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# The Iowa NORML News Letter

Legalize Freedom!

Fall 1998 • Number 22

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## THE REGISTER'S EDITORIALS

### Marijuana madness

**W**hat if they held an election and nobody counted the votes?

Washington, Oregon, Nevada, Alaska and the District of Columbia all voted last Tuesday on ballot initiatives legalizing the medicinal use of marijuana. All four states approved. But the District of Columbia results are not known.

And may never be.

The district is a federal entity, governed by Congress. Last summer, Republican Congressman Bob Barr of Georgia sponsored a provision that no federal funds may be used "to conduct any ballot initiative which seeks to legalize or otherwise reduce penalties associated with the possession, use, or distribution" of marijuana.

The amendment floated around Congress for a couple of months, and then was stuffed into the 40-pound budget bill approved as Congress adjourned.

Meanwhile, the District of Columbia election ballots containing the legal-pot issue had already been printed. So on Tuesday, district residents cast their votes.

But nobody counted them.

And nobody will, if the Georgia congressman has his way.

It's hard to imagine that in the history of American elections -- or of American democracy -- there is precedent for stifling the legally expressed will of the

people by denying the money necessary to count their ballots.

Surely a court test is coming, and surely the nonsense won't survive. But the incident is an indication that logic and a grasp on reality seem to depart the arena when the issue is marijuana.

In discussion of the Barr amendment before a subcommittee last summer, supporters specifically said it was intended to block the initiative and railed against pot smoking, but never mentioned medicinal use, which was the entire point of the initiative.

The medical profession is far from unanimous on the drug's role in medicine, but the profession is seldom unanimous on any particular drug or mode of treatment.

Marijuana, of course, is subject to abuse. But physicians routinely prescribe any of dozens of other drugs considerably more powerful and more addictive than marijuana that also have the capacity for misuse.

Attitudes change. Besides the four states that approved use of marijuana under a doctor's care, Arizona reaffirmed a similar initiative passed two years ago. Some medical groups are opposed, but the American Public Health Association and state nursing groups in eight states approve of medicinal use.

But national acceptance is unlikely until the climate of hysteria subsides.

# Results of D.C. Marijuana Vote Kept Secret Pending Court Action

By Peter Slevin and Caryle Murphy  
Washington Post Staff Writers  
Wednesday, November 4, 1998; Page A36

Voters made their choices, machines counted ballots, but the results of the District's medical marijuana initiative must remain secret to comply with rules passed by Congress, the D.C. Board of Elections and Ethics decided yesterday.

Tabulated yeas and nays on Initiative 59 could not be announced because of the legislative action, the board concluded. Congress had barred the District from spending money to carry out any ballot initiative that would legalize drugs or reduce penalties for drug use, possession or sale.

And Congress was watching yesterday. Hill staff members called to learn how ballots were being counted, said Kenneth McGhie, elections board general counsel. To make sure the results remained unknown and Congress was not defied, he said, workers whited-out the numbers.

With ballots printed and computers programmed to count them, what would the cost be of announcing the result?

"Very, very minimal," McGhie said.

The fate of Initiative 59, which would permit patients to use marijuana with a doctor's recommendation, now rests in U.S. District Court, where supporters are demanding that the vote be honored. McGhie said the elections board may seek court guidance as early as today. Until then, it will take no further steps.

"Ever mindful of its primary role of insuring a fair and honest election, the board is reluctant to enter into a political dispute with Congress," elections board Chairman Benjamin Wilson said in a prepared statement. "However, the board must have direction from the court."

An exit poll funded by Americans for Medical Rights, which sponsored medical marijuana initiatives in five states and supported Initiative 59 with mailings, concluded that the measure would be approved by a significant margin.

The poll surveyed 763 voters. Twelve percent of them did not cast a vote on the initiative. Of those who did vote, 69 percent said they voted for it. The poll's margin of error was 3.6 percentage points.

Supporters of the ballot measure were angered by what Congress did.

James Millner, spokesman for the Whitman-Walker Clinic, which helped sponsor the ballot measure, called the congressional action an "assault on democracy." He said yesterday, "It's Congress looking at a group of people -- citizens of the District of Columbia -- and saying, 'Your vote doesn't matter.' People who oppose this initiative also should be angry about this."

At an East Capitol Street precinct, 10 of 12 voters said they voted in favor of the initiative. Margaret Loewinger sees the matter in personal terms. "I've seen death and dying too closely. I've watched my dad suffer from cancer," said Loewinger, 51, who works at the Kennedy Center and the Library of Congress. She favors "anything that can be done to improve the quality of life. I'm not concerned that it's going to confuse our policemen's jobs."

David Vaughan, a 28-year-old federal government analyst who opposes the measure, said, "I don't want to go down that slippery slope of allowing illegal drugs to be legal."

Activists gathered 17,000 signatures to put the issue on the District ballot, only to learn that Congress wanted the measure killed. Rep. Robert L. Barr Jr. (R-Ga.), a former prosecutor, sponsored the ban on spending as an amendment to the D.C. appropriations bill.

The American Civil Liberties Union filed suit on Friday, asking U.S. District Judge Richard Roberts to prevent Congress from voiding the election results. The complaint cites the First Amendment in asking the court to order the election board to certify the results.

Supporters say Initiative 59 is designed to help residents afflicted with diseases such as AIDS, cancer and glaucoma. It would permit people to use, cultivate and distribute marijuana if recommended by a doctor. A doctor's prescription would not be necessary.

The measure also would require the city to provide for the "safe and affordable" distribution of the drug to Medicaid patients and other needy residents who qualify.

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**The Iowa NORML News Letter**

**Carl E. Olsen, Editor**

**Iowa NORML Board of Directors**

**Carl Olsen, William Oviatt, Dennis Patterson**

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# What's Congress Smoking?

By Steve Twomey  
Thursday, November 5, 1998; Page B01

Inside a computer, inside the Board of Elections and Ethics at One Judiciary Square downtown, "lies the answer," Alice P. Miller said yesterday.

And the question?

The question is whether it should be legal to use marijuana for medical reasons. It was on the ballot Tuesday in the District, just as it was on the ballot in Arizona, Nevada and Washington state.

They know the answer in those states by now. Their citizens went to the polls and expressed their wishes, and computers counted the ballots and spit out the results, and the answer was yes in all three places. In the District, however, citizens went to the polls and expressed their wishes, and the computer counted the ballots but didn't spit out the results, because Miller didn't ask it to do so.

Miller, the election board's executive director, might be dismembered or dispatched to a concentration camp if she asked. Okay, not quite. But Miller hasn't asked because it might not be politically healthy for District officials and other living things to know the outcome of the city's Initiative 59. There's Bob Barr, after all.

U.S. Rep. Robert L. Barr Jr., as you might be aware, is a conservative, anti-Clinton Doberman whose Georgia constituents once again lost their grip on reality Tuesday and rewarded the Republican with a third term as a leader of the nation.

But that's democracy, a wonderful thing.

Barr, we presume, endorses democracy. Maybe, as I do, he gets teary about it occasionally, about freedom and the will of the people. If so, he probably gets teary only to a point. That point is the District.

He sponsored an amendment, which passed, that bars the District government from spending money on any ballot initiative that would "legalize or otherwise reduce penalties" for the use of marijuana.

I have no opinion on whether marijuana ought to be legalized to ease the suffering of those with serious illnesses. I simply haven't thought much about it. But I would note that two of the states that said yes Tuesday -- Arizona and Nevada -- will never be mistaken for summer camps for Che Guevara's descendants, so the notion can't be written off as liberal orthodoxy.

But inhaling for any reason apparently offends Bob Barr. He couldn't stop Arizona, Nevada or Washington from dabbling in such outrageous democratic exuberance as holding a referendum on the question, which must have been frustrating. But he could stop the District, because Congress can do

anything to the District.

And does.

Sure, that power is in the Constitution. That doesn't make it right, no more than it was right to make powerless Americans out of women and blacks, which the Constitution also did, until modern wisdom set in. How do these out-of-towners make peace with their consciences when they do this sort of stuff? They rail about Cuba, Iraq, China and all the other dictatorially smothered establishments, and then turn around and vote with Barr to deny half a million Americans in the national capital the simple privilege of deciding for themselves whether to ease a local drug law for humane reasons.

No democracy for you.

At least Sen. Lauch Faircloth (R-N.C.), one of the chief agents of absentee rule, paid the ultimate political price on Tuesday. There is a God.

Because of Barr's amendment, the election board decided not to print and release the results of the initiative, fearing Congress might construe that as spending money. Even having printed the initiative on ballots could be so construed, although Miller noted yesterday the board hasn't paid for the printing yet. Even having had the computer count the results could be so construed, although Miller indicated that cost was near-zero. Who knows, maybe Barr will go after Miller for talking with me, because she's paid with government funds and was discussing the verboten initiative.

"We can't do anything that might attempt to defy the will of Congress," Miller said by phone.

So we have a situation in which the people have voted fairly and the votes have been counted fairly, but the whole thing's been impounded immediately, lest the city feel the wrath of the House of Lords. You know how, in Third World nations, outside observers are called in sometimes to help the locals vote fairly and freely? Here, the locals are fine. It's the outside observers who've stolen the election.

"We think it is an outrage," Arthur Spitzer, legal director of the local American Civil Liberties Union, said yesterday.

The ACLU is fighting on a couple of fronts, having filed suit Friday to prevent Congress from nullifying the initiative results and filing a Freedom of Information request yesterday to force the Board of Elections and Ethics to hand over what are clearly public documents, namely, the election results.

For its part, the board is planning to ask a federal court for a ruling on what it should obey, Barr's amendment or provisions giving District residents the right to vote on initiatives.

You'd think the computer at One Judiciary Square was loaded with anthrax or sarin, instead of election results. What's Congress afraid of? Free will?

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# Board Still Will Not Reveal Results of Marijuana Vote

## ACLU Files Freedom of Information Request While Awaiting U.S. District Judge's Decision

By Bill Miller

Washington Post Staff Writer

Thursday, November 5, 1998; Page B09

On a day that traditionally is devoted to analyzing election results, backers of the District's medical marijuana initiative faced another challenge yesterday: trying to wrest the tallies from D.C. elections officials.

"We've been through such a battle," said Wayne Turner, who worked more than a year on the initiative, which would make it legal for seriously ill people to use marijuana for medical reasons. "This is just another obstacle."

