



## Happy Birthday, Jerks Cannabis Prohibition Turns 75-Years-Old

October 2nd  
1937



Samuel Caldwell became the first victim in America's war on marijuana smokers.

### Federal Government's War On Pot Passes 3/4 of a Century Milestone

**Washington, DC, USA:** The federal government's ongoing criminalization of cannabis turned 75-years-old on Monday, October 1, 2012.

[The Marihuana Tax Act](#), the first federal law criminally restricting Americans' possession and cultivation of the cannabis plant went into effect on October 1, 1937. And while the United States Supreme Court [struck down](#) the law in 1969, "Marijuana" is still presently prohibited under federal law because it is classified as a [schedule I](#) substance under the United States Controlled Substances Act of 1970. Since 1965, over law enforcement have made

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### End Criminal Sanctions For Growing And Cultivating Cannabis, British Study Says

**London, United Kingdom:** Possessing and cultivating personal use amounts of cannabis should no longer be a criminal offense in the United Kingdom, according to the [recommendations](#) of a six-year study released last week by a coalition of leading British drug policy experts, treatment specialists, and law enforcement.

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### New York: Governor Says He Won't Consider Pay Increases For Lawmakers Until Politicians Address Marijuana Reforms

**Albany, NY, USA:** Democrat Gov. Andrew Cuomo restated his support this week in favor of legislation to equalize the state's marijuana possession penalties. Speaking Tuesday at the New York State Trooper Class of

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### Cannabis Agonists Produce Anti-Cancer Effects In Human Liver Cancer Cells

**Tehran, Iran:** The administration of synthetic cannabinoid agonists reduce cell viability in human hepatic carcinoma cells and may be a potential option for the treatment of liver cancer, according to preclinical [data](#) published online in the journal *Toxicology Mechanisms and Methods*.

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### Appeals Court Hears Arguments Challenging Cannabis' Prohibitive Classification

**Washington, DC, USA:** A three-judge panel of the U.S. Court of Appeals for the D.C. Circuit [heard arguments](#) on Tuesday (10/16/2012) in support of reclassifying cannabis under federal law. Arguing for the plaintiffs, Joe Elford, Chief Counsel with the

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## The Willamette Valley NORML News Report

is an all-volunteer, not-for-profit project to record and broadcast news, announcements and information about cannabis law reform.

The W-V-NORML News Report is produced by the Eugene, OREGON chapter of NORML, the National Organization for the Reform of Marijuana Laws

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Check 'em out on-line! *visit:*

**WillametteValleyNORML.org**

## A Voice for Responsible Marijuana Smokers

Since its founding in 1970, NORML has provided a voice in the public policy debate for those Americans who oppose marijuana prohibition and favor an end to the practice of arresting marijuana smokers. A nonprofit public-interest advocacy group, NORML represents the interests of the tens of millions of Americans who smoke marijuana responsibly. During the 1970s, NORML led the successful efforts to decriminalize minor marijuana offenses in 11 states and significantly lower marijuana penalties in all others.

The oldest and largest marijuana legalization organization in the country, NORML maintains a professional staff in Washington, DC, and a network of volunteer state and local [NORML Chapters](#) across the country. Check 'em out, and find the one nearest you!

**The NORML mission is to move public opinion sufficiently to achieve the repeal of marijuana prohibition so that the responsible use of cannabis by adults is no longer subject to penalty.**

When marijuana is enjoyed responsibly, subjecting users to harsh criminal and civil penalties provides no public benefit and causes terrible injustices. For reasons of public safety, public health, economics and justice, the prohibition laws should be repealed to the extent that they criminalize responsible marijuana use. **NORML, the National Organization for the Reform of Marijuana Laws – is located at 1600 K Street, NW, Suite 501, Washington, DC 20006-2832. Phone (202) 483-5500, Fax: (202) 483-0057 or visit: [www.norml.org](http://www.norml.org)**

Willamette Valley NORML is your local network in the fight to reform state and federal marijuana laws, whether by voter initiative or through the elected legislatures. W-V-NORML will serve as an informational resource to media on marijuana-related stories, providing a perspective to offset the [anti-marijuana propaganda](#) from the government; lobby state and federal legislators in support of reform legislation; publish a regular [newsletter](#); host an informative web site; and serve as the umbrella group for a regional network of citizen-activists committed to ending marijuana prohibition and legalizing marijuana.

