



Freedom In Sight?

Congress To Consider Legislation To End Minor Pot Arrests **Rep. Barney Frank and NORML Team Up To File First Marijuana Decriminalization Bill In Over Two Decades**

Washington, DC, USA: US Congressman Barney Frank (D-MA) will introduce legislation in Congress to strip the federal government of its authority to arrest responsible cannabis consumers. Representative Frank made the announcement last week on the nationally syndicated television show, "Real Time With Bill Maher."

"It's time for the politicians to catch up with the public on this [issue]," Frank told host Bill Maher, who sits on NORML's Advisory Board. "The notion that you lock people up for smoking marijuana is pretty silly."

Frank's pending bill, referred to as the 'Make Room for Serious Criminals Act,' is the

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Zero Tolerance DUID Laws Don't Deter 'Drugged Driving,'

Linköping, Sweden: Laws prohibiting the operation of a motor vehicle by drivers with any detectable level of a controlled substance or inactive drug metabolite in their blood or urine do not deter incidences of drugged driving or reduce recidivism by chronic offenders, according to data published in the March issue of the journal *Accident Analysis and Prevention*.

Investigators at Sweden's National Board of Forensic Medicine examined the impact of the nation's decade-old zero tolerance *per se* law on incidences of DUID (driving under the influence of drugs) arrests and re-arrests over a four-year period (2001-2004).

Of those motorists prosecuted for DUID, they reported that 68 percent were re-arrested. "Zero tolerance laws do not deter people from impaired driving judging by the high re-arrest

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Pot Use Not Associated With Increased Risk Of Head Or Neck Cancer

Wellington, New Zealand: Smoking cannabis, even long-term, is not associated with an increased risk of developing cancers of the head or neck, according to the results of a case control population-based study published in the March issue of the journal *Otolaryngology - Head and Neck Surgery*.

Investigators at the Medical Research Institute in Wellington assessed the relative risk of head and neck cancer associated with marijuana smoking in 75 cases (16 of which reported having used cannabis) and 319 controls. Researchers reported that marijuana use - including chronic use of the drug - was not associated with any increased cancer risk compared to non-using controls.

"This population-based study did not find a statistically significant increase in the risk

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The Willamette Valley NORML News Report

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

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

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

WillametteValleyNORML.org

A Voice for Responsible Marijuana Smokers

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

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

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

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

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

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

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

<continued from **FREEDOM**, page 1 > first federal cannabis decriminalization bill introduced in Congress in 24 years. It seeks to eliminate all federal penalties prohibiting the personal use and possession of up to 100 grams (3 1/2 ounces) of marijuana. Under this measure, adults who consume cannabis would no longer face arrest, prison, or even the threat of a civil fine. The bill also eliminates all penalties prohibiting the not-for-profit transfers of up to one ounce of pot.

NORML Legal Counsel Keith Stroup, who worked closely with Frank's staff to draft this legislation, said, "If passed by Congress, this legislation would legalize the possession, use, and non-profit transfer of marijuana by adults for the first time since 1937."

The bill incorporates the primary recommendations of the National Commission on Marijuana and Drug Abuse (also known as the Shafer Commission), which affirmed to Congress 36 years ago, "The actual and potential harm of use of the drug is not great enough to justify intrusion by the criminal law into private behavior, a step which our society takes only with the greatest reluctance."

Currently, 12 states and numerous municipalities have enacted versions of marijuana decriminalization, eliminating criminal penalties for minor pot violations. Passage of these laws has not led to increased marijuana use.

In fact, the only U.S. government study ever commissioned to assess whether the enforcement of strict legal penalties positively impacts marijuana use found, "Overall, the preponderance of the evidence which we have gathered and examined points to the conclusion that decriminalization has had virtually no effect either on the marijuana use or on related attitudes and beliefs about marijuana use among American young people."

Similar statewide legislation is pending in New Hampshire and Vermont. Additionally, Massachusetts voters will decide on a statewide decriminalization measure this November.

According to a nationwide CNN/Time Magazine poll, more than three-quarters of American

adults favor decriminalizing marijuana.

NORML is pleased to be leading the effort for sensible cannabis law reform at the federal level. With your support, we look forward to ending the obsolete and destructive practice of arresting responsible adult cannabis consumers. *For more information, please contact Keith Stroup, NORML Legal Counsel or Allen St. Pierre, NORML Executive Director, at (202) 483-5500.*

<continued from **DRUGGED DRIVING**, page 1 > rates," authors concluded.

