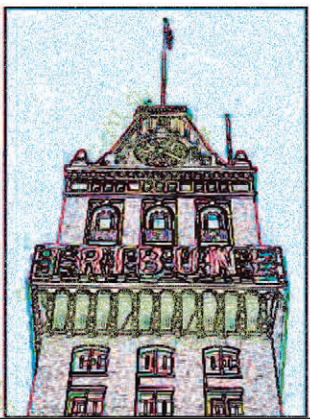
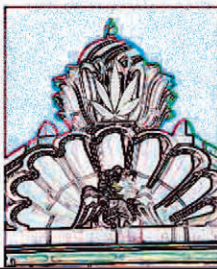




OAKSTERDAM NEWS

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MR. WILLIAMS GOES TO WASHINGTON — TV talk show host Montel Williams joined advocates from around the nation in DC May 4 to visit the halls of Congress and lobby for passage of two federal medical marijuana bills. Photo: Mikki Norris

STATE LAW SURVIVES HIGH COURT RULING

Feds, state still conflict

By Chris Conrad

A divided US Supreme Court handed down its June 6 ruling on medical marijuana, and its effect is ... nothing.

The Supreme Court's six-to-three *Gonzalez v. Raich* opinion preserved the status quo by retaining both state medical marijuana laws and the federal ban as separate jurisdictions, meaning that patients and caregivers are not able to use their legal status under state law as a defense in federal court.

Patients Angel Raich of Oakland and Diane Monson of Butte County promised to defy the federal ban and continue their work for medical rights.

California Attorney General Bill Lockyer immediately announced that all the state laws remain unchanged.

Continued on page 10

MMJ outlets stay open; Locals regulating sales

By Richard Lee

One month after the *Gonzalez v. Raich* decision, more than 150 medical marijuana outlets continue to operate without federal interference.

The day after the ruling the Alameda County Public Safety Committee voted to issue permits to three dispensaries in the unincorporated areas of the county. Sheriff Charles Plummer promised that the DEA would not shut down any of his well-regulated and tax paying dispensaries. Since federal agencies rely on having good relations with local agencies, there is a powerful incentive for the two to get along.

Continued on page 10

Oakland Public Safety Committee gives cannabis tolerance a green light

Measure covers private sales to adults

By Justin Baker

The City Council's Public Safety Committee met June 14 with a packed hall and unanimous public testimony supporting regulated cannabis sales in Oakland.

"We truly are showing that we are a respectable, political constituency with clout," said Mikki Norris, a board member of the Oakland Civil Liberties Alliance, primary sponsor of Measure Z, which won by 65.2% last fall.

The committee responded by taking decisive action on a motion by councilmember and mayoral candidate Nancy Nadel to launch the oversight committee, define the scope of "private" sales, and instruct law enforcement to follow the voter mandate for cannabis tolerance. It also voted to limit membership on the oversight committee to city residents.

Councilmember Pat Kernighan seconded Nadel's motion, which passed 3-0 with the vote of Jean Quan and an abstention by Larry Reid. Kernighan, elected to the District 2 seat earlier this year in a special election, said she had not voted for Measure Z, but she understood it and respected the will of the voters.

Constituents crowded into the meeting with concerns about the city attorney's definition of what voters meant when they made private adult cannabis sales, cultivation and use law

enforcement's lowest priority. He interpreted it as meaning non-commercial locations only, rather than other non-public places. The net effect would have been to limit tolerance to the home rather than allow clubs or designated private adult-use areas that require proof of age to enter.

Backers of the measure argued that voters clearly intended to keep sales "off the streets" by moving them into commercial settings to be taxed and regulated as soon as possible.

Speakers made a strong case for ventilated, on-site smoking areas and age controls through ID checks or

Continued on page 3

Medical marijuana in federal court:

Is jury nullification the next step?

Editor's note: The power of the jury to acquit in the interest of justice, despite evidence of guilt, is a controversial legal issue that has drawn increasing attention as defendants have been stripped of their legal defenses in federal court.

Does the ban on providing jurors with "the whole truth" about medical use give jurors "reasonable doubt" of

guilt in all federal cannabis cases?

Clay Conrad reminds jurors that it's not a crime to vote to acquit.

By Clay Conrad

Since the June 6 *Gonzalez v. Raich* Supreme Court decision, medical marijuana supporters have largely determined to focus on lobbying Congress. While *Raich* did not overturn state medical marijuana laws in the eleven states that have them (Alaska, California, Colorado, Hawaii, Maine, Maryland, Montana, Nevada, Oregon, Vermont and Washington), it does permit the federal government to arrest patients in those states. (State laws exempt qualified patients who use cannabis from state criminal penalties.)

Congress promptly voted down a bipartisan budget amendment sponsored by Reps. Dana Rohrabacher (R-CA) and Maurice Hinchey (D-NY) to prohibit the federal government from spending taxpayer dollars to prosecute patients who comply with their home state's medical marijuana laws. It seems a stretch to believe that this

Continued on page 11



MURAL ON THE EDGE — The beautifully detailed mural *Mitzvah, the Jewish Cultural Experience* can be seen at 14th and Franklin, the edge of Oakland. Story on page 5

Inside this Issue

Visitors' Guide to Oakland

Page 6

Patient Resource Directory

Page 4

NORML Conference Comes to SF

Page 8

Eating and Weekending in O'dam

Page 5

Economists: Regulating cannabis could save US \$14 billion; Over \$1 billion in benefits for California taxpayers alone

Friedman and 500 economists call for new approach to cannabis control



Noted economist Dr. Milton Friedman

By Autumn Bernstein

A report released June 2 by Harvard economist Dr. Jeffrey Miron points to the economic advantages of treating cannabis like alcohol rather than prohibiting it as an illegal drug.

In "The Budgetary Implications of Marijuana Prohibition," Miron estimates that replacing the prison model of drug enforcement with a fair system of taxation and regulation similar to that used for alcoholic beverages would produce combined savings and tax revenues of between \$10 billion and \$14 billion per year nationally and \$1.1 billion in California.

A 2004 study by California NORML has estimated even higher savings for the state.

Also on June 2, a group of more than 500 distinguished economists led by Nobel Prize winner Dr. Milton Friedman released an open letter to President Bush and other public officials calling for "an open and honest debate about marijuana prohibition."

"We believe such a debate will favor a regimen in which marijuana is legal but taxed and regulated like other goods," the letter said.

"Regulating cannabis would raise revenue for vital services, like schools and health care," said Dale Gieringer, Executive Director of CA NORML, an organization dedicated to cannabis reform. "For example, California's schools are facing a major budget shortfall this year, and a tax on cannabis could go a long way toward addressing that. In this budget climate, what other industry is stepping up to the plate to be taxed?"

Advocates also point to strong public support for taking cannabis out of the criminal justice system. The nation spends billions on arresting, prosecuting, and incarcerating people on pot charges.

"Voters just don't think we should be wasting money on cannabis enforcement. Just last November, Oakland voters overwhelmingly passed a measure calling for the legal taxation and regulation of cannabis for private adult use," said Gieringer. Voters there passed Measure Z by 65.2% to tolerate and, when possible, legalize, tax and regulate adult sales, cultivation and use.

"The plain fact is that marijuana prohibition is a failure," said Bruce Mirken of the Washington DC-based Marijuana Policy Project. "Year after year, 85% of high school seniors tell government survey-takers that marijuana is 'easy to get.' Conservatives like Milton Friedman are part of the



growing number of Californians saying it's time we considered a new approach and stopped throwing billions of dollars at a failed policy."

Mendocino County recently heard a proposal to tax medical marijuana growers as a way to fill a looming \$3 million budget deficit. The proposal's author, Supervisor Jim Wattenburger, called the medical marijuana industry a driving force of the local economy that could help solve the county's budgetary woes.

The Miron report, using data from a variety of federal and state government sources, concludes:

- Replacing cannabis prohibition with a system of legal regulation would save California approximately \$981 million in government expenditures

on prohibition enforcement.

- Taxed, regulated cannabis sales would raise at least \$96.3 million annually in new revenue for California, assuming it was taxed at a rate comparable to ordinary goods.

- Nationally, cannabis regulation would save approximately \$7.7 billion in enforcement — \$2.4 billion at the federal level and \$5.3 billion at the state and local level.

In Oakland, 65.2% of voters passed an initiative last year to tolerate and, as soon as possible, tax & regulate adult sales, cultivation and use.

- National revenue from taxation of cannabis sales would range from \$2.4 billion per year if cannabis were taxed like ordinary consumer goods to \$6.2 billion if it were taxed like alcohol or tobacco.