Along with their parent organization, W-V-NORML will sponsor public advertising campaigns to better educate the public about marijuana and alternatives to current marijuana policy; provide legal assistance and support to victims of the current laws; and promote relevant research.

W-V-NORML supports the right of adults to use marijuana responsibly, whether for [medical](#) or [personal](#) purposes. All penalties, both civil and criminal, should be eliminated for responsible use. W-V-NORML also advocates the legalization of [hemp](#) (non-psychoactive marijuana) for industrial use. **To find out more, like how you can help, call, write or visit our website. You'll be glad you did!**

<continued from CANNABIS PROHIBITION TURNS 75-YEARS-OLD, page 1 > over [22 million arrests](#) for marijuana offenses. According to a 2011 nationwide Gallup poll, [a majority](#) of the public now favors ending marijuana prohibition and regulating the substance in a manner similar to alcohol or tobacco.

This November, voters in [three states](#) - Colorado, Oregon, and Washington - will decide at the ballot box whether to allow for the limited legalization of cannabis for adults. The measures [lead](#) in Colorado and Washington. Oregon voters are [divided](#) on the issue of legalizing cannabis.

Stated NORML Executive Director Allen St. Pierre: "Today, we reflect upon the decades of failure imposed by prohibition. Tomorrow, we look to the very near future when cannabis prohibition is abolished once and for all." *For more information, please contact Allen St. Pierre, NORML Executive Director, at: [allen@norml.org](mailto:allen@norml.org), or Paul Armentano, NORML Deputy Director, at: [paul@norml.org](mailto:paul@norml.org).*

<continued from END CRIMINAL SANCTIONS, BRITISH STUDY SAYS, page 1 > The [study](#), commissioned by the [UK Drug Policy Commission](#), argues that decriminalizing minor cannabis offenses will reduce police and prosecutorial costs without adversely impacting levels of illicit drug use. The UK Drug Policy Commission is an independent charity 'that provides objective analysis of the evidence concerning drug policies and practice.'



According to the study, criminal penalties for cannabis "could be replaced with simple civil penalties, such as a fine, perhaps a referral to a drug awareness session run by a public health body, or if there was a demonstrable need, to a drug treatment program. ... These changes could potentially result in less demand on police and criminal justice time and resources. Given the experience of other countries, our assessment is that we do not believe this would materially alter the levels of use, while allowing

resources to be spent on more cost-effective measures to reduce harm associated with drug use. ... We would expect the net effect to be positive."

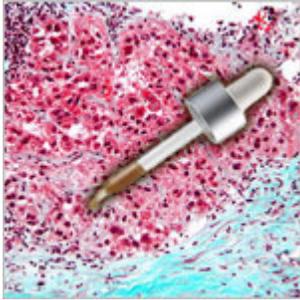
While the study's authors do not recommend the removal of "criminal penalties for the major production or supply offences of most (illicit) drugs," they do acknowledge that such non-criminal approaches ought to be considered for cannabis, concluding: "[F]or the most ubiquitous drug, cannabis, it is worth considering whether there are alternative approaches which might be more effective at reducing harm. For example, there is an argument that amending the law relating to the growing of it, at least for personal use, might go some way to undermining the commercialization of production, with associated involvement of organized crime. ... Perhaps the most expedient course to take here would be to re-examine sentence levels and sentencing practice to ensure that those growing below a certain low volume of plants face no - or only minimal - sanctions."