Under Swedish law, motorists face criminal sanctions if they operate a vehicle with any detectable of an illicit drug in their blood. Evidence of driver impairment is not necessary to convict a person under the federal DUID statute. Motorists who are determined to have negligible levels of inactive drug metabolites in their urine may be charged with "use of a banned substance," but not DUID.

Prior studies reported that the passage of Sweden's zero tolerance law has led to a ten-fold increase in the number of cases submitted by police for toxicological analysis, but has had no impact on reducing incidences of drugged driving. Among those drivers charged under Sweden's DUID law, nearly 60 percent tested positive for the presence of amphetamines. Less than five percent of drivers tested positive for the presence of THC alone.

In recent years, several US states have enacted similar zero tolerance laws. Critics of these laws argue that the statutes inappropriately classify sober drivers as 'impaired' and may criminally punish non-impaired drivers for their previous, non-driving related activities.

"While we all support the goal of keeping impaired motorists off the road – regardless of whether they are impaired from alcohol, prescription drugs, or illicit substances – the enactment of so-called zero tolerance *per se* legislation is inappropriate, illogical, and does nothing to deter individuals from driving under the influence of illicit substances," NORML Deputy Director Paul Armentano said. " At best, these laws are an <continued on next page>

<continued from previous page> inflexible response to a complex social problem. At worst, they are a cynical attempt to misuse the traffic safety laws to prosecute illicit drug consumers *per se*." *Full text of the study, "High re-arrest rates among drug-impaired drivers despite zero-tolerance legislation," appears in Accident Analysis and Prevention. Additional information regarding marijuana use and on-road accident risk is available in the NORML report "Cannabis and Driving: A Scientific and Rational Review," available online at:*

http://www.norml.org/index.cfm?Group_ID=7459

<continued from **CANCER RISK, page 1** > of head and neck cancer in adults [under age 55] from cannabis," authors concluded. "[Even] the risk associated with the highest tertile of cannabis use (defined as one joint a day for more than eight years) was not statistically significant after adjustment for confounding variables including tobacco smoking, alcohol consumption, and level of income."

By contrast, investigators reported that heavy alcohol use was associated with a nearly six-fold increased cancer risk compared to controls.

In February, a parallel study published by the same investigative team reported that subjects who had "ever used" cannabis experienced, on average, no statistically increased risk of lung cancer compared to non-users. A prior case-control study sponsored by the US National Institute on Drug Abuse of 164 oral cancer patients and 526 controls determined, "The balance of the evidence ... does not favor the idea that marijuana as commonly used in the community is a causal factor for head, neck or lung cancer in adults."

More recently, a 2004 clinical trial performed by investigators at Seattle's Fred Hutchinson Cancer Research Center reported "no association" between marijuana use and the incidence of oral carcinoma, "regardless of how long, how much or how often a person has used marijuana."

Most recently, a UCLA study of more than 2,200 subjects (1,212 cases and 1,040 controls) reported that marijuana smoking was not

positively associated with cancers of the lung or upper aerodigestive tract – even among individuals who reported smoking more than 22,000 joints during their lifetime.

NORML Deputy Director Paul Armentano said that the Wellington team's findings add to the growing body of evidence indicating that smoking cannabis poses a surprisingly low cancer risk compared to the use of tobacco or alcohol. He said: "While studies purporting to uncover alleged harms due to cannabis use receive wide dissemination by the mainstream press, research that fails to find such harms often gets ignored. It will be telling to see if this latest study is the exception or the rule." *Full text of the study, "Cannabis use and cancer of the head and neck: Case-control study," appears in Otolaryngology – Head and Neck Surgery. Additional information on cannabis and cancer risk is available in the online report, "Cannabis Smoke and Cancer: Assessing the Risk," at:*