The Miron report examined two possible scenarios for national revenue from taxation of cannabis sales: a lower tax rate like those applied to ordinary consumer goods, and a higher "sin tax" like those applied to cigarettes or alcohol.

On a state level, the report only looked at the more conservative scenario, where cannabis is taxed at a rate similar to ordinary goods, generating \$96.3 million annually in California. In contrast, a 2004 report by CA NORML envisions cannabis being taxed at a steep "sin tax" rate, which would generate even more new revenue — up to \$1 billion annually.

Dr. Miron noted that many factors beyond costs and tax revenues would need to be considered in evaluating possible changes in cannabis laws, saying, "These budgetary impacts should be included in any rational debate about marijuana policy."

The full report, the open letter to public officials signed by over 500 economists, and the full list of its endorsers are all available at <http://www.prohibitioncosts.org/>.

How do the Dutch regulate cannabis sales?

By Chris Conrad

In the Netherlands, sales and cultivation of cannabis among adults, still technically illegal, is accepted as an ordinary part of life and regulated accordingly.

Peter Cohen of the Dutch Centre for Drug Research reports that there are about 750 cannabis coffeeshops in The Netherlands, of which fully a third are in Amsterdam. That is in addition to every dispensary in the country, which can provide medical marijuana on request.

The Ministry of Health publishes data on the number of coffeeshops based on a count done each year by Bert Bieleman in Groningen. His reports, called *The National Drugs Monitor* (2002), is available in English on the website of Trimbos-Instituut, but not the latest one, covering 2004.

Rotterdam has about 600,000 inhabitants and about 70 cannabis shops, one per 8500 residents. Amsterdam has a population of 700,000 and 250 coffeeshops, more than one per 3000 residents — although the city also hosts a busy tourist industry. Some of the more rural Dutch municipalities apply a rule of one cannabis shop for every 20,000 inhabitants.

Oakland, with a population of 399,484, could easily support 20 such coffeeshops, and possibly more. The city has 802 businesses licensed to serve alcohol, so at a ratio of only one coffeeshop per 10 alcohol licenses, the City could accommodate 80 cannabis outlets.

What has been the result of these 40 years of tolerance?

- The Dutch use cannabis at less than half the US rate.
- The age of first use of cannabis in The Netherlands is 20. In the United States, it is age 16.
- The rate of heroin addiction in The Netherlands is less than one-third the US rate.
- Since the 1970s, the average age of a heroin user in the US has dropped from 26 to 19, while in The Netherlands, it has risen from age 26 to over 40

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The Oaksterdam News is a free speech publication owned and operated by The Oaksterdam News. This news quarterly promotes the community by providing news, photos, features, directories, local information and service guides for locals and tourists alike. We support tolerance and believe that cannabis sales and cultivation should be legal for adult consumption. We provide a free listing for California cannabis outlets and patient support groups that are on the public record. Any service provider who is *not* interested in this feature needs to advise our office by calling our office:

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Cannabis tolerance moves ahead

Committee plans to take voters at their word

Continued from page 1

membership cards. Both of these systems have worked well in medicinal cannabis outlets.

Kernighan, herself an attorney, said that the language must be taken at face value and that it did not appear to her that voters intended to restrict cannabis sales, cultivation or use to the home. Nor did she want to unduly tie the oversight group's hands as to what possibilities to consider.

City council members now need to designate oversight committee members to make sure that tolerance carries forward as intended. Each council member is to select a resident to serve for two years while meeting quarterly.

Dr. Frank Lucido, a family practitioner, told the committee that he had contacted more than one council member about his interest in bringing a physician's sensibility to the issue.

Nadel's appointee to the oversight committee, Richard Lee, said, "I look forward to working on the committee to create guidelines for private adult sales. Well-regulated cannabis sales will benefit Oakland and continue to revitalize Oakland."

Lee said that the city's experience with regulating its medical marijuana dispensaries gave the community transferable skills that could apply to adult use facilities. Councilmember Quan agreed, noting that the city's dis-

pensary permit ordinance seems to be working.

A poll found that public opposition to the section of that ordinance that shut down most of the dispensaries had encouraged voters to pass Measure Z. Supporters see this as a signal that voters want to revive Oakland as a cannabis-friendly zone.

Chris Conrad, curator of the Hash-Marijuana-Hemp Museum in Amsterdam, told how the Dutch model of tolerance and coffeeshops would apply to Oakland. To protect private activities from federal or state harassment, he said, business licenses and tax records would not indicate whether cannabis was sold or consumed, as long as a controlled-access private adult area had been designated and sales taxes were paid, without listing what was being sold. Failure to keep minors out or public nuisance complaints would be a basis to pull a business license.

With the success of Measure Z in Oakland, other communities are beginning to consider adopting similar ordinances. A political consulting company, The Next Generation, has been contracted to do early research on suitable locations around the state.

After decades of discrimination and mistreatment, cannabis consumers are finally making their claim to equitable treatment. For more information visit www.taxandregulate.org.



PUBLIC SAFETY HEARING — Dr. Frank Lucido urged the Public Safety Committee on June 14 to activate the oversight committee and adopt a quick implementation of Measure Z. Councilmember Nancy Nadel (upper left) made the motion. Photo: Chris Conrad

Medical marijuana access compared to alcohol

Opponents of medical marijuana often claim there are too many dispensaries in their area. This specious argument has been used to impose unacceptably low limits in Oakland and elsewhere. The cap in Oakland is completely arbitrary, yet other communities use it as a basis for their own permits. In fact, it is far too restrictive and completely unfair. These localities have dozens of pharmacies.

By way of comparison, it may be helpful to look at the number of licensed alcohol outlets in the same region. The chart below shows several localities, their number of liquor stores, total alcohol outlets, including wine and beer shops as well as licensed restaurants, bars and clubs compared to the number of medical cannabis dispensaries. The numbers speak for themselves.

We need many more dispensaries for the Bay area, not fewer.

City	Liquor Stores	Alc Licenses	Medical Marijuana
Oakland	195	802	4
Alameda Co (unincorp.)	42	159	3
San Francisco	715	3,464	43
Hayward	56	37	2
Berkeley	36	323	3

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California's Medical Marijuana Patient Services & Support Groups: A Resource List

Thanks to California Norml. *Oaksterdam News* makes no representation as to the service, quality, reliability or compassion of any of these groups. For a discussion of the legalities of cannabis clubs, see CA NORML's Tips for Would-be Cannabis Providers. Updated info online at www.canorml.org.

Oakland

- Official city patient ID cards & info: The Co-op Store. 1733 Broadway: 510-832-5346 www.rxcbc.org.

City Licensed Clubs

- SR-71, 377 - 17th St. Open M-F 9-8; Sa-Su 10-8.
- Oakland Compassionate Healing Center. 578 West Grand Ave. 510-839-9002. Daily.
- CARE. 1900 Telegraph Ave
- Undisclosed location. Broadway

Berkeley / East Bay

- Berkeley Cannabis Coop. Shattuck Ave, Berkeley: 510-486-1025
- Berkeley Patients' Group. 2747 San Pablo Ave, Berkeley: 510-540-6013 www.BerkeleyPatientsGroup.com
- Berkeley Patients' Care Collective. 2590 Telegraph Ave: 510-540-7878 medicalmarijuanainfo.com Contra Costa.
- ME Delivery 510-758-3269
- Maricare - 2155 Colfax St, Concord (also deliveries) (925) 459-2929 11am - 7 pm

Livermore Hayward, San Leandro Area

- Hayward Patients Resource Center 22550 Foothill Blvd. 510-581-8640. 11-9 daily, also deliveries & MD clinics (888) 389-6360.
- Local Patients' Cooperative (22630 Foothill Blvd 2nd Floor) 510-537-2405. Open 10-10 daily; (wheelchair access to 9:30, call in advance).
- Garden of Eden, 21227 Foothill Blvd Castro Valley, 510-881-2160, 9-9 daily.
- The Health Center, 15998 E. 14th St, San Leandro 510-278-4251. 11-7 Daily
- Alameda Co. Resource Center 16250 B E. 14th St, San Leandro 510-317-2150. Open M-SA 11-8 (high grade organic).
- A Natural Source. 16360 Foothill Blvd, San Leandro 510-276-7224. M-F 11-7. Sa-Su 12-6.
- Compassionate Collective of Alameda County, 21222 Mission Blvd, Hayward. Open M-F 9-7, Sa-Su 11-7.
- Compassionate Caregivers, 16045 E. 14th St, San Leandro. 510-481-5757. 8-8 daily.
- We Are Hemp 913 E Lewelling Blvd, San Lorenzo. 510-276-2628. M-Sa 11-8