Although the D.C. Board of Elections and Ethics tabulated results, officials would not release them because of a congressional amendment to the D.C. appropriations bill. It bars the District from spending money on any initiative that would "legalize or otherwise reduce penalties" for users of marijuana.

Under current law, possession of marijuana is a misdemeanor punishable by up to six months in jail and a fine of \$1,000.

Ballots had been printed by the time the amendment, sponsored by Rep. Robert L. Barr Jr. (R-Ga.), passed on Oct. 21, so voters were able to choose "yes" or "no" on Initiative 59. Computers likewise were programmed to count all votes. But D.C. officials said Barr's amendment prevents them from making the results public.

The American Civil Liberties Union filed suit Friday against the elections board, seeking an order from U.S. District Judge Richard W. Roberts that would require officials to certify the vote so the results can become law. Yesterday the ACLU asked that the results be turned over under the Freedom of Information Act. Board officials have 10 days to respond.

Kenneth J. McGhie, an attorney for the elections board, said officials are concerned that releasing returns would "defy the will of Congress." Instead of swiftly honoring the ACLU's

request, McGhie said he plans to ask the court for advice.

"The board has a statutory duty to count and announce and certify election results," McGhie said. "To the extent the Barr Amendment is frustrating this duty, we will be asking the court for guidance."

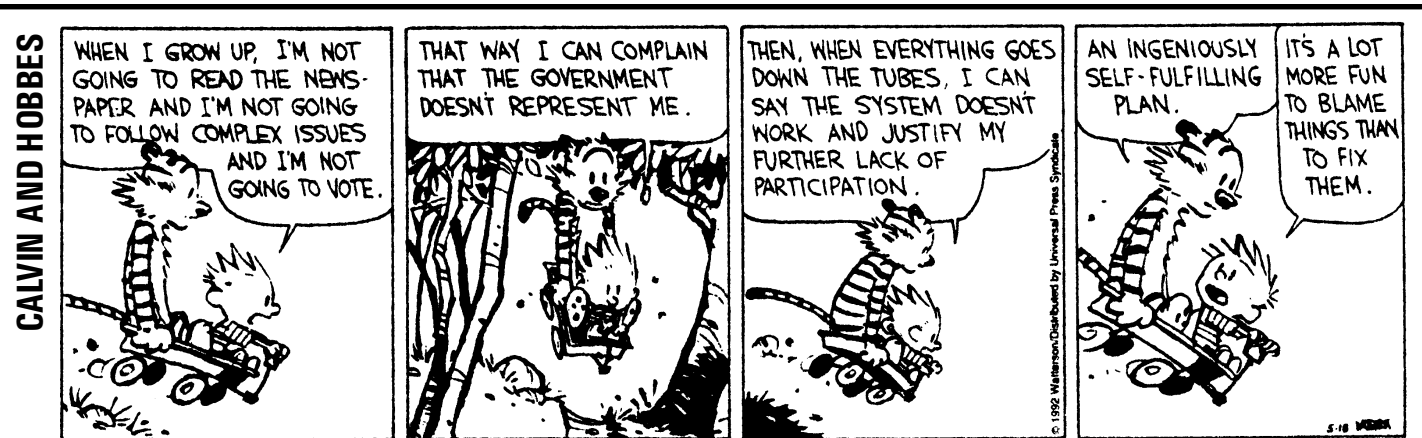
Voters in Alaska, Arizona, Nevada and Washington state passed similar initiatives Tuesday, and incomplete returns showed one passing in Oregon. In Colorado, state officials ruled a marijuana initiative should be taken off the ballot for procedural reasons. The District was the only place Congress stepped in, doing so in its role as the final decision-maker on the D.C. budget. Even if the ACLU prevails in getting election results released and certified, Congress could still block the law because it has veto rights over D.C. legislation.

The success of marijuana initiatives shows that Americans want drug policies based on "science and common sense, not political posturing and bellicose rhetoric," said Bill Zimmerman, executive director of the Los Angeles-based Americans for Medical Rights, a group pushing drug law reforms. "Voters made it clear that they want medical marijuana dealt with as a health issue, not a criminal justice matter."

Zimmerman said his group sponsored an exit poll of D.C. voters that concluded the initiative was approved by 69 percent of those who voted on it.

Initiative 59 would change D.C. law to legalize the possession, use, cultivation and distribution of marijuana if recommended by a physician for serious illnesses, and would require the District to provide for the safe and affordable distribution of marijuana to Medicaid patients and other poor people whose doctors recommend it. Turner and other backers contend that marijuana can help alleviate the pain associated with such illnesses as AIDS, cancer and glaucoma.

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# 9 FOR 9 WE WIN EVERYWHERE!

**DrugSense Weekly, November 5, 1998 #072**

**<http://www.drugsense.org/dsw/1998/ds98.n72.html>**

Nine for Nine - A Clean Sweep for Reform

by Kevin B. Zeese

The 1998 election was a watershed event for the reform movement a clean sweep of electoral victories for medical marijuana and broader drug policy reform. (See the results of the votes below.) Along with the initiative victories Dan Lungren the arch enemy of Proposition 215 lost in a landslide, garnering only 38 percent of the vote, in the California gubernatorial race.

The election highlights show the voters are ahead of the politicians when it comes to recognizing that the drug war has become too extreme. As a result of this election it is fair to say that medical marijuana is more of a mainstream political issue, then extreme drug war policies. Perhaps the best examples of how politicians are out of step with the public come from the votes in Oregon and Arizona.

In Oregon, last year two-thirds of the legislature voted to recriminalize marijuana possession. This week, two-thirds of the voters rejected that and kept marijuana decriminalization a policy that has existed since 1973 in place. In Arizona, the state legislature passed legislation undercutting Proposition 200, which passed in 1996. This year the voters restored both the medical prescription of all drugs and reforming criminal laws so that incarceration is no longer an option in drug possession cases.

The Arizona vote on prescription availability of all drugs is noteworthy

in particular. When voters went to the voting both the ballot said that a "no" vote will result in "allowing doctors to prescribe Schedule I drugs, including heroin, LSD, marijuana and analogs of PCP, to seriously and terminally ill patients without the authorization of the Federal Food and Drug Administration or the United States Congress." Over 57 percent of Arizonans voted for the measure.

Not only are drug war politicians out of step with the voters - they know it.

Drug warriors fear public votes on reform issues. In Washington, D.C. representatives of Congress went so far as to threaten members of the Board of Elections with criminal contempt of Congress if they reported the results of the election. In Colorado, even though the proponents of the initiative demonstrated they had collected enough signatures the courts, without comment, upheld the state's decision to keep the vote from counting. Drug warriors are so zealous that they are willing to undermine democracy in an effort to prevent the seriously ill from using medical marijuana.

This election should be a wake up call to appointed drug war bureaucrats as well as elected officials. General McCaffrey, despite his billion dollar advertising budget, his grant program for grass roots drug war advocates and the ease with which public officials get their message out, failed to have any impact on these elections. No doubt, the conservative wing of the Congress will take him to task for

this failure. Since he has already angered the progressive wing of Congress, particularly the Black Caucus which has sought his resignation, because of his opposition to needle exchange he will be on very weak ground on Capitol Hill.

Elected officials should heed the example of Dan Lungren. A career politician with a long record of successful elections, first to Congress then to Attorney General, was defeated in a potentially career ending, electoral landslide. He had upset a lot of groups, but the way he handled medical marijuana surely showed he was too mean to govern California. He was ready to put the health of seriously ill Californians at risk and undermine a democratic vote by not implementing Proposition 215. The character flaws he showed are showing with other drug war politicians and they may pay a similar price as Lungren. The days of shouting "Drug War" and getting elected may be coming to an end.

Other politicians who recognize that the drug war has failed, but have been afraid to say so publicly, should take heart from these elections. The public is saying you can be in favor of drug policy reform and get elected.

The message to reformers is that we can win. The message is not that we have won we have a long, long way to go before we can claim that even when it comes to medical marijuana. But hard work, professional campaigning and getting our message out works. The elections are a sign of hope that America's nearly-century old drug war, which has caused so much harm to so many, can be ended.

# Election Returns

**ALASKA** - Proposition 8. Allows the medical use of marijuana (Yes is the reform position)

YES 111,166 57.75% REFORM WINNER  
 NO 81,319 42.25%

**ARIZONA** - Proposition 300. Allows medical use of all Schedule I drugs (No is the reform position)

YES 385,014 42.6%  
 NO 517,876 57.4% REFORM WINNER

**ARIZONA** - Proposition 301. Prevents incarceration in drug possession cases (No is the reform position)

YES 427,348 48.3%  
 NO 456,631 51.7% REFORM WINNER

**COLORADO** - Initiative 19. Allows the medical use of marijuana (This vote was counted, but will not count unless ordered by a Federal court) (Yes is the reform position)

YES 118,352 57% REFORM WINNER  
 NO 89,614 43%

**NEVADA** - Question 9. Allows the medical use of marijuana (Yes is the reform position)

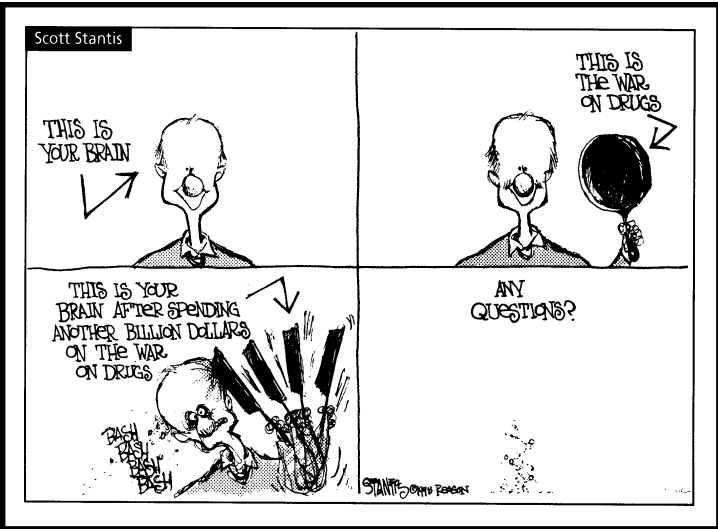
YES 241,463 59% REFORM WINNER  
 NO 170,234 41%

**OREGON** - Measure 57. Recriminalization of possession of marijuana (No is the reform position)

YES 161,651 33%  
 NO 325,915 67% REFORM WINNER

**OREGON** - Measure 67. Allows the medical use of marijuana (Yes is the reform position)

YES 270,787 55% REFORM WINNER  
 NO 220,944 45%



**WASHINGTON** - Initiative 692. Allows medical use of marijuana (Yes is the reform position)

YES 826,689 58.70% REFORM WINNER  
 NO 581,743 41.30%

**WASHINGTON D.C.** - Initiative 59. Allows the medical use of marijuana (Yes is the reform position).

NOTE - Congressional action has prevented results from being published. An independent exit poll conducted for Americans for Medical Rights found:

YES 69% REFORM WINNER  
 NO 19% (assumed)  
 NO VOTE 12%

The poll's margin of error is 3.6 percentage points.