http://www.norml.org/index.cfm?Group_ID=6891

California: Fifth National Clinical Conference On Cannabis Therapeutics
Pacific Grove, CA, USA: Patients Out of Time, in conjunction with the California Nurses Association, UCSF Medical School, and California State University at Monterey Bay, will hold the Fifth National Clinical Conference on Cannabis Therapeutics on April 4 and 5 at the Asilomar Conference Center in Pacific Grove, California. Featured at this year's symposium are international cannabis researchers Natalya Kogan (Department of Medicinal Chemistry, The Hebrew University: Jerusalem, Israel), Manuel Guzman (Department of Biochemistry and Molecular Biology, Complutense University: Madrid, Spain), and Mark Ware (Department of Family Medicine and Anesthesia, McGill University: Montreal, Canada), as well as numerous patient advocates and health professionals, including Donald Tashkin (Medical Director: Division of Pulmonary and Critical Care Medicine, David Geffen School of Medicine at UCLA), Melanie Dreher (Dean: Rush University College of Nursing in Chicago), and NORML Deputy Director Paul Armentano. The conference is accredited by the UCSF School of Medicine. *Conference agenda and registration information is available online at:*

<http://www.medicalcannabis.com/>

New Hampshire: House Passes Pot Decriminalization Proposal

Concord, NH, USA: Members of the New Hampshire House of Representatives voted 193 to 141 on Tuesday in favor of legislation seeking to decriminalize the possession of small amounts of cannabis.

As passed, House Bill 1623 would replace criminal sanctions outlawing the possession of up to one-quarter ounce of marijuana with civil penalties, punishable by a fine only.

Under current state law, the possession or use of any amount of cannabis is a misdemeanor offense punishable by up to one year in jail and a \$2,000 fine.

Currently, twelve states have enacted versions of marijuana decriminalization – replacing criminal sanctions with the imposition of fine-only penalties for minor pot violators. In February, members of the Vermont Senate approved a similar proposal decriminalizing up to one ounce of marijuana. That measure is now before the House Judiciary Committee.

If enacted into law, New Hampshire would be the first state to approve the decriminalization of marijuana since Nevada's legislature did so in 2001.

For more information, please visit: <http://www.nhcommonsense.org> or visit NORML's "Take Action" Center at: <http://capwiz.com/norml2/issues/alert/?alertid=10823311>

Ninth Circuit Rejects Blanket Drug Testing Of Public Employees

San Francisco, CA, USA: Government job applicants may not be randomly drug tested absent evidence that their on-the-job impairment would pose a legitimate safety risk to others, according to a unanimous ruling last week by the Ninth Circuit Court of Appeals.

The ruling struck down an Oregon city's policy mandating all public job applicants undergo suspicionless urine testing for the presence of certain illicit drug metabolites.

The Court decided that the city of Woodford's desire to maintain a 'drug-free workplace' was

not sufficient enough to override an individual's Constitutional protections to be free from unreasonable searches. The Ninth Circuit based its decision on a 1997 US Supreme Court ruling, *Chandler v. Miller*. In that case, the Court rejected a Georgia law that sought to require random drug testing for all political candidates, determining that the statute was unconstitutional because it "diminishes personal privacy for a symbol's sake."

Similarly, the Ninth Circuit determined: "[The City's] policy is unconstitutional as applied because [it] failed to demonstrate a special need to screen a prospective [employee] for drugs. ... [The City] posits that it has a substantial and important interest in screening [public employees] for three reasons: drug abuse is one of the most serious problems confronting society today, drug use has an adverse impact on job performance, and children must be protected from those who use drugs or could influence children to use them. No doubt these problems are worthy of concern, but there is scant, if any, indication that on account of them, the City has 'special needs' of sufficient weight to justify an exception to the Fourth Amendment's requirement of individualized suspicion."

The case is *Lanier v. City of Woodburn*.

For more information, please contact Keith Stroup, NORML Legal Counsel, at (202) 483-5500. Full text of the opinion is available online at:

<http://www.ca9.uscourts.gov/ca9/newopinions.nsf>

Alaska Supreme Court Hears Marijuana Possession Case

Juneau, AK, USA: A two-year legal battle over the constitutionality of an Alaskan law recriminalizing possession of cannabis in one's own home was heard by the Alaska Supreme Court today.

The measure, passed by the Alaska Legislature in April of 2006, sought to end the decriminalization of marijuana resulting from a 1975 Alaska Supreme <continued on next page>

<continued from previous page> Court ruling in *Ravin v State*, which held that personal ingestion and possession of up to four ounces of cannabis in one's own home fell under the Alaska constitution's protection of the right to privacy. The Alaska ACLU successfully sued to have the law overturned by the Alaska Superior Court, which upheld *Ravin*.