San Francisco

- Patient ID Cards, City Dept of Health, 101 Grove St. #105: 415-554-2890
- Compassion Care Center #1, 122 Tenth St (at Mission) 415-255-8720
- CannaMed Care Center, 1211 Sutter St (lower). 415-885-8007. 1-9 M-Sa, 1-6 Su. www.cannamedcare.com
- Alternative Herbal Health, 442 Haight St. 415-864-1300. (MD consultations by appt)
- The Vapor Room, 609A Haight St. (MD consultations avail.) M-Sa 11-9; Su 12-8
- The Hemp Center, 4811 Geary Blvd, 415-221-HEMP
- Love Shack 502 14th St. (at Guerrero). 415-552-5121 www.lssf.com
- Compassion and Care Center #2, 194 Church St. 11-7 M-Sat. 415-559-9393
- Ketama, 14 Valencia St. 415-706-2679 open 11-8 M-Sa, 12-6 Su.
- Medicinal Cannabis Center, 722 Columbus St. 415-296-7614. 11-6 daily
- Mendocino Healing Alternatives, 96 Lafayette St. (at Howard between 11th and 12th) 415-864-4600. 11-7 daily
- Mission St. Caregivers (1760 Mission at Duboce) 415-553-7780 (open 365 days)
- Green Door, 843 Howard St. 11-8 daily 415-541-9590 www.GreenDoorInfo.com
- Health & Wellness Alternatives, 935 Howard St. (between 5th & 6th) (415) 512-7800 open 11-7 M-Sa

- Alternative Patient Caregivers, 953 Mission St. #40 415-618-0680 (12-6 M-F, 11-5 Sat). Clones available.
- Alternative Relief Co-Op 1944 Ocean Ave. 415-239-4766 natural herbs & tea (noon-7, M-Sat). Deliveries to in-patients in SF hospitals.
- SF City Patients Caregiver Collective (1095 Market St. #515 @ 7th St) 415-724-3476. Open Fri & Sat 11-6.

HS11362.5: *“seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician...”*

- San Francisco ACT-UP (1884 Market St). 415-864-6686 www.actupsf.com
- Sweetleaf Collective 415-273-4663, For low-income AIDS, cancer patients
- Herbal Relief Center, 1545 Ocean Ave. 415-587-2599.
- San Francisco Patients' Cooperative (350 Divisadero St): 415-552-8653 www.sfprc.org
- Kind Sanctuary (Golden Triangle, 1334 Haight St) 415-431-6764 Open M-Sat 10:30-9; Sun. 12-8.
- The Hopenet Coop, 223 Ninth St. 415-863-4399 Open M-F 12-7, Sa 12-5.
- The Green Cross. 3420 - 22nd St (at Guerrero) 415-648-4420 open 10-8 daily thegreencross.org
- Bernal Heights Co-op Disp. 33 - 29th St. 415-642-4702. 10-9 M-Sa, 12-7 Su
- Divinity Tree. 958 Geary St. 415-292-6052. Open 11-7 except Tu
- Mason St. Dispensary. 124 Mason St. (downstairs) 415-433-4420, 7-9 daily www.masondispensary.com
- Emmalyn's. 1597 Howard St. #A. 800-588-4218 / 415-345-8248. Daily 10-9
- Patients Helping Patients Home Bike Delivery. 415-240-7190
- Good Fellowes Smoke Shop. 473 Haight St 415-346-4338
- Grass Roots. 1077 Post St. 415-346-4338
- Sanctuary. 669 O'Farrell. 415-885-4420
- Re-Leaf Herbal Center. 2980 - 21st St. 415-235-3307

Marin, North Bay

- Marin Alliance for Medical Mj: 415-256-9328 www.cbcmarin.com
- Here2Help-707, Solano Co. deliveries to homebound patients only 707-208-9023. M-Th 9-7 here2help_707@hotmail.com

South Bay

- Cal Medical Mj Patients Association. Belmont (deliveries to San Mateo, SF and East Bay) 650-492-1487 (24 hrs) / 650-595-0113. 4-6. cammjpa@yahoo.com / cammjpa.50megs.com
- Mobile Herbal Therapy (San Mateo, San Jose deliveries). 866-240-9121
- Area 420. Santa Clara Co patients, by appt. only. 408-246-0052. area420.com
- San Jose area deliveries: Growth Unlimited. 1-888-MED-CANN
- My Green Heaven Ministry. Millbrae. www.mygreenheaven.org

Santa Cruz

- Wo/Men's Alliance for Medical Mj: 831-425-0580 www.wamm.org
- MariMed Rx 831-688-9990 (MD consultations available) (M-F 10-5, SA 11-4) Marimedrx@sbcglobal.net
- Med Ex. Info service. 831-425-3444
- Hemporium, LLC Delivery Service. 831-295-3511

North Coast

- MMPU, Medical Marijuana Patients Union POB 2059, Fort Bragg 95437. 707-964-YESS. info@mmpu.org
- Mendo Healing. Ft Bragg. 707-964-3677
- Mendo Remedies. 44975 Hwy 101, Laytonville: 707-984-7101; low-income patients welcome.

- Redwood Herbal Options, Evergreen Center #7, Redway. 707-923-9147. Open 9-5. redway420@yahoo.com
- Caregiver Compassion Center. 4349 Montgomery #D, Santa Rosa. 707-537-7303 M-F 1-6; Su 3-6.
- Resource Green Caregivers & Patients Group. 532-D Sonoma Ave, Santa Rosa. (deliveries too) 866-420-5020. 11-9 daily
- North Bay Collective. 2050 W. Steele # D-3, Santa Rosa. 707-569-1420. Tu-F 12-7; Sa-Su 12-4.
- Sonoma Alliance for Medical Marijuana. 707-522-0292, patients' support group
- Marvin's Gardens. Guerneville.

707-869-1291

- Sonoma Co. Compassionate Services Delivery. 707-972-7818
- Lake Co Alternative Caregiver Clinic, Clearlake Oaks. 707-998-0358. lacc@mchsi.com
- Lake Co., Eddy Lepp's Medicinal Gardens, Upper Lake 707-275-8879 www.eddysmedicinalgardens.com
- Ukiah CBC: 707-462-0691

Central Valley to Redding

- Amador Co. Sierra Foothills CC (delivery service) 209-274-6727.
- Butte Compassionate Care, Chico area delivery service, 530-680-0857; 12-8; low-income patients welcome.
- Calaveras CC (delivery) 866-401-2228. 7 days, 8-8; low-income patients welcome.
- Merced Patients' Group (patient support) 209-726-4532 dcgreenhouse@sbcglobal.net
- California Healthcare Collective - 1009 McHenry Ave. Modesto
- Green Pole Alternative Center 204 McHenry Ave. Modesto
- MMJ Caregivers Association of El Dorado Co. Placerville. 530-642-8258
- Golden State Patient Care Collective. 233 Hwy 174, Colfax. 530-346-2514. M-Sat 10-6
- Nevada Co.: The Healing Center 530-268-4690. Open 11-7, closed Tu & Th.
- Plumas Co., Feather River Coop. 530-283-4517 (info)
- Shasta Co. Safe Access. Redding (delivery). 530-356-1645
- Jim's Deliveries. Roseville area 916-519-5328. Hours 10-6.
- Medi-Caregivers (delivery). San Joaquin. 209-456-0680
- Shasta Patient Alliance (information only) shapatall@hotmail.com
- Shasta Green Care delivery 530-524-9251 8am-6pm.
- Siskiyou County Medical Cannabis Co-op Research & Registration Ctr. Weed. 530-938-1768. littleloulou@snowcrest.net
- Stanislaus/Central Valley Co-op: Primary Caregivers & Consultants. 209-818-2932. CACaregivers@aol.com
- Tuolumne CC (delivery service) 866-882-1129. 7 days, 8 am-8 pm. low-income patients welcome.
- Valley Patients' Alliance, Stockton CA 209-933-6282, (patient info & aid)
- Yuba County CBC 530-749-7497

Sacramento

- Capitol City Patient's Center. Sacramento, 916-649-0114
- Capitol Alternatives. 2020 - 16th St. Sacramento, 916-497-0277 / 916-728-1967. Open 9-7 M-Fri; 9-5 Sa.
- Doctor's Orders, 4011 Winters St. #A, Sacramento. 916-564-2112 Open 9-6 M-F, 9-4 Sa, 9-1 Sun.
- Advanced Medicinal Health Center: call for appt. 916-482-1971. M-Sa 11-6.
- MedSac916: 916-806-2314 www.med-sac916.com
- Growth Unlimited (Sacramento/Solano/Central Valley/San Jose) deliveries: 1-888-MED-CANN
- Sacramento area deliveries, Today's

- Holistic Caregivers 661-946-6600 caregivers420@yahoo.com
- 420 Deliveries. 916-519-7670. M-F 10-7; Sa 12-4; Sun by appointment
- Healing Hands of Nature. (Rancho Cordova/Sac/Citrus Heights area deliveries). 916-256-5277

Kern Co., Bakersfield

- Amer. Kenpo Kungfu School of Public Health. 661-399-9099. RevJoeFortt.com
 - Nature's Medicinal, 323 Roberts Ln, Bakersfield. 661-392-9353. 11-9 daily.
- Free & Easy Compassionate Care, Inc, 1905-1/2 N. Chester, Bakersfield. 661-387-0509. 10-9 everyday.

