



# the Drug Policy Forum of hawai'i

**NEWSLETTER  
MAY 2001  
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## Update

### Medical Marijuana

by Pam Lichty

**LEGISLATIVE (IN)ACTION** As most of you know, Hawai'i's medical marijuana bill passed by the Legislature last year, and in effect since December 28, 2000, is imperfect. We might prefer, for example, that a caregiver could assist more than one qualifying patient at a time or that the amounts of cannabis permitted be more generous. Nonetheless, as residents of the only state to pass such a measure legislatively, many proponents felt justifiably proud.

However, bills were introduced in the 2001 Legislature to amend the law – despite it having been in effect for only a few months. SB1182 and SB 1230 were introduced by Senators David Matsuura (D-Hilo) and Norman Sakamoto (D-Moanalua-Salt Lake) respectively and would have made substantial changes to the new law. Sakamoto's would have re-inserted many of the most objectionable provisions of the proposed rules – which were removed thanks to the eloquent testimonies of many of you in the public hearings last fall. It also would have excluded certain public employees such as firefighters, police officers and lifeguards from inclusion in the program.

One of the bills would have removed the responsibility for the Department of Health to add new covered conditions via petition leaving no mechanism for adding new diseases. Other changes would have tightened restrictions on where the medicine could be used and removed the \$25 ceiling on the registration fee.

*(Continued on page 2)*

## Legislative Report

by Kat Brady

**G**overnor Cayetano exhibited some real out-of-the-box thinking at the 2001 session of the Hawai'i State Legislature by introducing a bill modeled on Arizona's Proposition 200 and California's Proposition 36 – treatment in lieu of incarceration.

health track. The frequent refrain from some legislators was "drug offenders need a hammer." The fact that drug addicted people don't actually use their critical thinking skills when the drugs control them was lost on some of the legislators (some of whom seem lacking in that department as well.)

*(Continued on page 4)*

Substance abuse is  
a public health  
problem, not a  
criminal justice  
problem.

–DPFH

SB 1188 would have created a TRUE diversion program for pre-trial, probation, and parole nonviolent drug offenders by sending them directly into community treatment programs rather than to prison. Amazingly, this bill was alive all through the session, which gave its broad cross-section of supporters a chance to raise very important issues about substance abuse in an effort to educate our lawmakers. Our main message was: Substance abuse is a public health issue, not a criminal justice problem, therefore a true diversion program which sends the offender directly into treatment is a public

### About the DPFH

The Drug Policy Forum of Hawai'i seeks to serve the public by providing information and encouraging the widest possible discussion of current drug policies and alternatives. Our purpose is to facilitate the development of effective drug policies that minimize economic, human and social costs.

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#### ALSO IN THIS ISSUE

Conference on Medical Marijuana.....	3
Meet the New Drug Czar.....	3
Swiss Move to Legalize Cannabis.....	6
Will Foster Freed.....	7

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## Medical Marijuana (Continued from page 1)

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Sakamoto, some may recall, was the chief opponent of the mmj bill last year ("Mr. President," he intoned, holding up a doily-like paper, "this bill is full of holes.") Sen. Matsuura was one of only 10 senators who voted against the measure in 2000. By the year 2001, due to a Senate shake-up, he had become Chair of the Health Committee and Vice Chair of the Judiciary Committee. The Chair of the latter, Brian Kanno, was also new in his position. In fact, neither of them had served on either the Health or Judiciary Committee until this Session. Hence, neither was exposed to the many hours of testimony on medical marijuana in the hours-long hearings of 1999 and 2000.

I'll skip many of the details of the machinations of these bills. Suffice it to say that the leaders of the relevant House committees - Dennis Arakaki of Health and Eric Hamakawa of Judiciary - held the line. Although they may have been tempted to tinker with the law, they knew that it was barely off the ground. As Session opened there were less than a dozen patients with registration cards and very few doctors willing to sign certifications.