In that decision, Alaska Superior Court judge Patricia Collins ruled that the Alaska legislature lacks the authority to override the Supreme Court's 1975 decision. "The Alaska Supreme Court has repeatedly and consistently characterized the *Ravin* decision as announcing a constitutional limitation of the government's authority to enact legislation prohibiting the possession of marijuana in the privacy of one's home," she determined. "That decision is the law until and unless the Supreme Court takes contrary action."

Collin's ruling struck down sections of the new law criminalizing the possession of one ounce or less of cannabis, but leaves in place measures prohibiting the possession of greater amounts. Under the 2006 law, possession of one to four ounces of marijuana is a misdemeanor punishable by up to a year in jail.

"The Alaska Court of Appeals has held that the legislature has the power to set reasonable limits on the amount of marijuana that people can possess for personal use in their homes and that such regulation does not conflict with *Ravin*," Collins determined.

In 2004, the Alaska Supreme Court rejected a petition by the attorney general's office to reconsider a September 2003 Court of Appeals decision that the possession of marijuana by adults within the home is constitutionally protected activity. Governor Frank Murkowski (R), who strongly advocated for the new law, has argued that *Ravin* should no longer apply in Alaska because cannabis may pose greater health and safety risks today than it did in 1975.

For more information, please contact Keith Stroup, NORML Legal Counsel, at (202) 483-5500.

California: Counties File Briefs Seeking To Overturn State Medi-Pot Law

San Diego, CA, USA: Lawyers for the counties of San Diego and San Bernardino filed legal briefs this week urging the Fourth District Court of Appeals to overturn a 2006 ruling upholding the legality of California's medical cannabis law.

The counties argue that they will "suffer harm if they are required to comply with [the state's] medical marijuana laws."

For years, both counties have refused to issue identification cards for state qualified patients – arguing that doing so would be in violation of federal drug laws. Under California state law, county health departments are required to establish a voluntary registry and identification card program for authorized medical cannabis patients.

A previous San Diego Superior Court ruling had determined that the state's ID card program was not in "positive conflict" with federal drug laws.

Oral arguments in the case are expected later this year. The case is *County of San Diego v San Diego NORML*. *For more information, please contact Keith Stroup, NORML Legal Counsel, at (202) 483-5500.*

Rhode Island: Legislature Considers Authorizing Medical Cannabis 'Compassion Centers'

Providence, RI, USA: Rhode Island lawmakers are considering legislation that would make the state the first in the nation to authorize non-profit organizations to provide medical cannabis to state-authorized patients.

As introduced, House Bill 7888 and Senate Bill 2693 would allow the state to license non-profit organizations to cultivate and dispense medical cannabis to qualified patients. The proposal states, "A compassion center registered under this section may acquire, possess, cultivate, manufacture, deliver, transfer, transport, supply, or dispense

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<continued from previous page> marijuana, or related supplies and educational materials, to registered qualifying patients and their registered primary caregivers who have designated it as one of their primary caregivers."

Under state law, qualified patients (or their designated primary caregiver) may possess up to 2.5 ounces of cannabis or cultivate up to 12 plants for medical purposes. An estimated 360 patients and 330 caregivers are currently registered with the state.

If enacted, HB 7888 and SB 2693 would also amend state law to allow for registered patient and caregivers to engage in not-for-profit transactions of cannabis. The proposals would also allow physicians in the neighboring states of Massachusetts and Connecticut to recommend cannabis therapy for Rhode Island patients.

Rhode Island is one of twelve states that allows for the physician-supervised use of medical cannabis.

For more information, please contact Allen St. Pierre, NORML Executive Director, at (202) 483-5500 or visit the Rhode Island Patient Advocacy Coalition at:

<http://www.ripatients.org>. Additional information on HB 7888 and SB 2693 is available from NORML's "Take Action" Center at:

<http://capwiz.com/norml2/issues/alert/?alertid=11125296>

Michigan Medical Marijuana Initiative Certified For November Ballot

Lansing, MI, USA: State election officials this week approved a measure for the November 2008 electoral ballot that seeks to legalize the possession and use of cannabis for qualified patients.

Sponsored by the Michigan Coalition for Compassionate Care, the Michigan Medical Marijuana Act would amend state law to allow authorized patients to use cannabis therapeutically under a doctor's supervision. Backers of the plan gathered over 300,000 signatures from Michigan voters to place the measure on the upcoming ballot.