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**United States Senate**

**CHARLES GRASSLEY  
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October 30, 1998

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Mr. Ladd J. Huffman  
Post Office Box 102  
Calumet, Iowa 51009

Dear Mr. Huffman:

Thank you for your comments in support of using marijuana for medical reasons. I appreciate hearing from you.

As you may know, the 105th Congress passed a joint resolution that expresses the sense of Congress that marijuana is a dangerous and addictive drug and should not be legalized for medicinal use. I want to tell you up front that I sponsored the Senate version of this joint resolution, and the resolution was included as part of the Omnibus Appropriations Bill passed at the end of this Congress.

I have serious reservations about declaring something a medicine by popular referendum. Over the past 60 years, the FDA has developed a careful, proven method for testing and approving drugs. This process is the standard to which the rest of the world measures the safety and effectiveness of their drug approval system. This was developed because of the increasing prevalence of unscrupulous business enterprises that promised salvation through snake oil products - products that might have made the user feel better, but did nothing to cure the disease.

Some criticize this resolution because they claim it will keep medicine from sick people. Certainly, I want to provide relief for people who are sick and dying. I don't know anyone who would oppose that. But I don't want to make available a substance that could cause more harm than good. Should new research surface proving that smoking marijuana or any other substance that is currently a Schedule I drug have medicinal value, I would support its use for medical purposes. But even then, and I hope you would agree with me here, it should occur only under proper medical supervision and should conform with the prescription procedures under which other medicines are administered. But current information seems to indicate otherwise.

- In 1993, a study published in the journal AIDS found that HIV-infected smokers developed full-blown AIDS twice as quickly as people with the virus who don't smoke.
- In July of 1996, the American Cancer Society announced that it has "no reason to support the legalization of marijuana for medical use."
- The National Eye Institute also reports that "there is no scientifically verifiable evidence that marijuana or its derivatives are safe and effective in the treatment of glaucoma."

On February 19-20, 1997, the National Institutes of Health held a two-day scientific meeting to review and discuss the current scientific data concerning the potential medical uses of marijuana - particularly smoked marijuana as a medicine, as well as the possible need for and feasibility of additional research. I would like to share a quote with you from page 2 of the report produced by that meeting.

The scientific process should be allowed to evaluate the potential therapeutic effects of marijuana for certain disorders, dissociated from the societal

debate over the potential harmful effects of non-medical marijuana use. All decisions on the ultimate usefulness of a medical intervention are based on a benefit/risk calculation, and marijuana should be no exception to this generally accepted principle.

In summary, the group concluded that more studies are needed. "Until studies are done using scientifically acceptable clinical trial design and subjected to appropriate statistical analysis, the questions concerning the therapeutic utility of marijuana will likely remain much as they have to date - largely unanswered." Perhaps if the groups who are willing to spend millions in promoting State ballot initiatives would instead spend these monies for solid, generally accepted scientific research, it would be easier to believe they are interested in helping those who are sick and not legalizing marijuana.

But perhaps Dr. William M. Bennett, a Professor of Medicine and Clinical Pharmacology at Oregon Health Sciences University explained it best in a letter to the editor that was published in The Oregonian, January 12, 1997:

To suggest to a patient that he or she smoke or ingest marijuana would not only be bad medicine, it would be malpractice.

Masking the symptoms of a disease with a stupefying drug like marijuana can lead to problems in diagnosing and treating a medical condition. Further, there may be adverse interactions if the patient is taking regular prescription medication, particularly when there is absolutely no way to measure or control the dose. I believe it is mean, deceptive and heartless to equate advocating marijuana as a medicine with being "compassionate and caring."

There are legal, effective medicines that are currently available that meet all of the guidelines established by the FDA. This includes Marinol, which is a legally available, FDA-approved form of a marijuana extract that is currently being used as a treatment for nausea and AIDS wasting syndrome. In addition, there are many other medicines that have been developed and received FDA approval that do not have the hallucinogenic side effects that come with smoking marijuana. These are medicines that meet scientific standards, and do not rely on anecdotes and testimony for validation.

Furthermore, I am concerned about an issue apart for the possible medical value of smoking marijuana. I am concerned about kids. More and more kids at younger ages are using drugs, particularly marijuana. This is a trend we cannot afford to ignore. We must, for our kids sakes, ensure that drug use is not normalized and use glamorized.

I realize that this is not what you wanted to hear. But to endorse smoking marijuana as a legitimate medicine is not something I can do without concrete scientific proof. Should further investigations reveal that there is adequate proof and consensus science that smoking marijuana is a legitimate medicine and that the FDA or other government agencies are blocking its use as a medicine, I will fully investigate the matter. As you know from my work in other areas, I am not afraid to hold the bureaucracy accountable for its actions.

Thank you again for taking the time to communicate your views to me. Although we disagree on this issue, I hope you will keep me advised of your opinion.

Sincerely,  
Charles Grassley  
United States Senator

Committee Assignments:

FINANCE  
JUDICIARY

AGRICULTURE  
BUDGET

CHAIRMAN,  
SPECIAL COMMITTEE ON AGING

**S. J. RES. 56**

Expressing the sense of Congress in support of the existing Federal legal process for determining the safety and efficacy of drugs, including marijuana and other Schedule I drugs, for medicinal use.

---

**IN THE SENATE OF THE UNITED STATES**

SEPTEMBER 21, 1998

Mr. GRASSLEY (for himself, Mr. KYL, and Mr. HATCH) introduced the following joint resolution; which was read the first time

SEPTEMBER 22, 1998

Read the second time and placed on the calendar

---

**JOINT RESOLUTION**

Expressing the sense of Congress in support of the existing Federal legal process for determining the safety and efficacy of drugs, including marijuana and other Schedule I drugs, for medicinal use.

Whereas certain drugs are listed on Schedule I of the Controlled Substances Act if they have a high potential for abuse, lack any currently accepted medical use in treatment in the United States, and there is a lack of accepted safety for their use under medical supervision;

Whereas the consequences of illegal use of Schedule I drugs are well documented, particularly with regard to physical health, highway safety, and criminal activity;

Whereas pursuant to section 401 of the Controlled Substances Act, it is illegal to manufacture, distribute, or dispense marijuana, heroin, LSD, and more than 100 other Schedule I drugs;

Whereas pursuant to section 505 of the Federal Food, Drug and Cosmetic Act, before any drug can be approved as a medication in the United States, it must meet extensive scientific and medical standards established by the Food and Drug Administration to ensure that it is safe and effective;

Whereas marijuana and other Schedule I drugs have not been approved by the Food and Drug Administration to treat any disease or condition;

Whereas the Federal Food, Drug and Cosmetic Act already prohibits the sale of any unapproved drug, including marijuana, that has not been proven safe and effective for medical purposes and grants the Food and Drug Administration the authority to enforce this prohibition through seizure and other civil action, as well as through criminal penalties;

Whereas marijuana use by children in grades 8 through 12 declined steadily from 1980 to 1992, but, from 1992 to 1996, has

dramatically increased by 253 percent among 8th graders, 151 percent among 10th graders, and 84 percent among 12th graders, and the average age of first-time use of marijuana is now younger than it has ever been;

Whereas according to the 1997 survey by the Center on Addiction and Substance Abuse at Columbia University, 500,000 8th graders began using marijuana in the 6th and 7th grades;

Whereas according to that same 1997 survey, youths between the ages of 12 and 17 who use marijuana are 85 times more likely to use cocaine than those who abstain from marijuana, and 60 percent of adolescents who use marijuana before the age of 15 will later use cocaine; and

Whereas the rate of illegal drug use among youth is linked to their perceptions of the health and safety risks of those drugs, and the ambiguous cultural messages about marijuana use are contributing to a growing acceptance of marijuana use among children and teenagers: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

That—

(1) Congress continues to support the existing Federal legal process for determining the safety and efficacy of drugs and opposes efforts to circumvent this process by legalizing marijuana, and other Schedule I drugs, for medicinal use without valid scientific evidence and the approval of the Food and Drug Administration; and

(2) not later than 90 days after the date of the adoption of this resolution—

(A) the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report on—

(i) the total quantity of marijuana eradicated in the United States during the period from 1992 through 1997; and

(ii) the annual number of arrests and prosecutions for Federal marijuana offenses during the period described in clause (i); and

(B) the Commissioner of Foods and Drugs shall submit to the Committee on Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report on the specific efforts underway to enforce sections 304 and 505 of the Federal Food, Drug and Cosmetic Act with respect to marijuana and other Schedule I drugs.



## Iowans for Medical Marijuana

POST OFFICE BOX 4091 DES MOINES, IOWA 50333 515-262-6957  
INTERNET <http://www.commonlink.com/~olsen/MEDICAL/>  
E-MAIL [carl@commonlink.net](mailto:carl@commonlink.net)

November 26, 1998

Charles E. Grassley  
United States Senate  
135 Hart Senate Office Building  
Washington, DC 20510-1501

Dear Chuck,

Ladd Huffman asked me to respond to your letter of October 30, 1998, regarding Senate Joint Resolution 56 and House Amendment 873 to H.R.4380 by Rep. Bob Barr (R-GA), (introduced 08/06/98):

An amendment to prohibit any funds to be used to conduct a ballot initiative which seeks to legalize or reduce the penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substance Act or any tetrahydrocannabinoids derivative.

From reading your letter to Ladd, I get the impression that you are an intelligent person, a caring person, and a careful person. No one can fault the position you are taking. Marijuana should not be approved as a medicine by the Food and Drug Administration until it meets the criteria established by that agency.

However, I do wish to find fault with you on two issues which you failed to address in your letter. First, you have no real compassion for people who use marijuana to relieve their medical symptoms. Second, you have a total disregard for the democratic process.

As to the issue of compassion, you fail to recognize the injustice of a national policy that puts people in prison for trying to relieve their suffering. Marijuana is a plant, not a drug. I can't think of any plant that has been approved by the Food and Drug Administration for medical use. Do you really believe that plants have no medical value?