The Drug Policy Commission's final report is the first major, independent review of British drug policy since a 1999 [report](#) commissioned by the Police Foundation, which similarly recommended decriminalizing cannabis. Following the publication of that report, British lawmakers in 2004 [temporarily downgraded](#) cannabis from a Class B to a Class C 'soft' drug. Lawmakers [reclassified](#) cannabis as a Class B illicit substance in early 2009. Nevertheless, British police typically issue warnings to minor cannabis offenders in lieu of making criminal arrests. *For more information, please contact Paul Armentano, NORML Deputy Director, at: [paul@norml.org](mailto:paul@norml.org). Full text of the UK Drug Policy Commission's final report is available [online at: http://www.ukdpc.org.uk/publication/a-fresh-approach/](http://www.ukdpc.org.uk/publication/a-fresh-approach/).*

<continued from Study: CANNABIS AGONISTS PRODUCE ANTI-CANCER EFFECTS IN HUMAN LIVER CANCER CELLS, page 1 > Investigators from the Tehran University of Medical Sciences, Department of Toxicology and Pharmacology assessed the

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of two synthetic cannabinoids, CB65 (CB2 receptor agonist) and ACEA (CB1 receptor agonist) in human hepatocarcinoma cells. Authors reported that the administration of cannabinoids reduced malignant cell viability

and cell invasion in a dose-dependent manner. "These data suggest ACEA and CB65 as an option for novel treatment of hepatocellular cancer," they concluded.

[Previous studies](#) have demonstrated that cannabinoids inhibit tumor cell growth and selectively induced apoptosis by different cell signaling pathways in various types of malignant cells, including gliomas (brain cancers) and lymphomas, prostate, breast, lung, skin, and pancreatic cancer cells. *For more information, please contact Paul Armentano, NORML Deputy Director, at: [paul@norml.org](mailto:paul@norml.org). Full text of the study, "Evaluation of Anti-invasion Effect of Cannabinoids on Human Hepatocarcinoma Cells," is available in Toxicology Mechanisms and Methods.*

<continued from NEW YORK: GOVERNOR SAYS HE WON'T CONSIDER PAY INCREASES FOR LAWMAKERS UNTIL POLITICIANS ADDRESS MARIJUANA REFORMS, page 1 > 2012 graduation ceremony, Cuomo [said](#) that he "would not consider" convening a special legislative session unless lawmakers were willing to consider reforms to reduce New York City's [skyrocketing](#) marijuana arrest rates. Assembly and Senate lawmakers have requested a special legislative session be held following the Presidential election so that they can vote on a pay raise.

Under [state law](#), the private possession of up to 25 grams of marijuana is a non-criminal civil citation, punishable by a \$100 fine. By contrast, the possession of any amount of cannabis in public view is a criminal misdemeanor [NY State Penal Law 221.10]. In 2011, New York City law enforcement spent \$75 million [arresting approximately 50,000 minor marijuana offenders](#) under Penal Law 221.10.

Many of these offenders had marijuana on their person, and only revealed the cannabis publicly [after being ordered by police](#) to empty their pockets during 'stop-and-frisk' searches. According to the Governor's office, [94 percent of arrests](#) for small amounts of



marijuana in the state are in New York City. Over [85 percent](#) of those charged were either African American or Latino.

Governor Cuomo publicly [criticized](#) the law in June and endorsed legislation to close the 'public view' loophole. However, that reform was opposed by Senate majority leader, Republican Dean Skelos, who [said](#), "Being able to just walk around with ten joints in each ear, and it only be a violation, I think that's wrong."

New York City Council Member for Council District 8, Melissa Mark-Viverito, praised Gov. Cuomo's stance. "I commend New York Governor Cuomo for urging the State Legislature to adopt what he calls 'The People's Agenda,' which includes an end to unjust small-quantity marijuana arrests, before they consider a potential salary hike for legislators," she said in a [press release](#).

"I strongly support this principled act of leadership in the face of a hostile Republican State Senate which in the last session blocked legislation to decriminalize possession of small amounts of marijuana in public view. This inaction has led to thousands more unjust stop-and-frisk arrests of young men of color when they are told to empty their pockets during stops. ... The new law would make marijuana possession merely a violation, like a traffic ticket, and not a crime that the police can arrest people for committing. Since there are currently over 50,000 annual stop-and-frisk arrests for small-time marijuana possession in NYC, this will dramatically reduce the unjust criminalization of our youth." *For more information, please contact Allen St. Pierre, NORML Executive Director, at (202) 483-5500 or Erik Altieri, NORML Communications Director, at: [erik@norml.org](mailto:erik@norml.org).*

<continued from MULTIPLE POTENTIAL BEACHHEADS FOR LEGALIZATION IN POT WAR LOOM THIS NOVEMBER, page 1 > organization [Americans for Safe Access](#) (ASA), said that sufficient studies exist to allow for reclassification hearings to take place.



