and killed by law enforcement officers in a drug raid at his home. Investigators said they thought Thorton was the "kingpin" of a marijuana manufacturing ring. **MPP**



Stephen Thorton was killed by police in Raleigh, N.C., on January 4, during a raid on his home.

Monitoring the Future

In December, the federal government released the latest Monitoring the Future (MTF) survey of teen drug use, which revealed disturbing trends.

By concentrating on short-term comparisons, the White House was able to point to overall declines in adolescent drug use, though most changes from 2006 to 2007 were marginal or nonexistent. The longer-term trend, carefully sidestepped in the official press release, was less encouraging.

Rates of teen use of most drugs, including marijuana, remain far higher than 15 years ago. For example, in 1992, 3.7% of eighth-graders were current marijuana users, compared to 5.7% in 2007. For 12th graders, the figures were 11.9% and 18.8%, respectively. Use of cocaine and hallucinogens has also risen sharply in the last 15 years. Current cocaine use was up in all age groups, with the rate among 10th graders nearly doubling from 0.7% in 1992 to 1.3% in 2007.

Significantly, MTF is now in line with other surveys showing teen cigarette use, which has been dropping for decades, approaching a statistical tie with marijuana use. In fact, current use of marijuana by 10th graders was marginally higher, at 14.2%, than current cigarette smoking, at 14.0%. In 1992, 21.5% of 10th graders were current smokers, while only 8.1% were current marijuana users. The sharply different trends suggest that the approach taken with tobacco — regulated availability for adults with increasingly strict curbs on sales to minors — is more effective than adult prohibition, which consigns all marijuana sales and distribution to an unregulated criminal underground.

Perhaps most disturbing in the MTF data are misunderstandings regarding the dangers of drugs, particularly among the youngest teens surveyed. For example, 50.2% of eighth-graders saw “great risk” in smoking marijuana occasionally — more than saw great risk in trying crack or powder cocaine, trying LSD, or in drinking nearly every day. Twelfth-graders were more likely to disapprove of occasional marijuana use than of binge drinking (having five or more drinks at one sitting) once or twice every weekend, a practice

that can literally be lethal.

Swiss Teen Study Surprise

A Swiss survey of 5,263 students aged 16-20, published in November by *Archives of Pediatric and Adolescent Medicine*, contained some surprises. Scientists compared teens who smoked both cigarettes and marijuana, those who used only marijuana, and those who abstained from both substances.

By nearly all measures, the kids using both marijuana and tobacco fared the worst. Compared to those using marijuana only, they had poorer grades and were less likely to finish school and more likely to be depressed or get drunk frequently. Their marijuana use was also much heavier than the marijuana-only group.

The marijuana-only teens were strikingly similar to the abstainers, with few statistically significant differences. They were more likely to skip school but had comparable grades and were just as likely to finish their schooling as the abstainers. The marijuana users had more “sensation-seeking” personalities, which — not surprisingly — translated to somewhat higher use of alcohol or other drugs than the abstainers. But the marijuana-only group’s use of alcohol and other drugs was far lower than the marijuana/cigarette group.

And in some ways the teens using marijuana looked better than the abstainers. They had better peer relationships, were more likely to be involved in sports, and more likely to be on an academic (as opposed to vocational) track in school.

These associations, as researchers call them, do not prove cause and effect. The fact that A and B happen together tells nothing about whether A causes B, B causes A, or some third factor causes both A and B.

But the drug czar’s office regularly uses such correlations to frighten parents about marijuana — citing, for example, correlations between marijuana use and poor grades. But just like the Swiss study, this research did not and could not prove that marijuana caused the poorer grades. Indeed, the evidence suggests that it’s the teens doing poorly in school who start using marijuana at a young age in the first place.

So by the drug czar’s logic, his office should now start running ads telling parents that smoking marijuana is linked to better peer relationships, involvement in athletics, and more interest in academics. Don’t hold your breath.

Marijuana Arrests and Crime

Do marijuana arrests actually increase crime? They just might, according to an analysis by a pair of Le Moyne College economists published in the spring 2007 issue of the *Journal of Drug Issues*. Analyzing data from a pooled sample of 1,300 U.S. counties from 1994 to 2001, the researchers found that “marijuana arrests are associated with increases in homicides, burglaries, motor vehicle thefts, and larcenies, along with subsequent increases in hard drug arrests.”