Here is a cautionary tale which shows that you can never breathe easily until the Legislature has actually adjourned. Of the two Senate bills mentioned earlier, one (SB 1182) passed through its two committee referrals (Health then Judiciary), then passed on the Senate floor (despite some eloquent floor speeches against it by Avery Chumbley, Sam Slom and others) and over to the House. There it was effectively killed by the refusal of the House Committees to hear it. Senator Matsuura, in a legal but underhanded move, then scheduled a hearing on an unrelated bill - SB321 Relating to Controlled Substances. Because the bill's title was appropriate, it was possible to amend it to include changes to the mmj law. It originally dealt with minor changes to procedures in the Narcotics Enforcement Division of the Department of Public Safety (where the mmj registry is housed as you all know).

Matsuura passed out a new draft of the bill incorporating **both** "bad" bills: SB 1182 and the even worse SB1230. This

latter one, mind you, had never received a public hearing. The newly amended bill then went to Senate Judiciary. Since it was late in the Session, and crunch time, Sen. Kanno scheduled a hearing with only written testimony accepted. Since there was thus no public discussion nor scrutiny, his committee passed it out, amending it only to remove the most objectionable provision (giving the patient registry list directly to the police chiefs of each county - ostensibly to save PSD the \$40,000 they had requested for someone to answer the phone after hours.)

The new bill, now HB321, HD1, next went (routinely) to conference committee. There it died an unlamented death because the House side would not go to conference on it.

A big mahalo to all of you who contacted legislators to tell them it was premature to make any changes to a law in effect for less than 6 months.

### WHAT LIES AHEAD?

DPFH is writing a brochure for both doctors and patients explaining the details of the mmj law. It seems clear that, unlike in other states, neither the agency in charge nor the state medical association plans to do so. We have purposely waited until now - despite a large number of inquiries - to see if the Legislature would take any action. We anticipate that the brochures will be ready by late summer.

We continue to receive complaints from patients that the Narcotics Enforcement Division (NED) is slow to process applications. Despite an agreement with Public Safety Director Ted Sakai that temporary forms would be issued immediately upon receipt of the required materials, this does not seem to be happening. DPFH will be seeking a meeting with Sakai over the summer to address concerns including the distinctly intimidating language of the application form itself. (If you wish to comment on this or any other problems you may be having, please contact mmj committee chair Jeff Crawford at 261-5184 or [execdevelopment@usa.net](mailto:execdevelopment@usa.net).)

According to NED Chief Keith Kamita, as of May 11 there were 178

patients registered and 38 doctors participating. This is an improvement from the start-up of the program, but still a tiny number. We are hopeful that the UH conference at the end of May will educate more physicians and encourage them to issue certifications for their patients (see article for details.)

On the national front, the Oakland Cannabis Buyers' Cooperative case was decided by the US Supreme Court on May 15, and has created quite a stir. Please note that this case will not directly affect our law since it deals only with distribution issues. It will, however, have an impact on individuals here who hope to start some type of organization or system to provide cannabis to those unable to obtain it or grow it on their own or through a caregiver.

Some of you have expressed a desire to see the mmj law strengthened next Session. DPFH agrees that this would be desirable. Being realistic, however, we ask you to look again at the description of what happened in the Legislature this year and to remember that the same individuals will almost certainly remain in power next Session. It may be necessary to bide our time until after the 2002 elections. —pau

## Ho'omaluhia Award for 2001

As you go about your drug reform work during the rest of this year, please keep in mind that the annual Ho'omaluhia Award will be awarded to someone for their outstanding work towards bringing sanity to the War on Drugs. DPFH will be soliciting nominations later in the year.

## Summer Interlude

Since most of the DPFH board members will be away at different times during the summer, we have not scheduled any major events for those months. We are planning to resume full speed with an event focusing on crystal meth in the early fall. Stay tuned.