Modern science is admittedly impressive, but it has not solved all of our problems. There are still things that science has not yet discovered, and may never discover. Your decision to err on the side of caution sounds reasonable, but the result is unreasonable. People have been using marijuana for medical purposes for thousands of years. To put someone in prison for turning to a plant, when medical science has failed to solve

their problems, is just plain cruel and inhumane. If there is a message being sent by the voters who have legalized the medical use of marijuana, the message is to stop putting sick people in jail. You mistakenly take the message to be a subversion of science by ballot initiative. The real message is that you lack any sense of compassion.

Furthermore, your failure to address the issue of compassion is resulting in the subversion of science. If you really want to the Food and Drug Administration to solve this problem, you'll figure out a way to exempt medical users from criminal sanctions. You are forcing the voters to take this matter out of the hands of the experts and put it in the hands of the electorate. That message is clear.

We don't put people in jail for using tobacco. Some people think that tobacco makes them feel better, so we could safely say they are using it for medical purposes. Do you see a day when we will put people in prison for using tobacco?

I'm not talking about sales and distribution at the moment, but simply the possession. Do you see a day when someone found growing a tobacco plant for personal use would be sent to prison and forfeit their property?

Second, you have abused your power by supporting the subversion of the democratic process in the District of Columbia. I don't know where you got the idea that you had the authority to interfere with the election process, but I think this amounts to treason. It troubles me deeply to think that someone of your intelligence would use the hysteria surrounding the drug war to limit the democratic process in this country. This goes beyond the issue of drug abuse and addiction, and you are starting to offend the sensibilities of people who would never have an interest in this matter otherwise.

I would recommend you take another look at your position on this matter. You are a man of exceptional intelligence and character. Don't throw it all away.

Sincerely,  
Carl E. Olsen

Attachments:

1. Senate Joint Resolution 56
2. October 30, 1998 Letter to Ladd Huffman from Charles Grassley
3. "Marijuana Madness" Des Moines Register, November 9, 1998

From: DCSign59@aol.com  
To: DCSign59@aol.com  
Subject: RE: The fight for I-59 goes on!!!  
Date: Fri, 6 Nov 1998 06:42:50 EST

Thanks to supporters of DC's Initiative 59!! Although we're not tan, or rested, we're ready to fight back!

Here's an update on our post election strategy:

Coming up!!! On Tuesday, November 10, we're calling for a peaceful but noisy rally/protest at One Judiciary Square at 12 Noon. Stand Up for Democracy!!! call Anise at (202) 547-9404

**Legal:** We filed in federal court, by the ACLU-National Capital Area on Oct. 30. Once the Board of Elections and Ethics files their response to our complaint, a hearing should be scheduled. Our legal team is preparing motions to fast track proceedings, because lives are at stake. On November 4, we also filed a Freedom of Information Act Request with the Board to release our vote totals. It's essentially the First Amendment vs. the Barr Amendment.

**Media:** Local and national media has been reporting our plight, with angry citizens demanding that their votes count. Washington Post columnist Steve Twomey

wrote a great column in the Nov. 5 issue ([www.washingtonpost.com](http://www.washingtonpost.com))

**Direct Action:** On Nov. 5, several dozen DC residents delivered a one way bus ticket to Republican Senator Lauch Faircloth, who lost his reelection bid after spending too much time meddling in DC affairs (our heartfelt thanks to the voters of North Carolina!!!)

You can help!! Contact your Senators and Congressmembers (and the newly elected ones too!) and let them know you support democracy in the Nation's Capital! Write letters to the editor of your local newspapers.

You can also send a donation to 'Yes on 59' Campaign at 409 H Street, NE, Washington DC 20002 to help sustain our efforts (and pay off our debts) in the weeks to come, or join the ACLU of the National Capital Area at 1400 20th Street NW, Washington, DC 20036

## Bob Barr



**AGE:** 50, Born Nov. 5, 1948, in Iowa City

**RESIDENCE:** Smyrna, Ga.

**EDUCATION:** Graduated from high school in Iran, 1966; bachelor's degree, University of Southern California, 1970; master's degree, George Washington University, 1972; law degree, Georgetown University, 1977.

**CAREER/RESUME:** CIA analyst, 1971-78; lawyer in private practice, 1978-86 and 1990-94; U.S. Attorney for the Northern District of Georgia, 1986-1990; U.S. Senate candidate, 1992; Elected, U.S. House of Representatives, 1994; twice re-elected, Serves on Judiciary, Banking and Government Reform and Oversight committees.

### Who is Bob Barr?

**If you thought Newt Gingrich was the last of the drug war Nazis, this guy could be just as crazy!**

## DISTRICT, ACLU UNITE BEHIND MARIJUANA VOTE

### Judge to Hear Arguments Monday on Releasing and Certifying Referendum Results

By Bill Miller Washington Post Staff Writer Saturday, November 7, 1998; Page A10

The District government and the American Civil Liberties Union asked a federal judge yesterday to overrule Congress and uphold the results of Tuesday's vote on a controversial medical marijuana initiative.

Because of a congressional amendment, D.C. elections officials contend they are prohibited from even releasing the results of the vote on Initiative 59, which would permit seriously ill people to use marijuana for medical purposes. Although ballots were counted, the outcome has remained secret.

Yesterday, D.C. lawyers filed papers in U.S. District Court contending that the action by Congress violates the First Amendment rights of D.C. residents and prevents elections officials from carrying out their duties.

"Here in the District of Columbia -- unlike in any other jurisdiction in the country -- Congress has chosen to stand democracy on its head," according to papers filed by D.C. Corporation Counsel John M. Ferren.

An amendment to the D.C. appropriations bill, passed by Congress on Oct. 21, less than two weeks before the election, bars the District from spending money on any initiative that would "legalize or otherwise reduce" penalties for users of marijuana.

Acting on behalf of the initiative's backers, the ACLU filed suit Oct. 30 against the D.C. Board of Elections and Ethics, seeking a court order that would require the board to certify the vote on the initiative so it can become law.

On Wednesday, the ACLU filed a request under the Freedom of Information Act to learn the election's results. Yester-

day, it went back to court seeking an order requiring the District to quickly reveal the outcome.

Judge Richard W. Roberts has scheduled a hearing for Monday. Now that the ACLU and the District are in agreement on the issues, the judge could ask the Justice Department to represent Congress in the case. The D.C. government said it hopes to certify the results of the initiative along with all other ballot issues on Nov. 18.

Initiative 59 would change D.C. law to legalize the possession, use, cultivation and distribution of marijuana if recommended by a physician for serious illnesses. Under current law, possession of marijuana is a misdemeanor punishable by up to six months in jail and a fine of \$1,000.

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**TOMLATHAM**

Representing Iowa's 5th District

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Washington, D.C. 20515  
(202) 225-5476

APPROPRIATIONS COMMITTEE



**CONGRESS OF THE UNITED STATES**  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515

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Spencer, Iowa 51301  
(712) 262-6480  
**FORT DODGE OFFICE**  
1411 First Avenue, South - Suite A

May 14, 1998

Ladd Huffman  
PO Box 102  
Calumet, Iowa 51009-01-02

Dear Ladd:

Thank you for contacting me regarding H.Res.372, a resolution concerning the medical use of marijuana. I appreciate hearing from fellow Iowans on important issues such as this and hope you always feel free to contact me.

As you may know, H.Res.372 was introduced by Congressman Bill McCollum of Florida. This is a resolution expressing the sense of the House of Representatives that marijuana is a dangerous and addictive drug and should not be legalized for medicinal use. H.Res.372 has been placed on the House calendar and will be debated in the near future.

The debate on the use of marijuana for medical purposes has gone on for nearly a century. Major federal legislation relating to marijuana dates back to the 1930s when Congress enacted the Marijuana Tax Act that resulted in removing marijuana from prescriptions and medicines because of increased prices.

I have met with proponents of liberalizing the restrictions on marijuana. Advocates argue that the drug can provide relief from vomiting, intraocular pressure, and pain and muscle spasms for people suffering from cancer, AIDS, epilepsy and other diseases. Opponents are concerned that this is an addictive substance that is linked to cancer and respiratory ailments while harming the immune and reproductive systems.

I am concerned that legalization will result in increased abuse of all varieties of drugs. And because of that belief, I oppose the use of marijuana for medical purposes.

Groups opposing legalization of marijuana for medical use are greater in their number and reputation. The American Medical Association, the National Multiple Sclerosis Society, the American Glaucoma Society, the American Academy of Ophthalmology, U.S. drug czar General Barry McCaffrey, and the American Cancer Society have all rejected the claim that marijuana has any therapeutic value. Furthermore, the bulk of our law enforcement community insists that legalization may increase crime and traffic fatalities and will hamper their efforts to prevent the spread of all types of drugs into our communities.

Thank you again for contacting me. While we disagree on this issue, I appreciate you making your views known to me. If I may ever be of further assistance, please don't hesitate to contact me.

Sincerely,  
Tom Latham  
Member of Congress

# Marijuana's healing properties

The Washington Post

A substance in marijuana that does not have any mind-altering effects may be useful for protecting the mind from the damaging effects of stroke and disease.

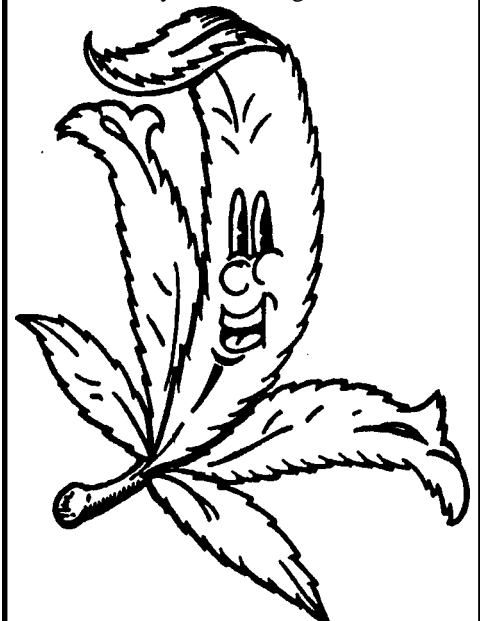
Scientists at the National Institutes of Mental Health found that cannabidiol appears to protect the brain cells of rats in experiments in the laboratory, according to a report in today's issue of the Proceedings of the National Academy of Sciences.

