

# District of Columbia Patients' Cooperative

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*"A Non-Profit Medical Marijuana Compassion Organization."*

**FOR IMMEDIATE RELEASE**

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## **DC Patients' Cooperative to Announce Operations Hiatus until City Shows Leadership**

***Medicine to Be Used on Steps of City Hall in Protest of Failing Program***  
**Patient Advocate and Author Irvin Rosenfeld to Attend in Solidarity with DC's  
Illegal Medical 'Marijuana' Patients**

**July 27, Washington, DC-** On the 1-year anniversary of Congress approving the District of Columbia's medical cannabis program, the District of Columbia Patients' Cooperative (DCPC), a District-based non-profit organization and Safe Access DC, the Washington, D.C. chapter of Americans for Safe Access, will hold a press conference on Wednesday, July 27, 2011 at 9am outside of the John A. Wilson Building, 1350 Pennsylvania Ave. NW. The press conference intends to shine a light on DC's non-functioning medical marijuana program and feature patients who are demanding that the District's medical cannabis patients be granted legal protections to grow their own medicine.

"The patients of the District have waited longer than any other citizens in America for their ballot-approved medical cannabis," says Nikolas Schiller, Secretary of DCPC, and the organization's only paid staff member, who will be losing his job at the press event because of the District government's inaction. "Patients and investors have lost patience and while you don't see it on the news, people are suffering because our local government went AWOL. It is time for emergency legislation to give patients basic legal protections while the city figures out how to run a burdensome medical marijuana program."

"Patient home cultivation is what began the medical cannabis movement in America, and that movement began here in Washington, DC. Robert Randall, a patient with severe glaucoma, was caught growing his own medicine at his apartment in Capitol Hill in the late 1970s and decided to fight back, successfully suing the federal government in order to legally obtain a supply of medicine his entire life," says Kayley Whalen of Safe Access DC which co-sponsoring the press event. "The federal program his activism created was the Compassionate Investigative New Drug Program. (see <http://tinyurl.com/3cfn85n>). It's a program that was discontinued because Mr. Randall wanted HIV/AIDS patients to have safe access, and President George H.W. Bush chose to end the program instead of extending it to patients in need. Today there are four living federal medical cannabis patients, one of whom, Irvin Rosenfeld," said Whalen.

Mr. Rosenfeld of Fort Lauderdale, Florida, one of the four (4) living federal medical cannabis patients in America will attend the press conference. He has been receiving medical cannabis from the government for almost 30 years. Outlined in his book "My Medicine," Mr. Rosenfeld explains how medical cannabis saved his life and how the current prohibitions on home cultivation harm more people than they help. Mr. Rosenfeld was also a friend of Robert Randall and will recall how the medical marijuana movement in DC began.

**Background on the failing Medical Marijuana Program in DC**

In 1998, District residents voted overwhelmingly in support of ballot Initiative 59 which allowed patients to use and grow cannabis for medicinal purposes. This ballot initiative was subsequently put on hold for over a decade by Congress through policy riders attached to the District's appropriations budget. However, in December of 2009 the policy rider known as the "Barr Amendment" was removed from the District's appropriations budget and former Council Chairman, now Mayor, Vincent Gray transferred the ballot initiative to Congress for their 30 day review period. But before the first Congressional review was even completed, DC Council members David Catania and Phil Mendelson introduced amendments that completely rewrote the ballot initiative to criminalize home cultivation of cannabis by District patients. At the public hearing in February 2010 at nearly every witnesses asked for patients to be allowed to grow their own medicine, but Councilmembers Catania and Mendelson refused to listen to patient advocates. In May of 2010 the District Council voted to approve the amendments and on July 27<sup>th</sup>, 2010 the second 30 day Congressional review expired making the amendments law.

In the year since Congressional approval, the previous Mayor introduced two drafts of implementing regulations (August 2010 & November 2010) and the current Mayor waited 4 months after being sworn-in and introduced a third draft of emergency regulations in April of 2011. These most recent regulations have not been signed yet by the Mayor nor approved by the District Council and are set to expire on August 11, 2011. Also in April, pursuant to the most recent draft regulations, the Department of Health issued a 60 day public notice for Letters of Intent to open a cultivation center or dispensary in the District. The public notice expired on June 17<sup>th</sup>, 2011 and while over 80 different individuals & organizations submitted Letters of Intent, they still have not been contacted by the Department of Health, and have been given no reason as to why the program is being unnecessarily delayed.

One likely reason for the delay is the Department of Justice memorandum that was issued at the end of last month. After states around the country requested clarification from the Department of Justice on the legality of their state's medical cannabis program, the memo was crystal clear: the Department of Justice will not go after patients but will go after organizations involved in the cultivation, processing, and distribution of medical cannabis. This underscores the error in District's medical cannabis law: patients should have always been allowed to grow their own medicine.

Had the District Council authorized patients to grow their own supply of medicine, as approved by voters over a decade ago, they would already have safe access to the medicine in the privacy of their own homes and would not have to live in fear of the Federal government intruding into their lives. Instead, the patients must wait for the Department of Health to allow applications to be submitted, wait for the applications to be scored, wait for the Advisory Neighborhood Commissions to submit comments concerning locations of facilities, wait for the facilities to be built, then wait another four months for the medicine to grow.

Patients have yet to achieve safe access to medical cannabis "marijuana" and it is unlikely they will be able to obtain their medicine until Spring 2012 at the earliest under the best circumstances. Today, AIDS, cancer, MS, glaucoma, and other sick patients are either going without their medicine that they voted for or they are resorting to finding medicine through unsafe and unregulated means to find relief. This puts vulnerable patients at risk for being arrested, hurt, or grow more ill. A year is too long and patients need safe access now.

The intent of the press conference is to establish the patient community is begging the council for an affirmative defense for patients with a doctor's recommendation who grow their own medicine. Personal cultivation is the safest model to ensure patient's supply of medicine is not interrupted by Federal intervention in the Districts medical marijuana program.

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