

## SO WHERE DO THE FEDS STAND NOW ON MMJ?

February 25-- Attorney General ("AG") Eric Holder says at a press conference with the DEA Administrator that the end of medical marijuana raids on legal dispensaries is "now American policy" for the Department of Justice ("DOJ") and Drug Enforcement Administration ("DEA").

March 19-- AG Holder respects state law and orders an end to DEA raids on legally established medical marijuana clubs in California, as President Obama promised during his campaign.

April 29-- Representative Mark Cohen (D-Phila.) introduces HB 1393 Compassionate Use Act of 2009, which is referred to the House Health and Human Services Committee for public hearings this year.

May 18-- U.S. Supreme Court denies a writ of certiorari (ser-shuh-RAWR-ee) to review a San Diego County challenge to the California Compassionate Use law which requires them to administer and enforce laws for medical marijuana dispensaries. A denial of "cert" is not a legal precedent, but suggests that the Court saw no need to review the valid scheme established under state law.

May 20-- President Obama signs a Memorandum to all Executive Agencies ordering a halt to and review of enforcement of federal laws under a claim to "preemption" of state laws, and presuming against preemption when analyzing the necessity for it.

June 11-- Congressman Barney Frank (D-MA) and twelve co-sponsors introduce H.R. 2835, the Medical Marijuana Patient Protection Act, which will prohibit any federal prosecution for medical conduct which complies with state law.

June 18- Congressman Ron Paul (R-TX) and five co-sponsors introduce H.R. 2943 which would eliminate all penalties for possession of small amounts of marijuana for personal use under federal law, except for smoking it publicly, which would be a maximum \$100 fine.

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The trend of federal marijuana enforcement policy is away from the most aggressive enforcement policy they may adopt, and reflects a new presumption against preempting state law. Therefore, for the next three years, it's up to the states to pass legislation or referenda allowing medical marijuana and regulating its use under the direction of licensed physicians.

Since 1996, California has had more experience than any state in the emerging Cannabis industry, which is a significant economic contributor to the local and state economies. And 13 states, a quarter of the Nation, now have medical marijuana laws.

In Pennsylvania and New Jersey where similar bills are now pending, it's only a matter of time until physicians are allowed to recommend marijuana to alleviate suffering of patients who have serious debilitating illnesses. So why not let that time be now? Why wait another day if we can help now? Thanks for all you do to help.