Aidan J. Hampson and his colleagues put cannabidiol into laboratory dishes with rat brain cells that had been exposed to toxic levels of a brain chemical called glutamate.

Strokes can cause the release of levels of glutamate that overstimulate and kill brain cells. So-called antioxidants can protect against this process. In the experiments, cannabidiol did exactly that, performing better than vitamins C and E.

The findings suggest, the scientists say, that the substance may be useful for protecting the brain from strokes, as well as brain diseases such as Alzheimer's and Parkinson's.

Waterloo Courier  
July 7, 1998, Page A8



Date: Fri, 6 Nov 1998  
To: "DRCTalk Reformers' Forum"  
<drctalk@drcnet.org>  
From: Dave Fratello <amr@lainet.com>  
Subject: Lockyer

Date: Fri, 06 Nov 1998  
To: DRCTalk Reformers' Forum  
<drctalk@drcnet.org>  
From: lneidow@voyager.net  
(Lee T. Neidow)  
Subject: New CA Atty. General's Opinion on med mj.

KTVU-TV Ch. 2 Oakland/San Francisco Thursday night carried a story dealing with the potential impact of the election on Prop. 215.

Incoming Atty. Gen. Lockyer said "My little sister suffered from leukemia and died at age 39. And you don't have to experience much in the way of those terminal illnesses to wonder why, if we can give them morphine, why can't we give them this medicine".

And he said that with obvious \*passion\*.

No question, Lockyer represents a major change in the stripes at the California AG's office. Too late for some, not for others.

During the June primary here in California, Lockyer was VERY forward in advocating for Prop. 215 to be fully implemented. I recall hearing one radio show on which he appeared back then and thinking (honestly) that the station was rebroadcasting a tape of a debate on 215 from 1996 in which one of our campaign spokespersons was representing the initiative. He was that 'on message.'

He's also been terribly sensitive to the problems of distribution that we're finding now in the midst of a crackdown from the state and the feds. He's advocated that \_something\_ be set up to provide a safe and reliable supply. Now he's in a position to make it happen.

While president of the Senate, Lockyer was a mover for the bill to set up a research program at the University of California.

In short, it's no surprise that CA activists are optimistic.

- dave fratello

## Drug Enforcement Administration Proposes Reclassifying Unimed's Synthetic THC Compound, Marinol, Two Days after Marijuana Referendums Pass

Thursday November 5, 4:39 pm Eastern Time

Company Press Release

### Ruling Would Provide Increased Patient Access to Marinol

**BUFFALO GROVE, Ill.--(BUSINESS WIRE)--Nov. 5 1998--** The Drug Enforcement Administration (DEA) today issued a "Notice of Proposed Rulemaking" in which the DEA is proposing to reclassify Marinol® (dronabinol) from Schedule II to Schedule III, a ruling that would provide increased patient access to this FDA-approved synthetic THC compound. THC is an active ingredient in marijuana. This proposed ruling comes on the heels of voter-approved referendums in which residents of Arizona, Washington, Colorado, Alaska, Nevada, Oregon and the District of Columbia supported measures that endorse the use of medical marijuana.

Marinol, manufactured by Unimed Pharmaceuticals (NASDAQ:UMED - news), is an oral medication that the Food and Drug Administration (FDA) has approved for patients requiring appetite stimulation and for patients undergoing chemotherapy that causes them to become nauseated. Marinol also is being tested to assess its positive effects on behavior in people diagnosed with Alzheimer's disease and other dementias.

Schedule II drugs are those that are recognized to have medical indications, but have a high potential for abuse (examples include morphine, cocaine, methadone and methamphetamine). Schedule III drugs have accepted medical uses and a lesser potential for abuse (examples of drugs in this class include codeine with aspirin or codeine with Tylenol®).

The DEA consulted extensively with the FDA before making this recommendation. A study presented earlier this year at the College of Problems of Drug Dependency's Annual Meeting showed that because Marinol has a gradual onset of action, it has a very low potential for abuse. The study also found that based on information gathered from law enforcement officials in major cities across the U.S., there is no street market for Marinol, and no evidence of any diversion of Marinol for sales as a street drug.

"Adoption of the DEA proposal would represent a real pharmacoeconomic benefit to both patients and to the healthcare system as a whole by reducing the number of costly office visits by patients for whom Marinol is a medical necessity," said Ronald Goode, Ph.D., president and CEO, Unimed Pharmaceuticals. "Furthermore, because the proposed change would allow prescriptions for Marinol to be refilled up to three times per prescription, patient convenience would be greatly enhanced."

The public has until December 7, 1998 to file comments, objections and requests for a hearing on the proposed reclassification. The DEA will then rule on the proposed reclassification.

Unimed is an emerging, Chicago-area pharmaceutical company that develops and markets life-enhancing pharmaceutical products to address unmet medical needs in patients with chronic conditions. The company focuses on drugs that have multiple indications and fall within the areas of endocrinology, urology, HIV and other infectious diseases, hematology and oncology. Unimed currently markets Marinol® as an appetite stimulant for people living with HIV disease and as an antiemetic for people with cancer, Anadrol®-50 (oxymetholone) for the treatment of various anemias, and Maxaquin® (lomefloxacin HCl) for both complicated and uncomplicated urinary tract infections.

# Judge Proposes DOJ Establish Program To Distribute Marijuana To Sick Folks

## Judge Katz Urges Settlement

BY SHANNON P. DUFFY  
U.S. Courthouse Correspondent

A federal judge is urging the Justice Department to establish a program to make marijuana available to anyone whose medical condition could be improved by it.

Yesterday, the Justice Department asked for 60 days to think it over.

According to court papers, U.S. District Judge Marvin Katz made the suggestion as a proposed settlement in *Kuromiya et al. v. United States*, a class-action suit brought on behalf of citizens who claim that the prohibition of marijuana is unconstitutional since it is the best cure for their ailments -- everything from AIDS to Lou Gehrig's disease.

The 128-page lawsuit, filed by Lawrence Elliott Hirsch of the Hirsch & Caplan Public Interest Law Firm, tells the stories of about 160 plaintiffs from

49 states. Many say they have been forced to break the law and to pay exorbitant prices for the drug. Others say they simply suffer because they fear jail. Hirsch argues that enactment of laws prohibiting the use of cannabis without amending the constitution is unconstitutional.

"The right to consume, ingest or smoke a plant that grows wild in nature, such as cannabis, is antecedent to, and more fundamental than the right to vote," Hirsch wrote. The Justice Department moved to dismiss the case, saying Hirsch has no chance of winning any relief. "It is well-settled that the Controlled Substances Act provisions are a valid exercise of Congress' Commerce Clause powers," attorneys Arthur R. Goldberg and Gail F. Levine of the Justice Department's civil division argued.

But just two weeks after that brief was filed, it seems Judge Katz is urging DOJ to think about settling the case instead of fighting it. In a recent conference, Katz proposed a settlement under

*The lawsuit text can be found at at: <http://www.fairlaw.org/actionclassintro.html>*

which the government would agree to establish a "carefully monitored" and "scientifically controlled" program to distribute marijuana to "individuals whose medical conditions could be improved by it," according to court papers filed yesterday. The settlement would also require the government to provide any useful, scientific research results "that would help decide whether marijuana is medically beneficial or not."

According to court papers, Katz asked the Justice Department how much time it needed to consider his proposal. The answer came yesterday in a two-page court filing by Goldberg and Levine that said DOJ would need "at least 60 days." That much time is needed, they said, "to consult the appropriate management officials within the agencies and divisions of agencies implicated by the proposal." Attorney Hirsch could not be reached for comment.

*The Legal Intelligencer*  
Friday, October 30, 1998  
<http://www.palawnet.com/>

## Oakland OKs liberal medicinal marijuana rule

OAKLAND, Calif. (AP) - Rock music from the 1970s was blaring in the downtown building where marijuana is sold in brownies, cookies and Rice Krispy treats.

Inside, Ken Estes was sitting in his wheelchair, two plastic bags crammed with more than a pound of marijuana in his lap. Estes, who is among some 1,300 regular members of the Oakland Cannabis Buyers' Cooperative, doesn't need to hide his large cargo.

Thanks to a city rule approved Tuesday, Estes can stock up to 1 1/2 pounds of pot without fear of arrest. The policy is believed to be the state's most liberal since implementation of Proposition 215, the medical marijuana initiative approved by California voters in 1996.

The Oakland City Council voted to allow medical marijuana users to stock 24 times the limit previously set by Attorney General Dan Lungren, a fierce foe of medical marijuana. The 1 1/2 pounds is a guess at how much is needed over three months.

Since California legalized possession of medical marijuana on Jan. 1 for users with a doctor's recommendation, at least a dozen marijuana clubs have opened in California.

Under the Oakland measure, pot users will be allowed to grow up to 144 plants - 48 flowering plants and 96 non-flowering plants, all indoors - and they can also keep up to 1 1/2 pounds of pot that has been readied for smoking.

*Waterloo Courier, 9 Jul 98, A2*

## Getting hit with \$2 billion skillet

Researchers at the Duke University Medical Center contend the Clinton administration's \$2 billion antidrug campaign won't be effective because it misconstrues the drug culture.

According to the Durham (N.C.) Herald-Sun, Duke's Wilkie "Bill" Wilson said the commercial with a young woman thrashing about her kitchen and smashing a skillet into an egg - to symbolize the effect of heroin on the brain - is contrary to the actual effect of the drug, which induces passivity rather than violent behavior.

The campaign strikes us as a return to the tactics of the 1960s when scenes from the film "Reefer Madness" were used to scare students about marijuana. Unfortunately, such hokey dramatizations

were disdained. The current commercials may get the same reaction.

The problem, of course, is to dissuade potential abusers with a 20-second commercial, rather than providing a reality check such as Duke's book, "Buzzed: The Straight Facts About the Most Used and Abused Drugs from Alcohol to Ecstasy."

The \$2 billion would be better spent if a portion were dedicated to such reading material and treatment centers. Then have recovered addicts tell their real tales in schools. That's more likely to have an impact on teens faced with a decision to experiment as part of peer group pressures or to abstain for their long-term well-being.

*Waterloo Courier, 24 Jul 98*

# Medicinal marijuana has ally in judge

He Suggested Settling A Suit Over A Program By Expanding It.  
Officials Are Reviewing The Idea.

By Joseph A. Slobodzian  
Inquirer Staff Writer

In a move that surprised both sides, a judge has asked government lawyers to consider settling a class-action lawsuit by implementing a federal program supplying marijuana to anyone "whose medical conditions could be improved by it."