Santa Barbara, Ventura

- Santa Barbara Patients' Group, 3114 State St. 805-687-8988 M-SA 11-5.
- Santa Barbara Patient Doctor Coalition 805-687-2380 PDCOALITION@cox.net
- California Alliance for Medical Mj Patients (Ventura Co) 805-890-1365 StopArrestingPts@aol.com (ID cards and medical referrals)

Orange Co., San Bernardino, Riverside

- 420 Primary Caregivers (Anaheim) delivery service 714-758-3500 www.420primarycaregivers.com
- Careabis Patients Collective (LA/Orange/Riverside/S.D./S.Barbara) (562) 696-9100 (11am - 8 pm) www.careabis.com-info@careabis.com
- Inland Empire Herbal Caregivers delivery service San Bernardino Co. (951) 687-4690
- Therapeutic Health Care, S. Orange Co. delivery 949-916-7176 open 10-9 M-SA.
- OCMC Cooperative, Orange County 949-855-0310.
- Humble House Orange Co deliveries 949-395-9588 / 714-856-7654 M-Sa 10-7, Su 11-6. thehumblehouse.com
- MariMed Rx, 550 E. Chapman Ave. #C, Orange. 800-29-LEGAL. M-F 9-5, SA 11-4. Marimedrx@sbcglobal.net
- KGB Meds (San Bernardino, High Desert delivery). 760-246-7047. kgbmeds@yahoo.com
- Northern Lights Church (statewide support) Laguna Beach. 949-222-4209. northernlightschurch.org / thehealingexchange.org

Southern State

- Inglewood Wellness Center. 310-674-4444. www.InglewoodWC.org
- Medicinal Delivery Caregivers (LA area) 310-415-6759. 10 am- 8 pm. medicinaldeliverycaregivers@yahoo.com
- Crescent Alliance for Sickle-Cell Self-Help Group (Sister Somayah) LA
- Today's Holistic Caregivers (Lancaster) 661-946-6600 caregivers420@yahoo.com
- Trichome Healing Caregivers. 7100 Van Nuys Blvd #204, Van Nuys. 818-373-5000. 10-7 daily except Wed. - disabled access
- Valley Independent Pharmacy, 10-7 daily. 19459 Ventura Blvd, Tarzana. 818-345-5477.
- WV 420 Collective Delivery Service, West Hills. 818-274-4479
- LA Patients and Caregivers Group, 7213 Santa Monica Blvd, W Hollywood (at Formosa) 323-882-6033 LAMedicalMarijuana.com
- AHHS (Alternative Herbal Health Services) 7828 Santa Monica (at Fairfax) West Hollywood. 323-654-8792 call for hours.
- Medical Marijuana Pharmacy. 7825 Santa Monica Blvd. 323-848-7981 (LA area deliveries). 10-9.
- West Hollywood Caregivers. 7901 Santa Monica Bl #206. 323-656-2033. 10-7 daily.
- CA Cannabis Pharmaceuticals, 8464 Santa Monica Blvd, W. Hollywood 323-656-1600
- W Hollywood Center for Compassionate Healing, 8921 Sunset Bl. 310-626-3333.
- The Health Center. 8961 W. Sunset Blvd W. Hollywood. 310-275-0446. call for appt
- West LA Collective Caregivers. West side delivery. 310-953-2475. 9:30am-10pm daily. WLACC.net.
- Cancer Help Center Herbal Collective. 3381 LB Blvd (at Wardlow) Long Beach. 562-424-HERB. M-F 11-8, Sa-Su 11-7

Continued on next page



GRAB A QUICK BITE — Proprietor “Big Joe” brings Catfish Sundays to Oaksterdam and welcomes clients at the door of the ever popular Quick Bite restaurant, now open daily including weekends, at 1511 Franklin.

Oaksterdam emerging as a tasty new tourist hot spot for the weekends, too

By **Tristin Coffman**

The cracks that run through the 1985 mural, *Mitzvah, the Jewish Cultural Experience*, are a silent reminder of the 1989 Loma Prieta earthquake. Situated at 14th and Franklin Streets, on the edge of Oaksterdam, the enamel painting by Dan Fontes, Keith Sklar and Brooke Fancher is featured on the front page of this issue of *Oaksterdam News*. It, measures a huge 97 by 150 feet and dominates the block.

This is just one of many hidden treasures that beckon tourists and locals to come and explore the area known as Oaksterdam, or O’dam for short. The uptown zone’s nickname hearkens to the famously cannabis friendly city in Holland, and they share a number of qualities.

Home to the city’s four licensed medical marijuana dispensaries, the area is friendly and a walkable size. It runs from City Hall to Lake Merritt and from Chinatown to Grand Avenue and is punctuated with curious architecture, inviting shops and a variety of places to eat.

Every issue of *Oaksterdam News* features a color map in our centerfold to help you navigate the area and find parking as you become familiar with the emerging Arts and Entertainment district. Drop by the Oaksterdam Giftshop at 405 - 15th St. to pick up your complimentary copy and maybe a few souvenirs of your visit.

When you’re in the mood for a cappuccino or a soy chai, visit the Bulldog Coffeeshop, 1739 Broadway. Last month two of Jimmy Buffet’s

backup singers came to town when the band was touring. Two Reefettes, Tina and Heather, dropped by for a beverage with local author and activist Mikki Norris, who was showing them around when cotton mouth struck. You never know who you might bump into in O’dam, but every week you’ll get to hear cool jazz riffs by the Bulldog Band featuring Vince Wallace, who play in the summer on the sidewalk in front of Coffeeshop SR-71 on Sunday afternoons.

Café Van Kleef Contemporary Art Gallery, 1621 Telegraph, offers drinks with the attitude and ambiance of a side street in Paris. Its nightlife musical fare includes jazz, blues and R&B. Bedecked with artifacts from around

the world, its bar is as happening as anything in the San Francisco Mission District, but smaller and friendlier. This hangout is truly one of the landmarks of the area.

Another weekend destination in O’dam is the Quick Bite restaurant at 1511 Franklin. Specializing in catfish, prawns and french fries, the restaurant does a hopping business seven days a week and draws its crowd downtown on Sunday afternoons.

Another specialty food shop is Francois, 365 - 19th St., where you get a taste of Manila with rich, traditional Filipino foods plus ice cream.

Take it Easy Thai food, 351 - 17th St., serves up large portions of its spicy Asian cuisine. Warms the heart, the taste buds and the palate, and has a newly remodeled interior, to boot.

At Ichiro Japanese restaurant, 412 - 15th St., the address may not quite be 420, but it can still take care of your munchies and cotton mouth for you. If you’re downtown during the day, be

sure to get their terrific plate lunch. It’s a good meal and a good value.

The Fine Place, 376 - 17th St, is the place to find veggie dishes and be sure to try their zesty ginger lemonade. It is conveniently located right next to Coffeeshop SR-71, which has smoothies, those cold, blended concoctions of fruits and juices.

Grab something to go from one of these eateries and head to Snow Park on a nice day or take the elevator to the top of Kaiser’s parking lot across from 1950 Franklin, where picnic tables, shaded canopies, and fragrant hanging vines await — along with a view up 19th Street to see the Fox Theater looming over the district.

A new website hopes to bring people downtown with its listings of attractions, meetdowntownoak.com. If you get a chance, take a look and let us know what you think. It’s hosted by the City, along with Oakland magazine. Or simply come see us online at www.oaksterdamnews.com.