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# Conference on Medical Marijuana

Some of nation's best known experts on the medical use of marijuana will be featured at a conference in Honolulu on May 30 and 31<sup>st</sup> at the Ala Moana Hotel. Entitled "Marijuana 2001: Medical and Social Issues", it is co-sponsored by the Department of Psychiatry at the UH School of Medicine and the Hawai'i Consortium for Continuing Medical Education. The cost is \$225 for physicians (including CME fees) and \$125/175 for non-physicians (earlybird/regular registration).

Featured speakers include Dr. Lester Grinspoon of Harvard Medical School, one of THE experts on medical cannabis in the country, as well as Dr. Donald Abrams from UC San Francisco who, as most of you know, has been doing research on the effects of smoked marijuana on people with AIDS. Also present will be attorney Jonathan Weissglass of San Francisco who is co-counsel on *Conant v. McCaffrey*, the case ensuring First Amendment rights for physicians.

Local panelists will include Big Islanders Dr. Bill Wenner and former State Senator Andy Levin as well as Department of Public Safety Director Ted Sakai and several Hawai'i-based physicians.

The Hawaii Consortium for Continuing Medical Education has designated this educational activity for a maximum of twelve (12) hours in category 1 credit toward the AMA Physician's Recognition Award. Twelve (12) CEU credits for Certified Substance Abuse Counselors have been designated.

**Conference information can be found at <http://hawaiiresidency.org/PsychiatrySite/PDF/AddictionsConf2001.pdf>**

*or*

**Contact Anne Taylor at (808) 586-2904.  
DON'T MISS THIS ONE!**

# Meet the New Drug Czar: Worse Than the Old One

by  
Don Topping

President Bush's nomination of John Walters as the new head of the Office of National Drug Control Policy (the "drug czar") and Rep. Asa Hutchinson as the head of the DEA speaks volumes of what we can expect from the Bush administration's approach to drug policy: lock more of them up and throw away all the keys. These appointments, coupled with John Ashcroft as Attorney General do not bode well for the drug reform movement.

From all accounts, the 49-year-old Walters seems never to have met a mandatory minimum sentence he didn't like or a drug user he did. As head of the drug czar's office of supply reduction under Bennett and Bush the senior, Walters made frequent Capitol Hill appearances to cheerlead for ever more drug interdiction funds.

Upon leaving office, Walters became president of the New Citizenship Project, which promotes an increased role for religion in public life. He co-authored the book "Body Count: Moral Poverty and How to Win America's War Against Crime and Drugs," which created the bogeyman of the youthful "superpredator" with Bennett and John J. DiIulio, who is currently running Bush's faith-based initiative campaign. Later, Walters moved to the Philanthropy Roundtable, an organization that steers potential donors to properly conservative charitable causes.

The reason for the increase in drug use in the 1990s was "a failure in federal policy," Walters testified before Congress, strangely accusing the Clintonites of "de facto legalization" for failing to stop all drugs from entering US borders.

Not one to merely carp, Walters also presented the senators with a six-point anti-drug policy of his own device, one that may be viewed as a blueprint of a Walters czardom:

- The president must use his "bully

pulpit" to propagandize against drug use.

- Get tough in Latin America. (In his testimony, Walters criticized Clinton for temporarily halting US aid for one of his favorite programs — the Peruvian "fly and die" airplane shoot-down program. In oddly non-prescient words, Walters wrote, "This is an opportunity to save American lives by helping the Peruvians press their attack on traffickers.")

- Increase US military involvement in the drug war.

- War on marijuana. ("Federal marijuana penalties need to be stiffened," Walters testified, "and federal eradication efforts need to be invigorated.")

- Keep the crack-powder cocaine sentencing disparities in place.

- Favor confrontational and faith-based drug treatment programs. (Walters cited Phoenix House as the sort of "tough program" addicts need, and added that, "Religiously based programs should be eligible for funding, and addicts who seek publicly funded treatment should be required to enter rigorous programs and face real sanctions if they fail to complete them.")