While the study does not explain why increased marijuana arrests correlate with higher levels of these other crimes, the economists posit, “These results support the view that arrests for possession may significantly harm the employment or educational status of those involved, leading to a greater likelihood of stealing to get by ... In addition, increases in these types of crimes may result from an emphasis by police on marijuana arrests, since the likelihood of arrests for other crimes may be lower when resources are applied to enforcing marijuana laws.” **MPP**



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State Legislative Briefs

New England States Consider Decriminalization

Two New England states are considering bills to decriminalize small amounts of marijuana.



In **Vermont**, a bill sponsored by Sen. Jeanette White (D-Windham County) would make the possession of less than two ounces of marijuana a civil violation punishable by up to a \$250 fine. Currently, such possession is punishable by up to six months in jail and a fine of \$500.

Vermont's decriminalization efforts have been aided by support from prominent state officials. Windsor County State's Attorney Robert Sand has openly called for the decriminalization of marijuana and state Senate President Peter Shumlin (D-Windham County) has made it a legislative priority. MPP is actively supporting the decriminalization efforts, which follow MPP's successful efforts last year to strengthen the state's existing medical marijuana law.



Meanwhile, in neighboring **New Hampshire**, a bill has been introduced with bipartisan support to reduce the penalty for possessing up to 1.25 ounces of marijuana to a \$200 civil violation. Currently under New Hampshire law, such an offense is punishable by up to a year of imprisonment and a fine of up to \$2,000.

The New Hampshire Coalition for Common Sense Marijuana Policy, an MPP grantee, is leading the efforts in New Hampshire.

Oddly enough, though New Hampshire and Vermont are considered to be progressive states, their existing marijuana laws for possession of small amounts are harsher than those in more conservative leaning states such as Mississippi, Ohio, and North Carolina.

Ohio Readies For Medical Marijuana Fight



The Ohio Patient Action Network (OPAN), an MPP grantee, is spearheading efforts to enact a medical marijuana law in the state. After an exhaustive process of obtaining patient consensus, OPAN has submitted a bill to the Ohio Legislature for drafting. The organization has also hired the prestigious lobbying firm State Street Consultants to assist in its efforts. In addition, OPAN has located sponsors for the legislation and is planning a major push for committee hearings this spring.

Rhode Island Tackles Supply Issue for Medical Marijuana Patients



Last year, following an MPP lobbying campaign, the Rhode Island Legislature overrode the veto of Gov. Donald Carcieri (R) to remove a sunset provision and make permanent the state's medical marijuana law. As in most states with medical marijuana laws, however, the Rhode Island legislation does not provide for a safe supply of medical marijuana. Rhode Island patients must grow their own medicine, which is a hardship for those not horticulturally inclined or without proper facilities to grow plants.

The governor and others in Rhode Island have cited the need for a safe supply source for Rhode Island patients. (In fact, the governor cited the lack of such a supply system in his veto of the medical marijuana bill in June.) To address such concerns, the Rhode Island Patients' Advocacy Coalition, an MPP grantee, is spearheading efforts to establish a system of state-regulated dispensaries in the state. The legislation would initially provide for one licensed outlet but eventually allow for as many as three. Advocates are cautiously hopeful that the governor will not veto the

bill, given his past expressed support for providing a safe supply for Rhode Island patients.

Illinois Will Be a Key Battleground in 2008



Last year the Illinois Senate considered, but did not pass, a comprehensive medical marijuana bill. This year patient advocates are back in Springfield supporting bills in both the Senate and House. MPP has engaged a top tier lobbying firm to promote the bills, and its efforts are being aided by the Illinois Compassion Action Network (www.illinoiscan.com), an MPP grantee.

In preparation for the push this year, MPP worked with documentary producer Jed Riffe and the Illinois Humanities Council to promote free screenings of Riffe's award-winning film "Waiting to Inhale" in a number of Illinois venues. The screenings were well attended and received significant positive press coverage.

Fate of New York Patients Hangs in the Balance



In June, the New York Assembly approved a medical marijuana law in a 95-52 vote. MPP's full-time lobbyist in Albany was an important player in securing the passage of the bill. The bill, however, was not taken up for action in the state Senate.