Resource Directory

Continued from previous page

San Diego

- San Diego Legal Ease, Inc. 3024 Meade Ave #D (North Park) 619-398-3467. Open 10-7 daily.
- San Diego Caregivers. (delivery serving S.D. / south Riverside Co.) 760-580-0745
- Triple Holistic Chronic. 2109 El Cajon Blvd. San Diego 619-497-1105. Open 11-9.
- Triple Holistic Chronic. 4972 1/2 Cass St. San Diego. 858-272-2700. Open 11 -9.
- Native Sun Dispensary, 3806 Rosecrans,

San Diego (619) 299-2837. Open M-Sa 9-7.

- Ocean Beach Dispensary, 4230 Voltaire St., San Diego. 619-549-2014 obdispensary.com Noon -8 everyday.
- First Choice Caregivers (“ICCC”) San Diego area deliveries (858) 472-1225 firstchoicecaregivers@msn.com Hours 10-7 everyday.
- Co-Op SD, 7875 Convoy Ct #6, San Diego (858) 610-1674 .Hours 11-7 everyday.
- Compassionate Couriers San Diego deliveries compassionate-couriers.org 619-861-3157 Hours 10am-8pm.
- San Diego Associated Caregivers Coop (El Cajon near Park Blvd) By referral only.

Contact Your City Leaders

Oakland City Hall and Council
1 Frank H. Ogawa Plaza
(between 14th and 15th at Clay St.)

Jane Brunner, District 1,	510-238-7001
jbrunner@oaklandnet.com	
Pat Kernighan, Dist 2,	238-7002
pkernighan@oaklandnet.com	
Nancy Nadel, Dist 3,	238-7003
nnadel@oaklandnet.com	
Jean Quan, Dist 4,	238-7004
jquan@oaklandnet.com	
Ignacio De la Fuente, Dist 5,	238-7005
idelafuente@oaklandnet.com	
Desley Brooks, Dist 6,	238-7006
dbrooks@oaklandnet.com	
Larry Reid, Dist 7,	238-7007
lreid@oaklandnet.com	
Henry Chang, At-Large	238-7008
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Jerry Brown, Mayor	238-3141
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The Oaksterdam (O'dam) Map Key

A	Bulldog Coffeeshop, 1739 Broadway Four Seasons Hydro, 1735 Bdwy The Co-op Stop, 1733 Bdwy	H	Fox Theater, 1850 Telegraph
B	SR-71, 377 - 17th St.	I	CARE, 1900 Telegraph Ave.
C	Norcal MMJ Recommendations, 1504 Franklin	J	Paramount Theater, 2025 Bdwy
D	Oaksterdam Gifts, 405 - 15th St.	K	Oakland Compassionate Healing Center, 578 W. Grand Ave.
E	Post office, 1446 Franklin St	L	Lake Merritt Park boat rentals
F	Frank Ogawa Plaza	M	Green Medicine Group
G	Medicann, 1814 Franklin # 901	N	Van Kleef Cafe 1621 Telegraph Ave.
		O	Americans for Safe Access (ASA), 1322 Webster # 208
		P	Paid parking
		Q	Kaiser rooftop garden

A walking tour of Oaksterdam's sights

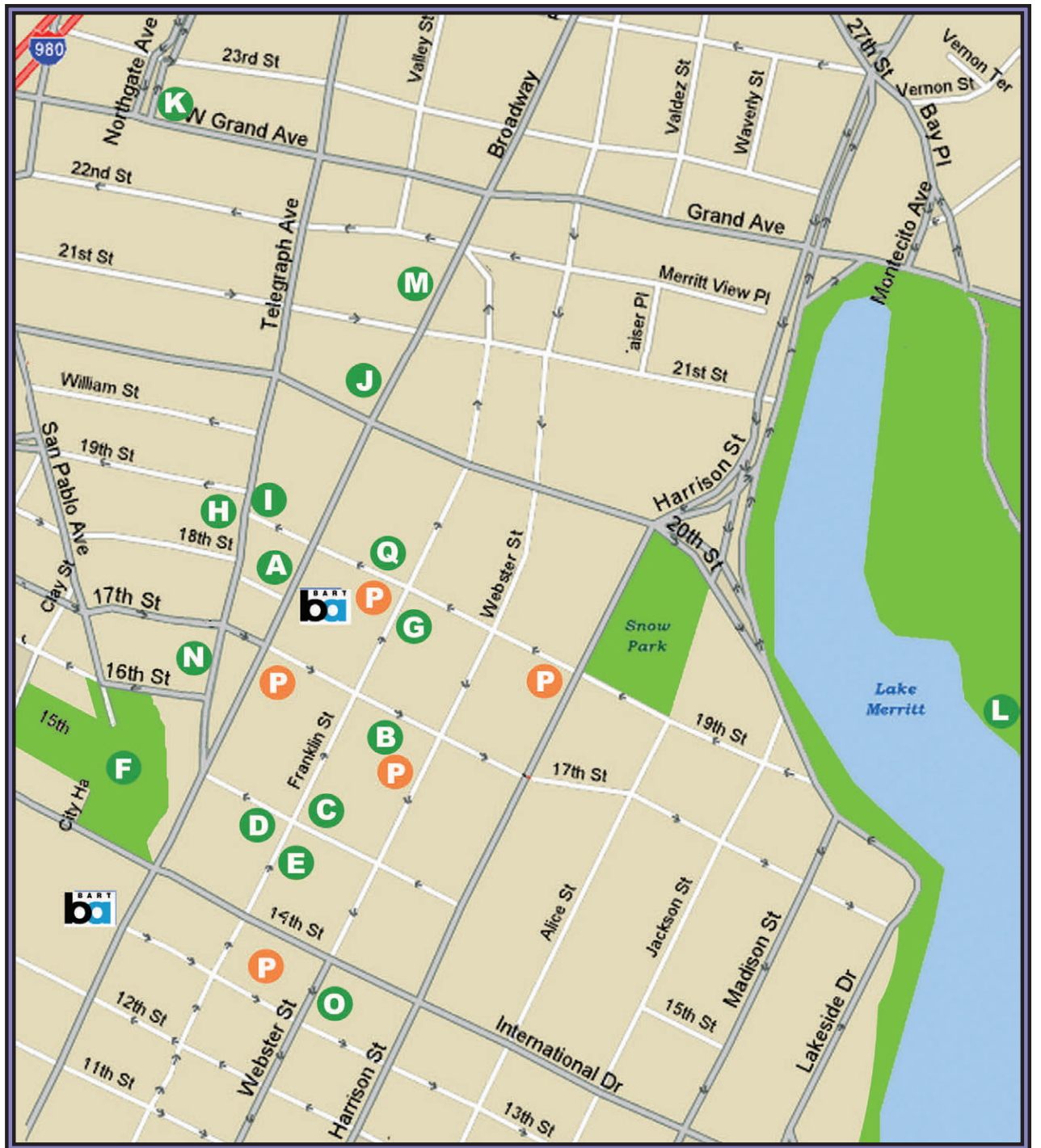
The map on this page shows highlights and historic landmarks of Oaksterdam. We invite you to take a walk with us along its streets.

Starting at **City Hall**, head East on 14th to Broadway and turn North. Before you is **Latham Square**, with a fountain and the towering **Cathedral Building** at the Telegraph and Broadway split.

Go to the left onto Telegraph and you soon pass **Café Van Kleef** on your left. Cross 17th to see where five cannabis outlets operated until June 2004.

Next you will pass a BART entrance and a few doors later is a yellow sign: **Lemondrop Coffeeshop**. The Lemondrop once had a candy store front and a dispensary in the basement. A few doors later another dispensary site wears paper signs announcing its closure and a new location for people to visit. Across the street is a small three story building where the **420 Cafe** operated. If you peer into the window you'll see murals and a skunk doll perched on a room divider.

Continuing North you can't miss the massive, ornate **Fox Theater** on the left, in the middle of a costly restoration project. At the end of the block and across



19th Street is a beautiful Art Deco building with silver trim and sylvan murals painted in the windows. This is the licensed dispensary **CARE**. It's worth walking along the building's Telegraph facade to see the new **Uptown** nightclub before you continue east on 19th Street to Broadway.

Turn south on Broadway and on your right you will see 1755 Broadway. This is the original site of the **Oakland Cannabis Buyers Cooperative** where Jeff Jones first opened his dispensary on the fifth floor on July 4, 1996.

Next door is the **Bulldog Coffeeshop**, which once housed a cannabis dispensary. It's a good place to take a break before going south past the **Four Seasons** garden center to the **Co-op Stop** that offers vaporizers, gear and ID cards for qualified individuals with valid documentation.