Walters has also spoken out on other drug policy-related issues. He harshly criticized Gen. McCaffrey for insufficient efforts to snuff out the medical marijuana rebellion in California in 1996. He was equally skeptical of drug courts. In a 1997 article on drug courts in Connecticut in the *Christian Science Monitor*, Walters said, "You can have change for the sake of novelty. Connecticut can do whatever it wants, but if you want to know what works here, it's tough enforcement, hard-headed adequately funded treatment, and hard-headed adequately funded prevention."

Walters also likes drug testing. He told the House of Representatives in March 1996 that "pre-employment testing ought

*(Continued on page 6)*

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# The Wild World of Media

by Pam Lichty

We hope that many of you saw or heard DPFH's first public service ads which ran on local television stations for the last 3 ½ weeks of the legislative session. The two 30 second spots aired on KGMB 9 (CBS), KITV 4 (ABC), and FOX 2 during the morning, afternoon, and evening news slots, as well as during selected prime time shows. In addition to the purchased time slots, each station also donated roughly equivalent time to show the spots during daytime and late night programming. The ad featuring Judge Doi was also made into a radio spot which ran on KSSK during the same time period.

The theme of both spots is "Treatment Works; Prisons Don't". The first ad

featured retired Circuit Court Judge Masato Doi. The second one featured Dancetta Feary Kamai, sister of the late Kalapana singer Mackey Feary (who died in Halawa Prison).

The reaction to both spots has been extremely positive and we are very excited about this new venture. The ads were funded by a grant from the Educational Foundation of America. Based in Westport, Connecticut, EFA is a family foundation connected to the Prentice Hall publishing company. (Check them out, if you like, at [www.efaw.org/](http://www.efaw.org/)).

Both ads can now be seen on our website in streaming video ([www.drugsense.org/dpfhi](http://www.drugsense.org/dpfhi)) The spots are

eye-catching and highly professional and have already created something of the buzz we hoped for. We believe they will play an important role in educating the public and policy-makers that a public health approach to drug problems makes more sense than prison.

## OUR HEARTFELT THANKS TO:

- The Educational Foundation of America
- Judge Masato Doi
- Dancetta Feary Kamai
- Peter Gellatly of Network Media and Out of Prison Services (OOPS)
- Stuart Yamane of KHET who produced and directed the spots pro bono
- Mike McCartney of KHET who allowed us to use the station facilities
- Michael Powell, long-time DPFH member, who edited the spots pro bono
- Phyllis Kihara and Nina Song of KGMB who helped with media contacts and purchasing of air time and
- to the DPFH committee which worked on the grant and development of the ad campaign: Don Topping, Darlene Hein, Karen Umemoto, Nicki LaRosa and Nalani Mattox.

We plan to run the ads again in late fall after we have obtained additional funding. (Television time in particular is incredibly expensive.) Your tax-deductible contributions, earmarked for this use, would be most welcome. Once again, a big Mahalo to all!

## Legislative Report

(Continued from page 1)

As the bill moved through its various committees it "morphed" in many ways. The final House amendments to the bill, however, made it the best incarnation because it included crystal methamphetamine/ice users and repealed the Class C felony for possession of ice. These amendments made it very controversial to our more conservative legislators.

The bill died in conference committee because the Senate insisted on doing a "study" (Hawai'i's way of doing nothing but giving the appearance of doing something) and would not accept the House amendments. It was pointed out to the Senate that the bill actually called for the study they wanted done during the first year (2001-2002).

The proposed study called for an analysis of treatment programs in the community and identifying the gaps that exist, clarifying the number of offenders eligible for the program, creating a 'best practices' manual for providers, and doing a cost-benefit analysis of the potential savings to the state by implementing a true diversion program. The bill specified that the diversion program would not be implemented until the data were collected - 2003.

On the upside, however, the Depart-

ments of Health and Public Safety have committed to doing the data collection and we will be back next session working to bring some sanity to this failed war on drugs - which is actually a war on families.