An attorney for the federal government [countered](#) that adequate clinical trials have not yet been conducted that would

allow any "expert to reach a conclusion about the medical utility of marijuana."

The case is *Americans for Safe Access, et al, v. Drug Enforcement Administration*, U.S. Court of Appeals for the District of Columbia Circuit, No. 11-1265.

Further information on the lawsuit is available at: <http://safeaccessnow.org>. Additional information on the 2002 petition to reschedule cannabis is available at: <http://www.drugscience.org/>.

## Appeals Court To Review DEA's Dismissal Of Cannabis Rescheduling Petition

**Washington, DC, USA:** The U.S. Court of Appeals for the D.C. Circuit [will hear](#) opening arguments in a lawsuit challenging the federal government's refusal to consider reclassifying cannabis as a schedule I prohibited substance under federal law.

At issue in the case is whether the Drug Enforcement Administration (DEA) acted appropriately when the agency last year [denied](#) an administrative [petition](#) - initially filed by a [coalition](#) of public interest organizations, including NORML, in 2002 - that called on the agency to initiate hearings to reassess the present classification of cannabis.

Under federal law, [schedule I](#) substances must possess three specific criteria: "a high potential for abuse;" "no currently accepted medical use in treatment;" and "a lack of accepted safety for the use of the drug ... under medical supervision." In its 2011 denial of petitioners'

rescheduling request, DEA Administrator Michele Leonhart alleged that cannabis possesses all three criteria, [claiming](#): "[T]here are no adequate and well-controlled studies proving (marijuana's) efficacy; the drug is not accepted by qualified experts. ... At this time, the known risks of marijuana use have not been shown to be outweighed by specific benefits in well-controlled clinical trials that scientifically evaluate safety and efficacy."

By contrast, a recent scientific [review](#) of clinical trials evaluating the safety and efficacy of cannabis concluded, "Based on evidence currently available the Schedule I classification is not tenable; it is not accurate that cannabis has no medical value, or that information on safety is lacking."



Commenting on the upcoming hearing in a [press release](#), Joe Elford, Chief Counsel with [Americans for Safe Access](#) (ASA) said: "Medical marijuana patients are finally getting their day in court. What's at stake in this case is nothing less than our country's scientific integrity and the imminent needs of millions of patients." Elford will be arguing the case before the D.C. Circuit. Oral arguments in the case are scheduled for Monday, October 16th.

NORML previously filed a similar rescheduling petition with the DEA in 1972, but was not granted a federal hearing on the issue until 1986. In 1988, DEA Administrative Law Judge Francis Young [ruled](#) that marijuana did not meet the legal criteria of a Schedule I prohibited drug and should be reclassified. Then-DEA Administrator John Lawn rejected Young's determination, a decision the D.C. Court of Appeals eventually affirmed in 1994.

A subsequent petition was filed by former NORML Director Jon Gettman in 1995, but was rejected by the DEA in 2001.

Further information on the lawsuit is available at: <http://safeaccessnow.org>. Additional information on the 2002 petition to reschedule cannabis is available at: <http://www.drugscience.org/>.

## Connecticut Medical Cannabis Law Takes Effect

**Hartford, CT, USA:** Public Act 12-55, An Act Concerning the Palliative Use of Marijuana, [took effect](#) on Monday, October 1. Democrat Gov. Dan Malloy [signed](#) the measure into law on June 1. Connecticut is the [17th state](#) since 1996 to allow for the physician-authorized use of cannabis as a therapeutic option for qualified patients.



Patients are afforded legal protections under this act is they are diagnosed with cancer, glaucoma, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, cachexia, wasting syndrome, Crohn's disease, and Post-Traumatic Stress Disorder. [Online registration](#) for qualifying patients and their physicians is now available from the [Connecticut Department of Consumer Protection](#).

The Department has until July 1 to submit regulations to the General Assembly regarding the eventual state-licensed distribution of cannabis. In the interim, qualified patients will be [allowed](#) to lawfully to possess up to 2.5 ounces of cannabis. However, "until state-approved sources of medical marijuana are established, transactions to obtain the drug will still be illegal," [according](#) to a summary of the law in *The Norwich Bulletin*.