Keep strolling south to 15th street, then turn East once again. On the South side of the street you will see the **Oaksterdam Gift Shop**, which also houses the **Oaksterdam News**. Continue up 15th to Webster, and turn north past the **YWCA** to see the **Green Door** dispensary sign in a tall-windowed building at 1521 Webster, covered with for lease signs.

Further north, you'll turn left on 17th and walk west along the tree-lined street. Under a red canopy is **SR-71**, another licensed and operating dispensary.

Two other active dispensaries are further out, one on Broadway and the **Oakland Compassionate Healing Center** at 578 W. Grand Ave.

Turn back east on 17th one block and turn left on Harrison, to the north. At 19th you will see beautiful **Snow Park** to the right and cut across diagonal to Lakeside Drive and on the other side is **Lake Merritt**.

There is a walking path that leads into the park surrounding the lake.

In the park you can find the **boat house** where sailboats, paddleboats canoes and kayaks can be rented for a few dollars. You can walk the trail around the lake and catch scenic vistas or rent a gondola for a romantic sunset cruise.

Make Oaksterdam more pedestrian friendly

- Observe 25 mph speed limit
- Watch out for pedestrians crossing against lights and for jaywalkers
- Yield to peds when turning, check adjacent crosswalk before turning
- Check sidewalks when entering and exiting garages and parking lots
- Check your mirror before opening your car door when parked on street
- Pedestrians, watch for turning cars and keep out of drivers' blind spots.

Show pride in Oaksterdam: Keep it clean!

Please do not litter while visiting the Oaksterdam District — always pick up your trash. A city ordinance requires that storefronts keep the sidewalk in front of their business clean, so do your part. Report any persistent garbage problems to keep Oaksterdam clean and attractive.



National Organization for the Reform of Marijuana Laws:

Reform activists from around the country get all fired up at SF conference



NEW HAND ON THE HELM — NORML's new national director, Allen St. Pierre, welcomes attendees to the voter initiative panel that covered recent electoral measures in more than six states. Susan Stephenson of Oakland is at left. Photo: Chris Conrad

By Justin Baker

The smell of freedom hung heavy in the air at the National Organization for the Reform of Marijuana Law's well-attended annual conference when it came to San Francisco in March.

The group's new executive director Allen St. Pierre said this "marks NORML's return to the Bay area, which was host to our highly successful 2002 and 2003 annual gatherings, and gave attendees a unique opportunity to network with other marijuana law reformers."

St. Pierre called San Francisco

"one of the most 'NORML-friendly' cities in America" with a reputation for fun and education. "If a person is serious about changing America's misguided cannabis laws, the annual NORML conference is the place for medical cannabis patients, cannabis consumers and concerned citizens."

Sure enough, hundreds came to hear best-selling author and TV travel guru Rick Steves describe how using cannabis is like going on a travel adventure with new sights, sounds and sensations. "High is a place you might want to go sometimes," he quipped to

an appreciative audience.

Former NFL football star Mark Stepnoski mingled with the crowd that included scores of notables, including locals Angel Raich and WAMM's Valerie Corral, the *High Times* news crew and many, many more.

Much of the networking activity took place around the display tables and booths in the hallway, or at the aromatic and dry-mouth inducing parties that kept people up and talking into the wee hours, only to get up early for the next day's presentations.

The packed agenda included talks and workshops focusing on the nuts and bolts of political organizing, from the many electoral initiatives that were being pursued around the nation to educating the community to structured legal challenges and how to be more effective in lobbying officials.

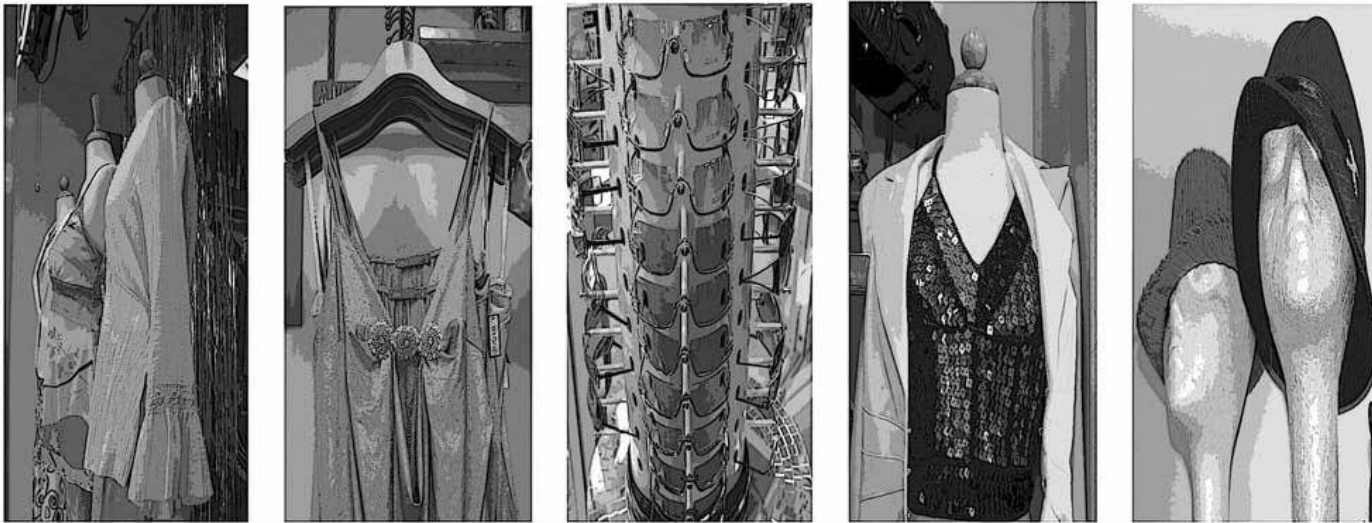
Panels ranged from the federal/state schism over medical marijuana to cultivation tips and changing the image of cannabis users to reflect their mainstream nature. Women activists were prominently featured, and in higher numbers than in past years, as St. Pierre had promised its members.



A PLACE YOU MIGHT WANT TO GO — TV travel host Rick Steves encouraged activists to keep up their efforts to gain equal rights for cannabis consumers.

NORML holds its annual convention and awards ceremony each spring and hosts a legal seminar for attorneys in December. For more information on its activities, visit www.norml.org.

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Study clears cannabis smoke as a threat of lung cancer

By Fred Gardner

Marijuana smoking — “even heavy long term use” — does not cause cancer of the lung, upper airways, or esophagus, Dr. Donald Tashkin reported at a meeting of the International Cannabinoid Research Society.

Coming from Tashkin, this conclusion had extra significance for the assembled drug-company and university-based scientists, most of whom get funding from the US National Institute on Drug Abuse. It is Tashkin’s research that the Drug Czar’s office cites in ads attempting to link marijuana to lung cancer.

Over the years, Tashkin’s lab at UCLA has produced irrefutable evidence of the damage that marijuana smoke has on bronchial tissue. With NIDA’s support, Tashkin and colleagues have identified potential carcinogens in cannabis smoke, biopsied and made photomicrographs of pre-malignant cells, and studied molecular changes occurring within them.

Tashkin himself had long believed in a causal relationship, despite a study in which Stephen Sidney examined the files of 64,000 Kaiser patients and found that cannabis users didn’t develop lung cancer at a higher rate or die earlier than non-users. Of five smaller studies on the question, only two — involving a total of about 300 patients — concluded that marijuana smoke may cause lung cancer. Tashkin decided to settle the question by conducting a large, case-controlled, prospectively designed, population-based study. “Our major hypothesis,” he told the ICRS, “was that heavy, long term use of marijuana will increase the risk of lung and upper-airways cancers.”

The Los Angeles County Cancer Surveillance program provided Tashkin’s team with the names of 1,209 L.A. residents aged 59 or younger with cancer (611 lung, 403 oral/pharyngeal, 90 laryngeal, 108 esophageal).

Interviewers collected extensive lifetime histories of cannabis, tobacco, alcohol and other drug use, and data on diet, occupational exposures, family history of cancer, and various “socio-demographic factors.” Exposure to cannabis was measured in

joint years (joints per day x 365). Controls were found based on age, gender and neighborhood.

Among them, 46% had never used cannabis, 31% had used less than one joint year, 12% had used 10-30 j-yrs, 2% had used 30-60 j-yrs, and 3% had used for more than 60 j-yrs.