Also on the positive side, a really bad bill which would have 'enhanced' the mandatory minimum for ice from 1 to 2 years was killed. The testimony was so sharp and well documented, that the committee voted to not embarrass themselves.

We did make our case well, since the budget committees recognized the wisdom of treating substance abuse as an illness and allocated \$4.4 million for the next two years to the Department of Health for treatment of pre-trial, probation, and parole drug offenders. The Department of Public Safety was also appropriated \$1.28 million for substance abuse treatment programs in their facilities.

All in all, we made a good case and laid a solid foundation for next session. *Mahalo nui loa* to everyone who testified, sent in testimony, or came to the hearings to support these important initiatives. Next session, we need lots of you there to solidly illustrate that the community supports treatment in lieu of incarceration. —pau

## Newsletter Information

The DPFH welcomes feedback on its newsletter. Send questions, comments and submissions to the above address or e-mail.

Note that all articles contained in the DPFH Newsletter are for informational purposes only and do not necessarily represent the views of the DPFH or its members.

Website Information

URL: <http://www.drugsense.org/dpfhi>

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# Summary execution of drug suspects Not limited to Peru

**A**lthough reports from Peru that an unarmed civilian plane had been shot out of the sky, killing a young mother and her infant daughter produced howls of outrage from US media, the practice is neither new nor a uniquely foreign phenomena.

In all the editorials and Op-Eds written about the Peruvian shoot-down, there has been no recognition that such summary executions by law enforcement have been well established practice within our own borders. The vast majority of the victims have been unarmed; many have been innocent of any criminal activity; most are black or Hispanic. The police responsible for the shootings are almost never charged with a crime, and in fact, are rarely disciplined.

The following list of cases, while not exhaustive, is representative of such incidents which have occurred in the US. They are all well documented by articles from US print media, most of which can be accessed at: [www.mapinc.org/drugnews](http://www.mapinc.org/drugnews)

**Alberto Sepulveda** - 11-year-old boy killed in his room of a shotgun wound to the back by a SWAT team conducting a drug investigation on his father.

**Esequiel Hernandez** - a teen-ager, was herding his family's goats near the Mexican border when a U.S. Marine in an anti-drug patrol shot him to death.

**Pedro Oregon Navarro** - shot to death in the bathroom of his home by police officers without a warrant. No drugs were found in the home and, blood tests on Navarro's corpse came back negative.

**Patrick Dorismond** - killed by an undercover cop after refusing to buy drugs.

**Ismael Mena** - Father of nine killed while crouched on his bedroom floor where he'd been sleeping during no-knock drug raid by officers acting on a tip that drugs were being sold in, as it turns out, the house next door.

**Donald Scott** - killed at his home in front of his wife during a drug raid looking for marijuana.

**John Adams** - shot and killed in front of his wife after police broke into his home while serving a drug warrant. They were supposed to raid the house next door.

**Mario Paz** - grandfather shot twice in the back in front of his wife at the hands of police in SWAT operation looking for marijuana. No drugs were found.

**Annie Rae Dixon** - bedridden 84-year old killed by police in a drug raid based on testimony from a bogus informant. No drugs were found in the home.

**Rev. Accelyne Williams** - Methodist minister chased around his apartment by members of a police team conducting a no-knock raid looking for drugs and guns. He collapsed and died of a heart attack at the age of 75. No guns or drugs were found, as it was soon discovered they raided the wrong apartment.

**Prince Jones Jr.** - innocent man chased and shot 6 times in the back after failing to obey instructions from undercover police officer.

**Amadou Diallo** - standing in doorway of his apartment building, struck 19 times in the spinal cord, lungs, liver, spleen, kidney, intestines, and legs, when he failed to comply to a command of freeze shouted towards him by officers dressed in plain clothes and driving an unmarked patrol car.