Home cultivation of cannabis by qualified patients is not explicitly addressed under the statute.

*Additional information regarding Connecticut's medical cannabis program is available online from the Department of Consumer Protection: <http://www.ct.gov/dcp/cwp/view.asp?a=4287&q=503670&dcpNav=|>.*

## Los Angeles: City Council Repeals Controversial Dispensary Ban

**Los Angeles, CA, USA:** Members of the Los Angeles City Council on Tuesday voted 11 to 2 [to repeal](#) a controversial citywide ban on storefront cannabis dispensaries.

Members of Council in July [had approved](#) the ban. However, just weeks following the vote, concerned citizens collected sufficient signatures to [place a referendum](#) on the citywide ballot to overturn the ban.

Members of the City Council this week decided to avert sending the issue to a public vote by repealing the ban.

The vote comes just days after the office of the US Attorney for the Central District of California [sent 68 warning letters](#) to dispensary owners and their landlords threatening to engage in federal civil action against them.

"Council members say they are hoping that a new federal crackdown on L.A. dispensaries may accomplish what they hoped to achieve with their ban," *The Los Angeles Times* [reported](#).



*For more information, please contact Allen St. Pierre, NORML Executive Director, at: [allen@norml.org](mailto:allen@norml.org), or Paul Armentano, NORML Deputy Director, at: [paul@norml.org](mailto:paul@norml.org).*

## Missouri: Regulating Cannabis In State Would Produce \$149 Million Annually In Savings And Revenue

**Boston, MA, USA:** Legalizing and regulating the production and distribution of cannabis in Missouri for adults would produce \$149 million annually in combined statewide savings and revenue, according to an [economic analysis](#) published Wednesday. The white paper, entitled "The Budgetary Implications of Legalizing Marijuana in Missouri," is co-authored by Harvard University economist

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<continued from previous page> Jeffrey Miron and was commissioned by the National Cannabis Coalition.

The report estimates that legalizing cannabis in Missouri would save about \$90 million in government expenditure and yield some \$59 million in new tax revenue annually. The report's calculations are based on the assumption that cannabis would be taxed at rates comparable to those on alcohol and tobacco and that all other states and the federal government would also enact similar regulatory policies.



Stated Miron in a [press release](#): "The savings to Missouri's state and local governments from marijuana legalization consists of three main components: the reduction in expenditures by police from eliminating marijuana-related arrests; the reduction in spending on prosecution and judicial resources; and the reduction in spending on jails and prisons as well as probation and parole. ... [M]arijuana legalization would allow taxation of commerce in production and sale of marijuana which are currently tax free."

Miron has [previously estimated](#) that regulating cannabis nationwide would yield an estimated \$17.4 billion dollars annually in cost savings and new tax revenue. *Full text of the report is available online from the National Cannabis Coalition here:*

<http://nationalcannabiscoalition.com/2012/10//egalizing-marijuana-missouri-budgetary-implications-blog/>

## City Of Oakland Takes Legal Action To Halt Feds' Forfeiture Effort Against State's Largest Cannabis Dispensary

**Oakland, CA, USA:** The City of Oakland [took legal action](#) last week to halt efforts by the US government to seize the assets associated with [Harborside Health Center](#), the state's largest

medical cannabis dispensary. In July, the US Attorney for the northern district of California, Melinda Haag, [filed court papers](#) seeking to close the dispensary and seize the property - alleging that Harborside is operating in violation of federal law by providing cannabis to state-qualified patients.

On Wednesday, October 10, the City of Oakland filed [a complaint](#) in United States District Court seeking to prevent the federal government from seizing the Harborside property. Harborside is licensed to operate by the City of Oakland.

The City's complaint argues that federal officials had long been aware of Harborside's activities, and that the Department of Justice had a legal obligation to file actions seeking civil forfeiture in a more expeditious manner.