The suggestion by U.S. District Judge Marvin Katz was made last week in a conference with Justice Department lawyers and Lawrence Elliott Hirsch, a Center City attorney who in July filed the lawsuit on behalf of 165 individuals who the suit says would benefit medically from smoking marijuana.

But perhaps as surprising as the settlement proposal suggested by Katz, a former law partner of U.S. Sen. Arlen Specter (R., Pa.) and who was appointed to the federal bench in 1983 by President Reagan, was the response of government lawyers.

After first balking at the suggestion, calling it too expensive to implement and monitor, a Justice Department lawyer on Wednesday asked Katz for 60 more days for federal officials to consider the settlement proposal.

Department lawyer Gail F. Levine referred questions to the department's public information office.

"I think we simply asked for the time necessary to respond to the judge's proposal," said Justice Department spokesman Gregory King. "I don't think that this should be taken as any indication, in any way, that we are reconsidering our position [on medical marijuana]."

King said the government had already filed a motion to dismiss the federal lawsuit and would continue pressing that motion.

While remaining skeptical that the government might change its mind about legalizing the medical use of marijuana, Hirsch said he was surprised and pleased by Katz's tack during the conference. "I think this was the first time that I know about where any judge in the federal system has taken such a rational and compassionate approach," Hirsch added.

Hirsch said that during the Oct. 21 conference, Katz suggested that to settle the case, the government should revive and expand its "compassionate use" program, in which seriously ill individuals were supplied marijuana grown on a government farm in Mississippi. Some medical researchers have said that the use of marijuana seems to help treat the eye disease glaucoma and helps combat the nausea that often accompanies the treatment of cancer and AIDS.

Although a synthetic form of a key compound in marijuana has been marketed as the prescription drug Marinol, marijuana advocates contend that it is not as effective as smoking the herb itself.

In the late 1970s, in response to a federal lawsuit, the U.S. Department of Health and Human Services began supplying up to 300 marijuana cigarettes monthly to people found to have serious medical conditions that benefited from marijuana use. Hirsch said the program expanded to 14 people before the government closed it to new participants in 1992; eight people continue to receive marijuana under the program.

According to court documents, Katz's proposed settlement would involve the government establishing a "carefully monitored, scientifically controlled program" to distribute marijuana to people selected for medical reasons. Those individuals would then become the base

population providing "useful scientific research results that would help decide whether marijuana was medically beneficial or not." The lawsuit comes two years after California voters approved a ballot question legalizing medical use of marijuana, and when researchers are again examining the medical potential of the herb, which proponents prefer to call by its Latin name, cannabis.

At the same time, officials of the U.S. Drug Enforcement Administration in December asked HHS scientists to study whether marijuana and its chemical components should be removed from DEA's Schedule I list of most dangerous drugs.

Philadelphia Inquirer  
Saturday, October 31, 1998  
© 1998 Philadelphia Newspapers Inc.  
Opinion@phillynews.com  
<http://www.phillynews.com/>

## Authorities Consider Medical Use Of Marijuana

by Richard Willing

WASHINGTON — Responding to a request from a federal judge, the Justice Department is considering whether to permit government-supervised use of marijuana as a treatment for certain sick people.

If Justice agrees to settle a lawsuit as proposed by a district judge in Philadelphia, government-approved marijuana could be available to thousands of AIDS and cancer sufferers and other patients. In return, the 160 plaintiffs in the case would drop their lawsuit.

Now, only about eight patients nationwide receive government-approved marijuana under a program administered by the Department of Health and Human Services.

Agreeing to the proposed settlement would mark a major reversal of Justice Department policy. Since January, the department has filed suit seeking to close at least six California "marijuana clubs" which supply members, including disease sufferers, with the drug.

"This is definitely new," said Dave Fratello, spokesman for Americans for Medical Rights, a Los Angeles-based group that favors making marijuana available with a doctor's approval. "This could change the entire trend of federal policy."

The proposal was made late last month by Judge Marvin Katz to settle a class-action suit that contends laws prohibiting marijuana use are unconstitutional. Justice Department lawyers filed papers Thursday asking for "at least

60 days" to consider the judge's proposal.

"There are provisions in the law that allow for scientific research . . . under scientific conditions," said Gregory King, a department spokesman.

"(But) we have taken the position that marijuana must go through the same process all medications go through prior to their approval . . . to be cleared by the FDA (Food and Drug Administration)." That has never happened.

Marijuana can produce a "high" leading to addiction. It also is credited by disease sufferers with a host of benefits, such as relieving nausea associated with chemotherapy.

Today, voters in five states and the District of Columbia will decide whether to make medical marijuana available under a doctor's direction.

A government-sponsored medical marijuana study is being phased out by the Clinton administration, which doubts the drug's benefits. Eight holdovers from the project receive government-sanctioned marijuana grown at a federal facility in Oxford, Miss.

Katz is a 68-year-old Ronald Reagan appointee on senior, or semiretired, status.

Through an assistant, the judge declined to answer questions about the case.

USA Today, Tuesday, November 3, 1998  
The Nation, Page 3A  
editor@usatoday.com  
<http://www.usatoday.com/news/nfront.htm>  
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# Marijuana leads rise in drug use by teens

Washington, D.C. (AP) - Drug use by young people increased last year, led by rising marijuana smoking among teen-agers who view it as a low-risk "soft drug," according to a government survey Friday.

Among those ages 12 to 17, 11.4 percent reported using some illicit drug within the past month when they were surveyed last year, compared with 9 percent in 1996. The drug of choice among the group was marijuana, with 9.4 percent using it last year. In 1996, 7.1 percent had reported using marijuana.

The annual National Household Survey on Drug Abuse reported that the number of teens using heroin held steady last year. Among 12- to 17-year-olds, only 0.2 percent said they had used heroin within the past month of being surveyed, the same number as in 1996.

The number of first-time heroin users, however, was at an all-time high in the last year for which numbers were available, 1996. Preliminary numbers indicate 171,000 teens used heroin for the first time in 1996, up from the 117,000 who tried it in 1996.

The number of first-time users of marijuana was estimated at 2.54 million in 1996, up from 2.41 million in 1995.

Marijuana is popular because many teens don't see it as dangerous, said Health and Human Services Secretary Donna Shalala.

Shalala traced the relaxed attitude to parents.

"How many have known parents who actually are relieved when they find out that their children are using marijuana as opposed to heroin or cocaine?" Shalala said. "The perception of this country is that marijuana is safe, that it's a soft drug."

Parents need to inform their children that marijuana is dangerous - that it can impair learning and memory, she said. They must also be more aware of the attitude they send to their kids about drugs.

"How can we expect young people in this country to resist the lure of marijuana if the parent is transmitting messages that marijuana is OK?" she said.

The survey, an annual snapshot of illegal drug use in the nation, was conducted throughout last year by interviews with 24,500 people in their homes.

Despite the increase in teen drug use, the overall use of illegal drugs in the country remained steady last year. An estimated 14 million people - or 6.4 percent of the

population age 12 and older - used drugs last year. The overall drug use rate in 1996 was 6.1 percent.

Drug use among adults has been stable for years, and last year's figure is slightly more than half the peak year in 1979, when there were 26 million users.

Other findings from the survey:

Teens are more likely to use illegal drugs if they already use cigarettes and alcohol.

About 4.5 million young people ages 12 to 17 had used cigarettes within the past month. There was a significant increase among 12- to 13-year-olds, growing from 7.3 percent in 1996 to 9.7 percent last year.

The number of teens who currently consume alcohol has remained stable since the 21 percent reported in 1992. In 1979, the rate was 50 percent.

Marijuana continues to be the most frequently used illegal drug in the country, with an estimated 11.1 million people, or 5.1 percent of the population age 12 and older, using it in the past month. The figure was about the same in 1996.

The Des Moines Register  
Saturday, August 22, 1998, Page 5A  
letters@news.dmreg.com

18A THE DES MOINES REGISTER ■ SATURDAY, SEPTEMBER 12, 1998

## THE REGISTER'S READERS SAY *Excuses for a drug war*

Regarding the reported increase in the use of marijuana by teen-agers ("Marijuana Leads Rise in Drug Use by Teens," August 22): Secretary of Health and Human Services Donna Shalala says, "The perception in this country is that marijuana is safe, that it's a soft drug."

Duh. If it weren't for the fact that millions of people use marijuana without suffering the harmful effects that Shalala thinks they should suffer, we might have believed the propaganda our government has been feeding us for the past 60 years.

The real crisis is that the use of marijuana is truly dangerous to the unfortunate who find themselves imprisoned as a result of this disgusting disguise for the persecution of people who don't do what-

ever the government tells us to do.

If people should be imprisoned for possession of psychoactive drugs, everyone who uses alcohol should be locked up. If people should be imprisoned for polluting their lungs, everyone who uses tobacco should be locked up.

It's time to re-evaluate the war on drugs before another generation of kids sees the drug war for what it is: another phoney excuse for being cruel to people who are different than the rest of us.

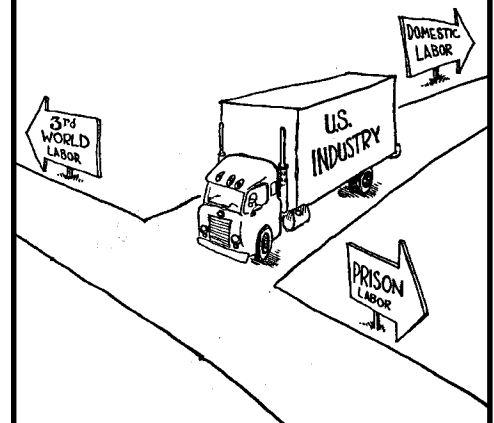
-- Carl E. Olsen,

1116 E. Seneca Ave., Des Moines.

The Des Moines Register  
Saturday, September 12, 1998, Page 18A  
letters@news.dmreg.com

# NORML

## CARTOONIST'S VIEW



FORK IN THE TONGUE

JOE SHARPNACK

Official Report Of  
**Iowa Department of Public Safety**  
**DCI Criminalistics Laboratory**  
 Wallace Building  
 Des Moines, Iowa 50319  
 (515) 281-3666

See Code of Iowa Section 691.2 Presumption of Qualification of Employee.  
 All evidence mentioned in this report has been handled in conformity with the rules of the DCI Laboratory as cited in the Iowa Administrative Code  
 (661 - Chapters 7 and 12)

Case Type: O.W.I. INVESTIGATION  
 Suspect(s): DANA S. FRANZEN  
 Victims(s):

Laboratory Designation of Exhibits	Report of Laboratory Analyst <u>Debra J. Davis, Criminalist</u>
A	Five hundred thirty nanograms per milliliter (530 ng/ml) of 11-nor-9-carboxy-delta-9-tetrahydrocannabinol, a metabolite of tetrahydrocannabinol (THC), were detected in the urine (Item A) recovered from the tube labeled FRANZEN, DANA S.  Clinical studies have not established a numerical correlation between urine drug concentration and impaired driving ability.  The submitted material will be destroyed 90 days after the date of this report if not picked up by your agency.

