

May 9, 2012

Dear Representative,

As organizations committed to protecting public health and public safety, we join together to ask you to VOTE YES on the bipartisan Rohrabacher-Hinchey-McClintock-Farr Amendment to H.R. 5326, the Commerce, Justice, and Science appropriations bill currently under consideration in the House of Representatives. This amendment would prohibit the Department of Justice from using federal funds to prevent the implementation of state laws authorizing the use of medical marijuana. This amendment would save significant tax dollars, curb overfederalization of issues traditionally reserved for the states, and protect the states' rights to choose how to regulate medical marijuana without fear of federal interference. In recent months, the federal government has intensified its assault on medical marijuana states, undermining the ability of these states to faithfully implement the will of their citizens. This escalation has put the health of patients with cancer, HIV/AIDS and other illnesses in jeopardy – forcing them into an illicit market to access the medicine that they need.

Sixteen states and the District of Columbia currently provide legal protection under state law for seriously ill patients whose doctors recommend the medical use of marijuana. These effective medical marijuana laws have been passed by both popular vote and legislation. While state medical marijuana programs vary in significant ways, most are tightly controlled programs regulated by the state department of public health.

In the last 18 months, however, the DEA has raided and shut down many of these licensed and regulated dispensaries, which are legal under state law. Many compliant entities have been shut down, including industry leaders like the Berkeley Patients Group, which worked closely with the City of Berkeley to stay in strict compliance with local and state laws in order to serve critically ill patients in their community. The IRS has rejected standard tax deductions from legitimate medical marijuana providers. Federal threats have intimidated banks and landlords into refusing to do business with state-legalized and regulated medical marijuana dispensaries and care centers. The ATF has threatened the constitutional rights of medical marijuana patients to own a firearm. Free speech has also been under attack – at least one federal prosecutor threatened to target newspapers that accept advertising from medical marijuana providers. There have even been unprecedented threats against state employees executing state medical marijuana programs.

These threats have had a chilling effect on the implementation of medical marijuana programs throughout the country. New Jersey Governor Chris Christie cited potential federal interference as a reason for his hesitance to move forward with the state's medical marijuana program. Last year, Governor Lincoln Chafee of Rhode Island refused to implement the regulated distribution system created by his state's legislature out of concerns over federal raids, arrests, and prosecutions. While both Gov. Christie and Gov. Chafee ultimately moved forward with their state's medical marijuana program, these delays had a negative impact on resident's ability to access the medicine they need.

Gov. Chaffee later joined Washington Governor Christine Gregoire, Colorado Governor John Hickenlooper, and Vermont Governor Peter Shumlin in petitioning the federal government to reclassify marijuana as a drug with accepted medical uses. And just last week, House Democratic Leader Nancy Pelosi recently voiced strong concerns about the federal government's actions threatening the safe access to medical marijuana for patients in California.

At a time when all levels of government are cutting valuable programs in the interest of a balanced budget, the federal government should not continue to waste tax dollars interfering in states that have created a regulated system for providing access to marijuana to patients with legitimate medical need. Please VOTE YES on the Rohrabacher-Hinchey-McClintock-Farr Amendment to ensure sick patients have legitimate access to the medicine they need.

Sincerely,

American Civil Liberties Union
Center for NuLeadership on Urban Studies (NY)
Drug Policy Alliance
Healthy Communities Initiative (IN)
International CURE (Citizens United for Rehabilitation of Errants)
Justice Policy Institute
Law Enforcement Against Prohibition
Marijuana Policy Project
Mothers Against Teen Violence, Inc. (TX)
National Cannabis Industry Association
The National Organization for the Reform of Marijuana laws (NORML)
New Mexico Women's Justice Project (NM)
StoptheDrugWar.org
Students for Sensible Drug Policy
The Sentencing Project
Unitarian Universalist Association of Congregations
UpFront Programs (CA)