Under Michigan law, state lawmakers may preemptively enact the measure, but are unlikely to do so.

Since 2004, five Michigan cities – Ann Arbor, Detroit, Ferndale, Flint, and Traverse City – have each enacted municipal initiatives endorsing the medical use of marijuana.

If enacted by the voters, Michigan will become the thirteenth state since 1996 to authorize the legal use of medical cannabis, and the ninth state to do so by voter initiative.

For more information, please visit the Michigan Coalition for Compassionate Care at:

<http://stoparrestingpatients.org>

Jamaica: Parliament Once Again Considering Liberalizing Ganja Laws

Kingston, Jamaica: A government commission is expected to once again recommend that Parliament remove criminal penalties outlawing the possession of small amounts of cannabis, according to an Associated Press (AP) report published this week.

The report warns that any liberalization of Jamaican pot policies would likely yield harsh criticism from US officials, and could jeopardize the island's 'anti-drug certification.'

In 2001, the Jamaican National Commission on Ganja recommended that Parliament decriminalize the private, personal use of cannabis for adults – determining that the "criminalization of thousands of people for simple possession for consumption [of cannabis] does more harm to the society than could be done by the use of ganja itself."

In 2003, Parliament held a series of legislative hearings debating the Commission's recommendations, but failed to enact them. *For more information, please contact Allen St. Pierre, NORML Executive Director, or Keith Stroup, NORML Legal Counsel, at (202) 483-5500.*



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

Marijuana Laws on Trial; NORML Founder Takes On Prohibition

WHAT: a Constitutional Challenge to Massachusetts' Marijuana Laws and a Request for a Special Jury Instruction. On March 20, 2008, at a press conference, Keith Stroup, founder of the National Organization for the Reform of Marijuana Laws (NORML), and Rick Cusick, associate publisher of *High Times* magazine, discussed the constitutional challenge they are mounting to the marijuana laws of Massachusetts. This challenge is part of their defense against the charge of possessing a joint on Boston Common last fall at a public gathering to protest marijuana's prohibition. Stroup and Cusick also discussed their plans to request a special jury instruction on the right to jury nullification.

Their attorneys — Professor Charles Nesson of Harvard Law School, Matthew Feinberg of Feinberg and Kamholtz, and Steven Epstein from Georgetown, Massachusetts — joined Stroup and Cusick at the press conference. Retired Harvard Medical School Professor Lester Grinspoon, M.D., who is providing expert medical testimony in support of the constitutional challenge to the state's marijuana laws, also was available to answer questions.



Defendants Rick Cusick and Keith Stroup with two of their lawyers, Harvard Law Professor Charles Nesson and Steven Epstein (l-r: Cusick, Nesson, Stroup, Epstein)

*** NOTE! The Willamette Valley NORML Public meeting * Happens every 4th Sat. of the month and will be at Herbs Toasted Subs, 1210 Willamette St, Eugene * call: 541.517-0957 -or- visit: <http://WillametteValleyNORML.org>**

BACKGROUND: Mr. Stroup, 64, and Mr. Cusick, 54, are charged with possession of marijuana stemming from their arrests on September 15, 2007, shortly before both were scheduled to speak at the 18th annual Boston Freedom Rally, a citizens' protest against the continued criminalization of responsible adult marijuana smokers. As two of the estimated 7,300 adults who were charged with marijuana-possession offenses statewide in 2007, Stroup and Cusick have elected to challenge the law and its application to them.

While both Stroup and Cusick readily admit they were indeed sharing a marijuana cigarette at the time of their arrests, both have entered pleas of not guilty. Through their attorneys, they have filed a motion challenging the constitutionality of the statute criminalizing responsible adult marijuana smokers, and will shortly be filing a second motion requesting the trial judge to inform the jury of their right to return a not-guilty verdict if, in their view, the defendants' actions did not amount to criminal conduct. This long-held traditional power of a jury — to refuse to convict if its members agree that such a conviction would create an injustice — is fundamental to the jury's role as the bulwark of American individual liberty.

*** THE WILLAMETTE VALLEY (W-V) NORML NEWS REPORT > * P.O. Box 10957, EUGENE, OREGON, 97440 * PH: (541) 517-0957 * EMAIL: newsroom@willamettevalleynorml.org * OR VISIT: www.WillametteValleyNORML.org**