Tashkin controlled for tobacco use and calculated the relative risk of cannabis use resulting in lung and upper airways cancers. All the odds ratios turned out to be less than one (one being equal to the control group’s chances). Compared with subjects who had used less than one joint year, the estimated odds ratios for lung cancer were .78; for 1-10 j-yrs, .74; for 10-30 j-yrs, .85 for 30-60 j-yrs; and 0.81 for more than 60 j-yrs. The estimated odds ratios for oral/pharyngeal cancers were 0.92 for 1-10 j-yrs; 0.89 for 10-30 j-yrs; 0.81 for 30-60 j-yrs; and 1.0 for more than 60 j-yrs.

“Similar, though less-precise results were obtained for the other cancer sites,” Tashkin reported. “We found absolutely no suggestion of a dose response.” The data on tobacco use revealed “a very potent effect and a clear dose-response relationship — a 21-fold greater risk of developing lung cancer if you smoke more than two packs a day.” Similarly high odds obtained for oral/pharyngeal cancer, laryngeal cancer and esophageal cancer. “So, in summary” Tashkin concluded, “we failed to observe a positive association of marijuana use and other potential confounders.”

There was time for only one question, said the moderator, and San Francisco oncologist Donald Abrams, M.D., was already at the microphone: “You don’t see any positive correlation, but in at least one category [cannabis-only smokers and lung cancer], it almost looked like there was a negative correlation, i.e., a protective effect. Could you comment on that?”

“Yes,” said Tashkin. “The odds ratios are less than one almost consistently, and in one category that relationship was significant, but I think that it would be difficult to extract from these data the conclusion that marijuana is protective against lung cancer. But that is not an unreasonable hypothesis.”



REEFERETTES IN OAKSTERDAM — Two of Jimmy Buffet’s backup singers came to Oaksterdam to see the sights during his latest concert tour. Here Reefeferettes Heather and Tina visit with Mikki Norris (center) outside the Bulldog Coffeeshop.

Mayoral race heats up

By Richard Lee

Will Ron Dellums run for mayor of Oakland? If he does he will be one more candidate that supports taxing and regulating cannabis for adults, similarly to alcohol.

Dellums (US Rep. 1970-1998) has been an advisory board member of the National Organization for the Reform of Marijuana Laws, NORML. He has announced an exploratory committee for the mayor’s race, and Oakland is buzzing with the possibilities of this curve ball no one saw coming.

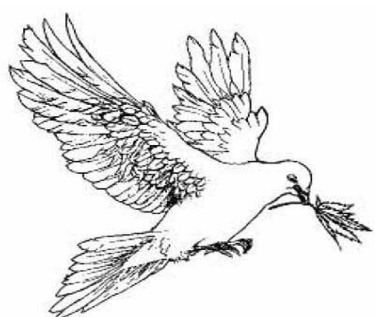
Nancy Nadel, Oaksterdam’s city councilperson and the presumed front-runner, endorsed Measure Z and has been working to see it implemented. She has led the effort to revitalize the Uptown area into a pedestrian friendly arts and entertainment district for many years. Plans for the area include widening sidewalks to allow cafes space for outside seating. This dovetails with the Oaksterdam vision of

sidewalk cannabis cafes to make the area safer and busy on weekends.

Mayoral Candidate Dan Siegel also endorsed Measure Z and has been appointed to the Oakland Cannabis Regulation and Revenue Ordinance Oversight Committee by councilperson Desley Brooks. When harassed for having a small amount of cannabis, he did not see it as a liability to his campaign, after 65% of Oakland voted last year to end cannabis prohibition.

Even long time medical marijuana opponent, councilman Ignacio DeLa Fuente sees that to become Oakland’s Mayor he will have to soften his opposition to treating cannabis consumers the same as alcohol patrons. During a recent meeting with Cal Norml Executive Director Dale Gieringer, De La Fuente repeated that he was now “open minded and practical” on the issue of cannabis law reform.

Whoever wins next summer, it appears that the new mayor will be an improvement over Mayor Brown, who is now running for Attorney General.



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Cannabis patients told that relief lies with US Congress

Continued from page 1

Six weeks later, the barely-functional state patient ID program was put on hold for a few days to consider if it might violate federal law or collect data that would put patients at risk of federal prosecution, then restored.

Oregon had earlier suspended its state-run patient registry for a few days, then quickly recommenced.

In an unusual twist, the High Court concluded its *Raich* opinion by urging Congress to change the law, noting the “procedures for the reclassification of Schedule I Drugs. Perhaps even more important than these legal avenues is the democratic process, in which the voices of voters allied with these respondents may one day be heard in the halls of Congress.”

It held that even non-commercial, private medical use within a state falls under the federal interstate commerce authority. Without ruling on the constitutionality of the Controlled Substances Act (CSA), the Court said there is a credible risk that medical marijuana could end up being sold in the illicit market and thereby rationalized using federal police powers.

The limited, technical ruling did not consider medical studies on cannabis, or if patients can present a medical necessity or substantive due process defense. It did give credence to the validity of Raich and Monson’s medical benefit, adding, “The authority to grant permission whenever the doctor determines that a patient is afflicted with ‘any other illness for which marijuana provides relief,’ is broad enough to allow even the most scrupulous doctor to conclude that some recreational uses would be therapeutic.” However, it held that there are other avenues of relief available without overturning the CSA.

Congress responded June 15 with a 264 to 161 vote against the Hinchey-Rohrabacher amendment to cut funds for DEA raids on medical marijuana. Raich and TV talk show host Montel Williams joined scores of advocates

on May 4 to lobby for its passage.

Within days of the vote, the DEA re-arrested California attorney Dale Schafer and his wife, Dr. Marion “Molly” Frye, on prior charges of helping patients obtain cannabis.

Several dispensaries and their suppliers have since been raided, as well.

Congressman Barney Frank (MA) subsequently introduced HR 2087, the “States Rights to Medical Marijuana Act,” that would enable physicians to prescribe cannabis and direct the DEA to honor medical marijuana in states that adopt such laws. The bill is not expected to pass.

Some Republicans still believe that Bush will act on his 2000 campaign statement, “medical marijuana, that’s a matter of States’ Rights,” and order the DEA or Department of Justice to do reschedul cannabis and change federal law. Given his personal and family history of drug use, that may seem reasonable, but critics point to Bush’s long history of false promises and hypocrisy as being unfavorable to the chance he would make such a move.

What does all this mean for California patients and caregivers?

The State Constitution binds its agencies to uphold and defend state law, even if in conflict with federal law. Lockyer wrote in a April 6 brief on a “return of property” case, “both generally and in the specific context of interpreting the Compassionate Use Act — it is not the province of state courts to enforce federal laws.”

However, the reciprocal relationship between various jurisdictions will continue to be a problem until Congress or the administration acts. In the meantime, Sheriff Tony Craver of Mendocino County repeats his famous mantra for cannabis providers of all ilk: “Think small or think DEA.”



WAMM SUPPORT RALLY — Hundreds of patients and supporters held a rally July 16 in Santa Cruz for the Wo/Men’s Alliance for Medical Marijuana. Several public officials spoke out in support of the coop. Expecting its injunction against federal raids to

Photos: Chris Conrad

be rescinded in the wake of the *Raich* ruling, Mike and Valerie Corral said that WAMM is shifting from a single, large cooperative cannabis garden to find other ways to supply patient-members. They remain confident and said they plan to file for a new injunction based on substantive due process. Inset: Valerie is warmly comforted by her mother.

Right: Memorial placards for WAMM patients who have died.



After Raich, cannabis dispensaries continue to operate across state

Continued from page 1

Oakland has reissued four cannabis dispensary permits and will collect \$80,000 in annual permit fees plus business and sales taxes that could exceed \$250,000 this year alone.

While San Francisco police did get assistance from the DEA June 22 to close three dispensaries that had a long history of run-in’s with local police, the City is working on regulations for the remaining 40 cannabis outlets currently operating there. After raiding the three clubs, the DEA announced to

the press that the clubs were being prosecuted primarily for failure to pay taxes, not for medical marijuana sales.

Another apparently isolated raid in Sacramento came July 7 on the heels of nuisance complaints against a dispensary there. Americans for Safe Access and other groups held protests against both raids, accusing law enforcement of violating California patients’ right to obtain cannabis.

Meanwhile, a medical marijuana retailer reopened its doors recently while fighting a LA police intrusion into West Hollywood’s jurisdiction. No criminal charges have been filed against them since the early May raid, when a commercial quantity of cannabis was seized.

The State Board of Equalization is expected to rule this fall on how and when sales tax is to be collected on medical marijuana.