**DESCRIPTION OF EXHIBITS**

Received from: Jim Smith/mail		Agency Case No: SP 810 462 1562	
Agency: Iowa State Patrol - Post #10		Date: July 8, 1998	Time: 11:37 a.m.
Laboratory Designation	Quantity	Description	Agency Designation
A	1	Sealed box containing: Sealed urine collection tube filled with FRANZEN/s urine.	
Received By: Dottie Giannetto, Evidence Technician		Reviewed By:	

P.O. BOX 275  
 ELGIN, IA 52141

**T. DAVID KATSUMES**  
 ATTORNEY AT LAW

TELEPHONE  
 (319) 426-5587  
 FAX (319) 426-5588

October 14, 1998

Carl E. Olsen  
 1116 E. Seneca #3  
 Des Moines, IA 50316

Dear Carl:

Thank you for the information you have sent me regarding marijuana, metabolites and THC. I would have also liked to have seen Dana Franzen's case go to trial, however, when confronted with your information the county attorney offered to let him plead to a simple possession of marijuana with a small fine. Although it will be a hassle for him to have to obtain a work permit and only drive to and from work for six months, he felt it was the better route to go. I have a couple other cases involving clients accused of operating while under the influence of drugs so I will probably call Marty Ryan regarding the minimum level of THC in nanograms per ml of blood or urine. Both of these cases have bad facts due to poor client driving and general outward appearance, etc. The county attorney up here tried to tell me that she had an expert that would testify that as little as 50 ng/ml would indicate impairment. Another county attorney told me it had to be at least 250 ng/ml. It sounds like there is confusion and disagreement even among prosecutors. I'll let you know what I find out.

Sincerely,  
 T. David Katsumes  
 Attorney at Law

**OPINION/LETTERS**

***Drug-search scam on I-80***

On Aug. 28, I was traveling east on I-80 approximately four miles east of Altoona. I saw two flashing signs, one on each side of the two eastbound lanes, notifying me and other motorists of a "Drug Stop 4 Miles Ahead." Within a quarter-mile I saw two more signs warning eastbound travelers of "Drug Enforcement Ahead: Be Prepared to Stop."

There was no "drug enforcement" stop ahead, but it is likely that law-enforcement officials were eagerly awaiting at the next exit to check vehicles getting off the interstate. In scams such as this, law-enforcement officials assume those exiting vehicles contain drugs, and most likely those exiting vehicles become targets of the scheme. As a result, people are pulled over, and then, using the excuse of some minor traffic offense (flickering taillight, broken license-plate light, cracked windshield, etc.) issue the driver a citation so that a "search incident to citation" may be conducted.

I feel guilty for not getting off at the approaching rest area or the Mitchellville exit. I had no drugs in my vehicle, but I do feel as though I could have spent some time having law-enforcement officials search my vehicle for nonexistent drugs while I continuously cited the "probable cause" requirement of the Fourth Amendment. Perhaps my sacrificial deed would have allowed other law-abiding citizens who are simply heading home, visiting a friend, or seeking a gas station to drive on through the phony drug bust without being unnecessarily detained.

**-- Marty Ryan,**  
*legislative coordinator/  
 assistant director,  
 Iowa Civil Liberties Union,  
 446 Insurance Exchange Bldg.,  
 Des Moines.*

The Des Moines Register  
 Friday, September 4, 1998, Page 12A  
 letters@news.dmreg.com



## Season of the bust - local pot arrests triple

■ Those charged with marijuana possession say they wonder why local police aren't focusing on more serious crimes.

By Kelly Wilson  
The Daily Iowan

Marijuana arrests by Iowa City police have tripled this summer in comparison with the same amount of time last year.

Between June 8 and July 8 there have been 46 charges of possession of schedule I controlled substance, also known as marijuana. In comparison, there were only 15 possession charges between June 11 and July 11, 1997, according to research done by *The Daily Iowan*.

The recent rise has some of those charged wondering why Iowa City police aren't focusing on more serious crimes.

UI junior Jessica Koran was charged with possession of marijuana in the early hours of June 15 at her residence. Koran said she thinks it is wrong that police have been focusing so much on recreational-marijuana use lately.

"This is a college town, and people are out there experimenting," Koran said. "It seems that cops just want to bust kids to get their money, instead of concentrating on the real crimes."

However, Iowa City police say attempts to increase enforcement of these "real crimes" could actually be the reason behind the recent increase in marijuana arrests.

Seven weeks ago, the Special Crimes Action Team was formed in Iowa City as a result of the gang-related activity in the Broadway and Taylor Street neighborhood, police Sgt. Mike Brotherton said.

However, it is also necessary to patrol other parts of town to ensure that gang activity is not happening elsewhere, said Officer Doug Hart, who has been with the police department for the past six years and is among the five officers assigned to the special crimes team.

While the number of arrests has dramatically increased, the number of officers has remained pretty much the same as last year, Hart said.

"We will never be able to stop all of the marijuana use, but I hope some of the use will be deterred," Hart said. "I would personally like to see all of it off the streets, but that is not the goal of (the crimes team). But, if we see it we are going to enforce the law."

One of those recently arrested for marijuana

possession is Iowa City resident William Bremner, 42, on July 8 at Gabe's, 330 E. Washington St. He said he has been smoking marijuana for the past 27 years, but this was the first time he has ran into any problems with the police relating to marijuana in his 20 years of living in Iowa City.

When he was charged, he said, he only had enough pot on him for a joint or two, and he was not bothering anyone.

"The police coverage has been distributed wrong, because they are going after (recreational users) instead of the professional criminals that are making real money," Bremner said.

However, Hart said arresting those in possession of marijuana for personal use is a tactic that can help police find more serious crimes.

"The one thing you have to realize is that people who purchase narcotics are part of the problem by keeping dealers in business," Hart said. "We have to attack it at every angle."

From marijuana arrests, police can find out about dealers and new trends in the drug trade.

According to a June 26 news media release, the drug enforcement teams have together confiscated only a little more than three ounces of marijuana. Hart said the reason for the small amount is most of those arrested were marijuana users and not dealers.

Under Iowa law, marijuana possession is a serious misdemeanor, Brotherton said. It carries a penalty of up to \$500 or a year in jail. However, police have usually been issuing a \$250 ticket. Anything over a simple misdemeanor results in a night in jail, unless the accused posts a \$650 bond.

Hart said he realizes the police will never be able to stop all marijuana use, but he hopes some of the use will be deterred by the police's actions.

Regardless, Bremner said he did not understand the criminalization of marijuana use, especially because he is not bothering anyone.

"I just smoke my pot, and I am happy," Bremner said.

DI Reporter Kelly Wilson can be reached at:  
kawilson@blue.weeg.uiowa.edu  
Page 1A, July 9, 1998

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<http://www.uiowa.edu/~dlyowan/>

## MEMBERSHIP IS IMPORTANT !

August 20, 1998

Dear Carl,

I'm writing to let you know, I'm sorry I haven't renewed my membership in the last few months. Now after thinking about it, I realize that membership is important. I'm feeling sad about the way the laws in this country and state keep getting worse and worse against its citizens, feeling as if the "war on drugs" and my rights was over and that "they" won the war. My employer is now random testing at work or will call you at home to go drop a urine test with a 15 minute notice to have your "pee" ready. Any dilution, including liquid or H<sub>2</sub>O, does not count and you have to retest with a doctor watching you. When you have to retest for this, they tell you not to drink liquids so they can get an accurate test. Refusal to cooperate will lead to termination, which means they are telling me what I can put in my body that's not a drug and legal, communism at its best and alive and well in America.

Also my employer said the new law is mandatory and all employers will soon be doing it. "All employers" sounds like bull to me. This tells me: (1) They don't trust employees. We are all "guilty until proven innocent" of being "dopers." What a kick in the crotch for workers who are not; (2) Whatever happened to an honest days work and recognition for it? I have never been late or missed a day, I've had excellent reviews and my boss says I'm a hard worker, trusted with keys to the building after pre-employment criminal background check, etc.; (3) As far as I'm concerned the "war on drugs" is a "war on We The People, and the Constitution." Remember the 18th and 21st Amendments? Didn't they learn them, only to make the same mistake again? (4) What I do at work is their business, what I do in my home away from work is mine; (5) I've written many letters to elected officials about this and other concerns. They never agree with me and keep writing "bad laws" to punish us.

If there are employers who do not random test, I would like to know, so maybe I could work for them, and escape the P.O.W. camp where I'm at now. Once again I'm sorry for letting my membership expire. Please send info.

Thanks again for all your hard work and devotion for the cause.

Sincerely, Mark Burrill  
543 McShane Ave., Waterloo, Iowa 50703

# The Mail Bag



October 2, 1998

Hey Carl,

My name's Darla, I'm just writin' to see how things are going with Iowa NORML. I've been associated with NORML in one way or the other for "many" years. Haven't been too active for about the past 5½ years cuz I've been locked up with the feds for that long. Been writin' back and forth with Tim Davis in MN for four or five years now, he sends an updated package now and then. There are "a lot" of women doin' time for marijuana. Doing "a lot" of time, too! I'm doing a 96 month sentence. I've got 66 done with 22 more to go. My charge is "conspiracy." No weed was ever involved, just a "very good" friend who didn't want the sentence he got. My whole trial was hearsay. Anyway ... I just thought that if you needed anything done from the "inside" I might be able to help out. Surveys, stories to be told, amounts of time, etc. Let me know. I've pretty much become out of sight, out of mind the past couple of years, so I have time on my hands. I'm from Davenport, Iowa. So if you can send anything on Iowa NORML it would be much appreciated, and it would be nice to hear from someone from Iowa.

Thanks!

Darla Dandridge  
04511-030  
FPC Box 6000  
Pekin, IL 61555

# The November Coalition

Carl E. Olsen  
1116 East Seneca Avenue, #3  
Des Moines, Iowa 50316

September 18, 1998

Dear Mr. Olsen:

I am writing in regard to your insightful letter of September 12, 1998, in The Des Moines Register.

