

## Resolution for San Francisco Board of Supervisors

Whereas the majority of the voters support medical cannabis in California, and in 1996 it passed by majority of the vote; and

Whereas SB420, AB2650 & California Attorney General Guidelines acknowledge patient collective and cooperatives; and

Whereas over 60 of California's local jurisdictions have laws regulating medical cannabis dispensing collectives and cooperatives; and

Whereas it is incumbent upon State and local elected officials to implement laws passed by its citizens; and

Whereas those entities who have gone through the licensing process through their local governmental agency are clearly acting in good faith to be safe and professional members of their communities, and as such should not be targeted by the Federal Government for intimidation and attack;

Whereas the closure of medical cannabis dispensaries in California would lead to a loss of jobs to our community and revenue for the Board of Equalization;

Whereas the governing of the people and the health of the State should be done by the State Government, as this is a States right issue; and

Whereas the Court of Appeal in the case Ryan Pack, et al. v. Superior Court of Los Angeles held last week that municipalities' regulations collecting fees and issuing permits to medical cannabis dispensing collectives/cooperatives are federally preempted by the Controlled Substances Act; and

Whereas eight in ten Americans support legalizing cannabis for medical use, according to a national poll done by ABC News and Washington Post in 2010; and

Whereas RAND study released in September 2011 found no evidence that medical marijuana dispensaries in general cause crime to rise according to Mireille Jacobson, the study's lead author and a senior economist at RAND; and

Whereas medical cannabis has been an effective medicine in California as demonstrated since 1996, and since then the Federal government has acknowledged medical cannabis policies from the Department of Veterans Affairs, and Housing and Urban Development (HUD); and

Whereas 16 states and the District of Columbia have laws allowing for patient use of cannabis and the creation of distribution centers to facilitate the safe, controlled access to this medicinal substance to patients; and

Whereas the Investigation New Drug (IND) program, created by the Federal Government, has provided medical cannabis to a limited number of patients since before 1978; and

Whereas Attorney General Eric Holder, in February of 2009, indicated that the Federal Government's new policy was to treat medical cannabis as a State's right and responsibility issue; and

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Whereas the American Medical Association in 2009, Student American Medical Association in 2008, and the American Nurses Association in 2008, have passed resolutions urging the Federal Government to reexamine the scheduling of cannabis a Schedule I Controlled Substance; and

Whereas 55 pharmacies have permits from the Federal Government to study cannabinoids for medicinal purposes, which are the building blocks of medical cannabis; and

Whereas the DEA has used escalating tactics of intimidation against cultivators, doctors, dispensary operators and collective members, landlords, banks, and now local elected officials duty bound to implement State law mandated by its citizens; and

Whereas research has confirmed the therapeutic benefits of cannabis around the world demonstrating a clear nexus between debilitating diseases and chronic pain and the use of cannabis as a therapeutic substance;

**Now therefore be it resolved**, that the San Francisco Board of Supervisors does hereby call upon the Federal Government to end the prohibition on medical cannabis, and

To pass HR 1983, the State's Medical Marijuana Protection Act of 2011, introduced by Rep. Barney Frank (D-MA), HR 1984, the Small Business Banking Improvement Act of 2011 by Rep. Jared Polis (D-CO), and HR 1985, the Small Business Tax Equity Act of 2011, introduced by Rep. Pete Stark (D-CA), and

Calls upon the White House and Congress to recognize the medical benefits of cannabis and work to reclassify cannabis, and

The DEA must follow federal policy of leaving States to govern its citizens as outlined by Attorney General Holder in February of 2009, and

**Be it further resolved** that the San Francisco Board of Supervisor calls upon State Legislators and the Governor to protect our citizens and our rule of law by calling upon the Federal Government to stop the abuse of people of our great State by ending intimidation tactics.