"The federal government has acted beyond its authority by initiating the forfeiture action outside of the statute of limitations," [said](#) Cedric Chao, a partner with the San Francisco firm Morrison & Foerster, which is representing the City in this case. "Moreover, the government has indicated for many years by its words and actions that so long as dispensaries and medical patients acted consistently with state law, the dispensaries would be allowed to operate. Oakland has reasonably relied on these assurances, and the government should be prohibited from disrupting Oakland's medical cannabis program."

The City's complaint [cites](#) a 1998 federal appeals court decision determining that the government could not seize over \$500,000 in US currency because federal agents had known about the lawbreaking more than five years earlier and had failed to take action at that time. "Under the statute of limitations, said the Sixth U.S. Circuit Court of Appeals in Cincinnati, the government had five years to seek forfeiture from the time it knew, or should have known, that the crime was being committed - a deadline it missed by six months," the *San Francisco Chronicle* reported. Added Oakland City Attorney Barbara Parker in a [press release](#): "This lawsuit is about protecting the rights of legitimate medical patients. I am deeply dismayed that the federal government would seek to deny these rights and deprive thousands of seriously ill Californians of access to safe, affordable and effective medicine."

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## News From *your* local affiliate of the National Organization for the Reform of Marijuana Laws

<continued from CITY OF OAKLAND TAKES LEGAL ACTION TO HALT FEDS' FORFEITURE EFFORT AGAINST STATE'S LARGEST CANNABIS DISPENSARY, [previous page](#)>

In the past year, US Attorneys in California have sent more than 300 threatening letters to landlords across the state, resulting in the closure of more than 400 dispensaries, according to tabulations [compiled](#) by the group Americans for Safe Access.



In August, United States Congresswoman Barbara Lee (D-CA), along with eight co-sponsors, introduced legislation - [House Bill 6335](#), the Medical Marijuana Property Rights Protection Act - to amend the federal Controlled Substances Act so as to "exempt real property from civil forfeiture due to medical-marijuana-related conduct that is authorized by State law." The measure is now before the House Subcommittee on Crime, Terrorism, and Homeland Security, but is unlikely to be heard by lawmakers prior to the November election. *For more information, please visit the webpage of the City of Oakland, Office of the City Attorney, here: <http://www.oaklandcityattorney.org/>.*

### **Marijuana Arrests Decline In 2011, But Still Total Half Of All Illicit Drug Violations**

**Washington, DC, USA:** Police made **757,969 arrests** in 2011 for marijuana-related offenses, according to the Federal Bureau of Investigation's annual [Uniform Crime Report](#), released today. The total is a [decrease](#) from past years. During the years 2006 to 2010, [police annually made over 800,000 arrests](#) for cannabis violations. According to the report, [marijuana arrests now comprise one-half of all illicit drug arrests](#) in the United States. Approximately 43 percent of all

drug violations are for cannabis possession. "As in past years, the so-called 'drug war' remains fueled by the arrests of minor marijuana possession offenders," NORML Deputy Director Paul Armentano said. "Cannabis prohibition financially burdens taxpayers, encroaches upon civil liberties, engenders disrespect for the law, impedes upon legitimate scientific research into the plant's medicinal properties, and disproportionately impacts communities of color. It's time to stop stigmatizing and criminalizing tens of millions of Americans for choosing to consume a substance that is safer than either tobacco or alcohol."



Of those charged in 2011 with marijuana law violations, **663,032** (86 percent) were arrested for marijuana offenses involving possession only. The remaining **94,937** individuals were charged with "sale/manufacture," a category that includes virtually all cultivation offenses.

By region, the percentage of marijuana arrests was [highest in the Midwest](#) (61 percent of all drug arrests) of the United States and lowest in the west, where marijuana violations comprised only 29 percent of total drug arrests.

On Tuesday, November 6, [voters in three states](#) - Colorado, Oregon, and Washington -- will decide on statewide ballot measures that seek to allow for the personal possession and regulated distribution of cannabis for adults. In two states, [Colorado](#) and [Washington](#), these measures are ahead in the polls by double digit leads.

Recent national polls by [Gallup](#), [Rasmussen](#), [The Huffington Post](#), and [Angus Reid](#) show that more Americans now support legalizing the adult use of cannabis than support maintaining its prohibition. *For more information, please contact Paul Armentano, NORML Deputy Director, at: [paul@norml.org](mailto:paul@norml.org).*