In a major development last year, Gov. Eliot Spitzer (D) announced that he would sign a medical marijuana bill if passed. The only obstacle that remains is the state Senate, where Republican Senate Majority Leader Joseph Bruno (Brunswick) has expressed support for medical marijuana legislation. MPP is leading a major effort to convince Sen. Bruno to act on the legislation before the legislature adjourns for the year in June. **MPP**



ASK YOUR DOCTOR TO SPEAK OUT FOR MEDICAL MARIJUANA ACCESS

Visit www.mpp.org/takeaction to download and print our "Statement of Principle Allowing the Medical Use of Marijuana." The next time you have a doctor's appointment, ask your doctor to sign it and then mail it back to us.

MPP Challenges Presidential Candidates

MPP's nine-month campaign to persuade the presidential candidates to take positive positions on medical marijuana access created a stir this winter.

In December, MPP offered the campaigns of the leading Republican opponents of medical marijuana — U.S. Sen. John McCain (Ariz.), former Massachusetts Gov. Mitt Romney, and former New York Mayor Rudy Giuliani — \$10,000 apiece to back up their false statements regarding medical marijuana. MPP also erected a massive billboard featuring the three Republicans with Pinocchio noses.

At the candidates' silence, in January MPP doubled its original offer to \$20,000. As of press time, none of the candidates had responded, but the



U.S. Sen. Barack Obama (D-Ill.) explains his support for medical marijuana access in the video his campaign posted on YouTube in mid-December in response to MPP's question about the issue.



In December, MPP's mobile billboard appeared outside of the campaign headquarters of former New York Mayor Rudy Giuliani (R) and U.S. Sen. John McCain (R-Ariz.) in Manchester, N.H., and former Massachusetts Gov. Mitt Romney (R) in Boston, challenging the candidates to back up their false claims about medical marijuana.

challenge received widespread news coverage, including articles in *The New York Times* and the *Fort Worth Star-Telegram*.

And in November, MPP posted a video question about medical marijuana on the Web site 10questions.com, which solicited videos of questions to ask the candidates. Because MPP's question was in the top 10 most popular questions at the end of the voting period, it was submitted to the candidates, and five candidates posted video answers, including former Arkansas Gov. Mike Huckabee (R) and U.S. Sen. Barack Obama (D-Ill.).

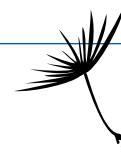
In his statement, Gov. Huckabee repeated what he said on the campaign trail to MPP staff and volunteers — that he would maintain the status quo with regard to marijuana: "If you feel so strongly, get the laws changed." Sen. Obama, U.S. Rep. Dennis Kucinich (D-Ohio), former U.S. Sen. John Edwards (D-N.C.), and former U.S. Sen. Mike Gravel (D-Alaska) all expressed support for ending the federal raids on patients.

Last year, MPP's outreach to the presidential candidates resulted in 10 of the 17 candidates pledging to end the federal government's raids on medical marijuana patients if elected. **MPP**

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The gift of appreciated securities — stocks, bonds, or mutual funds that have grown in value — can be an easy way of making a contribution to MPP, and one which may have tax advantages for you. You might even be able to consider a larger gift than you would have otherwise given — the size you wish you could make!

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MPP's newspaper and medical marijuana playing cards are available for purchase.

Visit www.mpp.org/newspaper and www.mpp.org/playingcards for more information.

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If your automobile is no longer of use to you, it can still go a long way toward supporting MPP's work to end marijuana prohibition. MPP will get money from the sale of your used vehicle at auction, and you will get a tax deduction. To get started, make a toll-free call to 1-866-MPP-GIVE (1-866-677-4483), or e-mail donations@charitableautoresources.com, to contact an MPP vehicle donations representative, who will schedule a pickup that's convenient for you.

Visit www.mpp.org/giving for more information.



Ten people have already donated their cars to MPP: Let your car lead the way toward ending marijuana prohibition in the U.S.!

PARTY WITH MPP AT THE PLAYBOY MANSION

Join us at MPP's third annual party at the Playboy Mansion on June 12. The best ticket price is available now, as the price will increase later in the year. MPP's first two parties at the Playboy Mansion sold out quickly, so reserve your tickets today!

For event details and to purchase tickets, visit www.mpp.org/playboy.



At MPP's 2007 party at the Playboy Mansion, Rob Kampa presents MPP VIP Advisory Board member Bill Maher with the Public Face of Reform Award.