CA Law enforcement ordered to follow state law

California Attorney General John Lockyer’s office issued a June 9, 2005 “bulletin to all California law enforcement agencies.” It read in part:

“Legal staff in our office have reviewed carefully the Raich decision, and it is our opinion that California’s Compassionate Use Act is not preempted by federal law (the Controlled Substances Act) as a result of this decision. Therefore, it is our conclusion that the use of medicinal marijuana under state law is unaffected by Raich. Accordingly, California law enforcement agencies should not, because of Raich, change their current practices for the non-arrest and non-prosecution of individuals who are within the legal scope of California’s Compassionate Use Act.”

R.I. Senate moves MMJ

Rhode Island lawmakers took a Senate vote 28 to 6 to override the governor’s veto of medical marijuana legislation.

The House agreed to an override vote, but had not voted by press time.

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Federal jurors' dilemma: Is nullification the next step?

Continued from page 1

Congress will act to protect these patients.

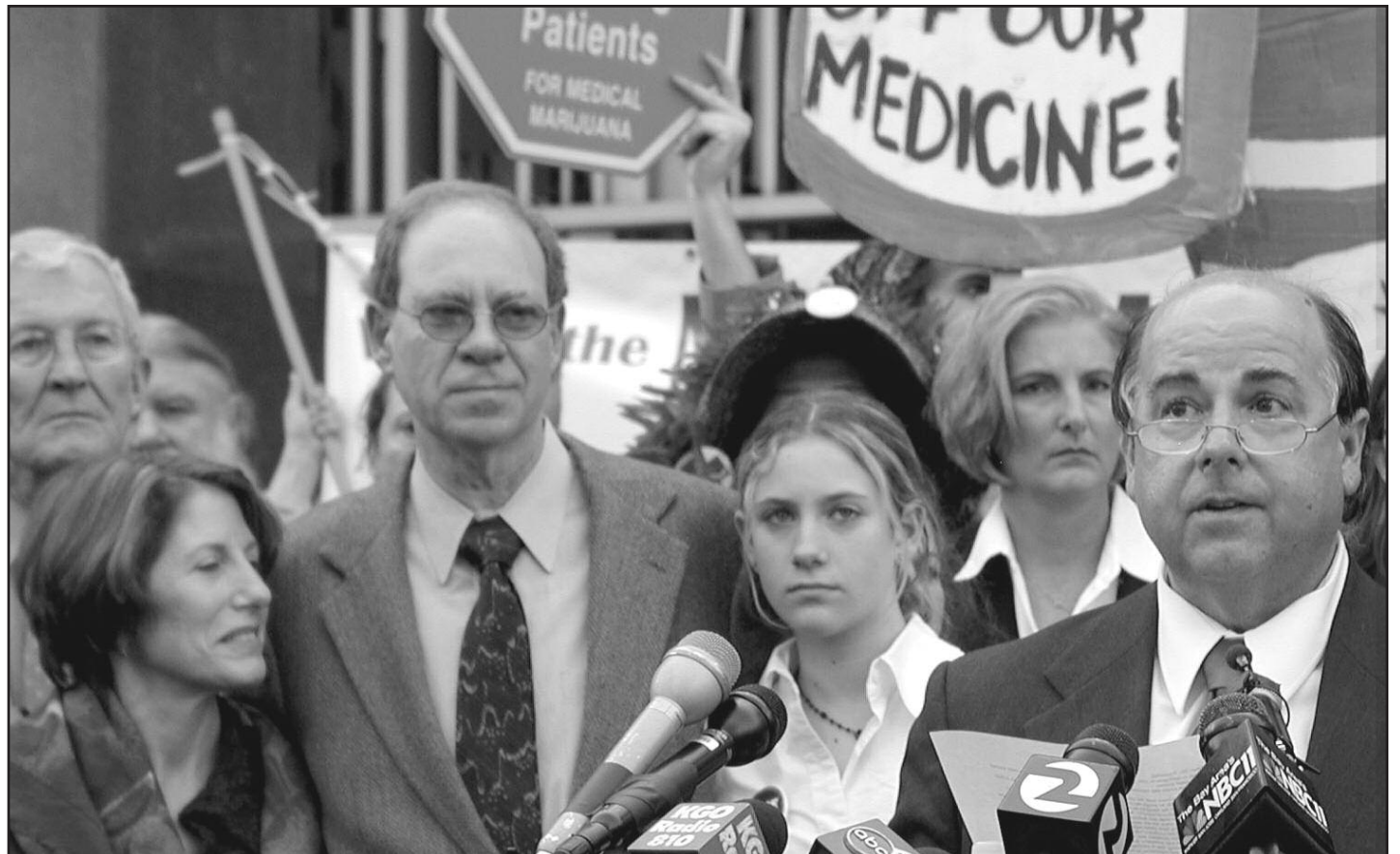
In some areas, particularly the San Francisco/Oakland area of Northern California, it seems likely that jury nullification may be an increasing threat in federal marijuana cases. In 2003, jurors revolted after convicting Ed Rosenthal of growing 100 pounds or more of cannabis in a highly disputed San Francisco federal case.

In some areas, particularly the San Francisco/Oakland area, it seems that jury nullification may be an increasing threat in federal cases.

The jury was outraged that they had not been informed that Rosenthal was growing the cannabis for distribution to medical dispensaries. Juror Marney Craig, a 58 year old Marin County property manager, labeled the trial "a cruel charade."

"It is the most horrible mistake I have ever made," she told the national press. "I feel like we were sheep, we were manipulated."

Foreman Charles Sackett said, "I fail to understand how evidence and testimony that is pertinent, imperative and representative to state government



JURY REVOLT — Left to right: San Francisco DA Terrence Hallinan, Jane Klein, her husband Ed Rosenthal and daughter Justine, juror Pam Klarkowski and jury foreman Charles Sackett, at microphone, held a February 2003 press conference to denounce the guilty verdict that was handed down in Rosenthal's federal cannabis trial. Jurors revolted after learning that facts such as medical intent and local approval of Rosenthal's actions were not included in "the whole truth" jurors were allowed to hear. Photo: Chris Conrad

policy, as well as doctor and patient rights, and indeed your own family, are irrelevant to this case."

Following Rosenthal's conviction, five of the jurors joined Rosenthal on the steps of the Federal Courthouse, denouncing their own verdict, saying they had been manipulated and misdirected, and demanding that Rosenthal receive a new trial.

Not surprisingly, the trial court judge, Charles Breyer (brother of U.S. Supreme Court Justice Steven Breyer) refused to consider the jurors protests

or grant a new trial. However, in the glare of negative publicity, Judge Breyer eventually gave Rosenthal - whom the federal government wanted to send to prison for six and a half years — a startling one-day sentence.

The Rosenthal jurors convicted without being aware of their nullification prerogative; in fact one had been erroneously advised by an attorney that no such power exists.

However, the Rosenthal case made the issue of jury nullification a front page item — and cast it in a positive light for millions of Americans.

Articles on the jury revolt, often including statements by Sackett and others that jury power would play a large role in future trials, were carried by the *New York Times*, *Newsday*, the *Washington Post*, *Reuters*, the *San Francisco Chronicle*, *San Francisco Examiner*, *Oakland Tribune*, the *Chicago Tribune*, the *Associated Press* and elsewhere. The jurors themselves appeared on numerous nationally televised news broadcasts.

Will medical marijuana advocates, such as Americans for Safe Access, NORML and Green-Aid, find that educating the jury pool in their nullification prerogative is their only way to defeat the federal efforts to steamroller their home-grown velvet revolution? It wouldn't be an unreasonable choice. Particularly in Northern

California, it would be difficult to imagine putting together a jury of 12 people without including at least one medical marijuana supporter.

Such a person could simply refuse to convict, claiming to find the evidence unconvincing, and thereby avoid a conviction. Any acquittals and/or hung juries would successfully announce to other potential jurors that they simply do not have to convict. In short, a few recalcitrant "stealth" jurors could cut government prosecution efforts off at the knees.

Moreover, should jurors decide not to convict in cases of this sort, Congress might be spurred on to finally pass a law exempting state-authorized medical marijuana patients from prosecution.

The acquittal of John Peter Zenger paved the way for the reform of English libel law, and as the acquittals of abused women in "burning bed" cases paved the way for battered woman syndrome defenses, have shown that jury nullification can foreshadow dramatic changes in the law.

Independent jurors could force a change in the way our drug laws treat seriously ill people who smoke cannabis to relieve suffering and prolong their lives.

Conrad (weaselaw@aol.com) is author of *Jury Nullification: The evolution of a doctrine*. (Carolina Academic Press, 1998)



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