We, the drug war prisoners, and our 12 million family members applaud your common-sense and intelligent arguments concerning the politically motivated hypocrisy that is the War on Drugs.

You see, I am compelled to contact you and bring to your attention The November Coalition, a non-profit organization created by the drug war prisoners and their families. We invite you to visit our website and see for yourself the devastation created by bad policies and also, our efforts in educating the public in that this isn't merely a "War on Drugs" but in reality a "War on the People." We are continuously battling forward and are gaining support from the citizens not yet brought down by the avalanche of drug related rules and regulations that seem to be endlessly formulated.

History shows that bad National Policy has been changed only after public outcry, such as during Alcohol Prohibition, The Civil Rights Movement and The Vietnam War. They were wrong,, this war is wrong. Change must happen again so that the "War on Drugs" can be brought to a just end.

We ask for your support because with it, the American People can begin to see through the Political smoke created by all the self-serving politicians. We must bring an end to this War and bring our prisoners home.

Sincerely,

Glenn H. Early 04081-424  
Inside Correspondent  
Post Office Box 1000  
Oxford, Wisconsin 53952

**The November Coalition, PO Box 309, Colville, WA 99114, (509) 684-1550**  
**Email: [moreinfo@november.org](mailto:moreinfo@november.org) Website: <http://www.november.org/>**



September 12, 1998

Carl,

I don't suppose you remember me. I lived at "MOTHER HILLCREST" in Iowa City circa '71-'73 (THE GOOD OLD DAYS). MR's KALDEM, GANGNES, FLASH, DUNN, etc.

Just needed to let you know I always enjoy your comments to the Register.

My mom always said "Geniuses think alike."

GIVE 'EM HELL CARL.

I support you completely.

If you ever need any assistance, feel free to contact me.

I AM

YOURS IN JAH, Fellow Traveler &

Matt Angerer  
4200 Grand Ave.  
C-6, Bldg. 1  
Des Moines, IA 50312

# Two drug-enforcement standards

REKHA BASU

This is a tale about drug enforcement - two different kinds. One is set in the tiny suburb of Clive, another on the highways of Iowa and the inner-city streets of Des Moines.

One applies to the general public, the other to public officials.

Worst of all, your support for one kind might wane when you hear about the other.

If you happened to drive on 1-80 east this summer, you might have come up against a mobile flashing sign warning, in about these words: "Drug Enforcement Ahead: Be Prepared to Stop."

Of course, if you know your Fourth Amendment rights, you'd be suspicious, since stops and searches of cars without probable cause are illegal.

As you kept going, however, you'd discover it was a ruse sponsored by the Iowa Department of Public Safety in collaboration with county attorneys. No actual stop, just a ploy to make you panic, so that if you had drugs, you might do something rash like try to dump them at the nearest rest area or jump the median.

Some might call that clever. Others might call it entrapment. Marty Ryan, assistant director of the Iowa Civil Liberties Union, calls it "very sleazy." He encountered one such sign about 4 miles east of Altoona last week, and worries they might force people to pull off in search of a side road, fearing they'll be unnecessarily detained.

"If this was a business, the attorney general would be all over them for false advertising," he said.

The jury was still out, Public Safety Commissioner Paul Wieck told me earlier this summer, as to how successful the approach was in its debut appearance in Iowa. But it did send some people to jail, so I suppose, by some measure, it worked.

When I first heard about it, though it sounded kind of deceptive, I decided to wait and see. It didn't seem like law enforcement was breaking any laws. Iowa's got a growing methamphetamine problem and the state's highways apparently are a conduit for some major trafficking.

But by last week, my tolerance had worked itself into outrage when I read of something unrelated but very relevant. An off-duty state trooper attending a late July party in Clive had witnessed a group, possibly including Clive City Council member John

Schiefer and Dave Ennen of the planning and zoning commission, smoking what he believed to be marijuana. He neither arrested them nor confiscated the alleged drugs. Instead he went off and filed some sketchy report with his patrol district, in Mason City, later telling City Manager Dennis Henderson he didn't think he had enough information for criminal charges.

You could argue - and I'd agree - that marijuana is relatively benign. But it is sending other people without the same official protection to jail.

I spoke to the girlfriend of one young man who spent the night in the Scott County Jail because of the so-called drug stops. She'd believed the state's drug crackdown was on meth and cocaine, but people were being hauled into jail for marijuana. Yet a trooper from the same public safety team is virtually handed three drug arrests, and he walks away.

By week's end, Ennen and Schiefer had quit their posts, without admitting any wrongdoing, as the city manager's office closed in on them with its own investigation. But that doesn't erase the cynicism that there are two sets of law-enforcement standards, and one is for public officials protecting their own.

It has barely been long enough for wounds to heal from the case of Urbandale Officer James Trimble, the 18-year police veteran who pleaded guilty to a Class C felony for possession and intent to distribute after being stopped driving around in a poor part of town with \$20,000 worth of meth in his van. The drugs were stolen from a police department evidence locker.

He could have gotten 10 years in prison, but he got probation, a \$1,000 fine and community service. The police department never even pressed charges for the theft.

Meanwhile, last Wednesday's paper had a spread on the drug crackdown in Des Moines' near-north side. As usual, the pictures showed young African-American men being stopped by police for questioning. Try convincing them the law works the same for everyone.

Either drug enforcement is serious business warranting extreme measures or it isn't. Either minor marijuana possession should result in arrests or it shouldn't. If we can't all play by the same rules, let's drop the charade.

REGISTER COLUMNIST REKHA BASU can be reached at (515) 284-8208 or basur@news.dmreg.com  
*Des Moines Register, Sunday, September 6, 1998, Page 6AA*

## Iowa NORML Membership Form

Sign me up for one year at the category indicated:  Low income \$15  Regular \$25  Devoted \$50

PLEASE PRINT:

Name \_\_\_\_\_ Address \_\_\_\_\_ Apt # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone: \_\_\_\_\_ / \_\_\_\_\_

Mail to: Iowa NORML, P.O. Box 4091, Des Moines, Iowa 50333

# Congress Lands A Historical Blow To Democracy

On November 4th, the Congress of the United States, which has jurisdiction over the District of Columbia, passed an amendment that stopped democracy cold. The amendment, introduced by Congressman Bob Barr (RGA), makes it illegal for DC to fund the processing of any initiatives that would legalize marijuana. The amendment was a last minute addition to DC's FY 1999 Budget, in the face of an Initiative (Initiative 59) on DC's November general election ballot that would allow terminally ill patients access to marijuana, while protecting their physicians from prosecution should they prescribe it.

Voters in Alaska, Nevada, Oregon, and Washington recently voted on similar Initiatives that would legalize the use of marijuana for medicinal purposes. All but the District of Columbia approved the Initiative. While exiting polls in DC reported overwhelming support for their Initiative 59, the amendment kept the DC's Board of Election from counting the votes and registering the results.

The amendment was held back by Congress for a few months, then strategically placed into the 40-pound FY. This tactic was used in direct defiance of the process of democracy. The ballots were printed at the time the amendment was passed indicating the will of the people to make a decision about the issue.

"It's absolutely unbelievable that our Congress thinks that they have the authority to do this," said Carl Olsen, Head of Iowa's branch of the National Organization for the Reformation of Marijuana Laws (NORML). "We must definitely send a message to these guys that this is unacceptable."

Extensive research has proven that marijuana can provide necessary relief to people

with serious or terminal illnesses, such as cancer and AIDS. A 1997 study by the Institutes of Health, found some patients can be helped by the drug, principally to relieve nausea after cancer chemotherapy or to increase AIDS patients' appetites. The drug has also helped some patients control glaucoma.

DC's Initiative 59 proposes to protect patients with serious and terminal illnesses from facing criminal penalties for the medicinal use of marijuana. It would also exempt doctors, who prescribe small amounts of marijuana to help ease their patients pain and suffering, from facing criminal charges. Exiting polls indicated that the voters in DC are strongly in favor of this policy.

Those on Capitol Hill who oppose Initiative 59, use the Controlled Substances Act of 1970 to justify their position with the amendment. According to the Act, "All controlled substances in Schedule I that are possessed, transferred, sold or offered for sale in violation of the Act shall be deemed contraband and seized and summarily forfeited to the United States."

The Board of Elections intends to bring suit against Congress for their action on the grounds that the amendment is a direct infringement of citizens' constitutional rights to decide an issue by, majority vote of the people.

Meanwhile, grass roots organization for legalizing medicinal marijuana continues to grow as voters in Arizona, Alaska, Oregon, Nevada and Washington State fight to have their recently passed initiatives implemented. According to AIDS activist Wayne Turner, "This Initiative is about protecting the sick and dying from criminal prosecution, giving them relief, and hope." More information can be found at a web site posted by Yes on 59, [http://

[www.actupdc.org/press/legalupdate.html](http://www.actupdc.org/press/legalupdate.html)]

It is not yet known if, or when, the District of Columbia votes for Initiative 59 will ever be counted. Congress has created a deeply disturbing, possibly unconstitutional, situation by burying those votes, and it appears that the courts will have to decide if what Congress has done is unlawful. It is also a situation that will go down in history as a blow to democracy.

## Medical Marijuana Initiative Passed in Other States

*In Arizona, voters have cleared the way to allow doctors to prescribe marijuana and several other Schedule I drugs for seriously ill patients.*

*In Alaska and Oregon, new laws passed that legalized the possession of specified amounts of medical marijuana, but only to patients enrolled in a state identification program.*

*Although Nevada voters approved a similar initiative, state law there requires voters to reapprove medical marijuana again in the year 2,000 before the measure can officially become law.*

*Washington States' new medical marijuana law allows patients with certain terminal and debilitating illnesses, to grow and possess a 60-day supply of marijuana.*

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 Wednesday, November 18, 1998, Page 4  
 Jenny Lesner: [jlesner@saunix.sau.edu](mailto:jlesner@saunix.sau.edu)  
<http://www.rcreader.com/>

# Iowa NORML Membership Form

Sign me up for one year at the category indicated:  Low income \$15  Regular \$25  Devoted \$50

PLEASE PRINT:

Name \_\_\_\_\_ Address \_\_\_\_\_ Apt # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone: \_\_\_\_\_ / \_\_\_\_\_

Mail to: Iowa NORML, P.O. Box 4091, Des Moines, Iowa 50333