**Lynette Gayle Jackson** - police shot and killed her in her bed during drug raid. Police would not say if officers found any drugs in the raid.

**Bruce Lavoie** - awakened and shot to death as his little boy watched helplessly in no-knock drug raid. Police found one cannabis cigarette butt.

**Scott W. Bryant** - shot in view of his 7-year-old son by police serving a no-knock warrant. Bryant was unarmed and did not resist in any way. Police later reported finding less than 3 grams of marijuana (enough for 2 or 3 cigarettes).

**David Aguilar** - innocent man killed

by gunshot wound to the chest by undercover agent of the federal Drug Enforcement Administration staking out Aguilar's neighborhood.

**Delbert Bonar** - shot 8 times by police serving a marijuana arrest warrant for his son. Police found a small amount of marijuana belonging to his son. Mr Bonar had no criminal record, and had never even been arrested.

**Ramon Gallardo** - of Dinuba, Calif., shot 15 times in 1997 by a SWAT team with a warrant for his son

**Raymond J. Sanchez** - father of four died after being shot trying to flee a drug raid.

**Juan Mendoza Fernandez** - 60-year-old shot and killed by police serving narcotics search and arrest warrants at his home.

**Earl Murray and Ronald Beasley** - shot in their vehicle by detectives attempting to arrest Murray for selling a small amount of cocaine to an undercover officer.

**Son of Bobby and Kathy Bowman** - eight-year-old killed in his bed by narcotics detective, thinking that his father, a suspected drug dealer, was about to leap out a window.

**Demetrius DuBose** - unarmed, killed after being shot 12 times, including five times in the back during confrontation with police.

**Jeffrey Truax** - killed while leaving a nightclub by two officers moonlighting as security staff who fired 25 bullets into his car.

**Jesse Vicencio** - witnesses contend he was shot without warning, as the alleged drug dealer leaned into an undercover officers' car.

**Troy James Davis** - shot twice in the chest at his house during no-knock raid based on an informant's tip that there was marijuana in the house.

*(Continued on page 6)*

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# Swiss government moves to legalize Cannabis use, production and sale

Swiss government officials recently endorsed draft legislation that recommends police stop enforcing laws prohibiting the cultivation and sale of small amounts of marijuana. The move comes on the heels of a nationwide poll indicating that more than one-quarter of

the population has used the drug, and that 54 percent favor liberalizing marijuana laws.

“Decriminalizing the consumption of cannabis and the acts leading up to this takes account of social reality and

unburdens police and the courts,” lawmakers representing the seven-member Federal Council announced Friday. Council members proposed the law change after consulting with the country’s cantons, political parties, and export commissions, and finding strong support for softening Parliament’s stance on marijuana.

## Meet the New Drug Czar

*(Continued from page 3)*

to be able to be done everywhere, Congress, the Judiciary, the Executive Branch,” and that federal employees should be subjected to “random testing.”

To give Walters the benefit of the doubt, we note that all of his remarks above came from the dark ages of the mid-1990s. Much has occurred in drug policy since then, and perhaps Walters’ views have evolved over the years. Not likely, if his March 2001 article in the conservative *Weekly Standard*, “Drug Wars: Just Say No... To Treatment Without Law Enforcement” is any indication.

In an article published in the conservative *Weekly Standard*, March 2001, Walters wrote that “law enforcement and punishment would be natural partners of the treatment providers” if only people quit treating drug addiction as a disease. After all, he asserted, “Coerced treatment works at least as well as voluntary treatment.”

But all of this is just the warm-up for his main argument against some of the “great urban myths of our time.” Those myths, according to Walters, are (1) we are imprisoning too many people for merely possessing illegal drugs, (2) sentences are too long and harsh, and (3) the criminal justice system is unfairly punishing young black men. —pau

## Summary execution

*(Continued from page 5)*

**Manuel Ramirez** - shot by police in no-knock raid based on a tip. No drugs were ever found.

**Manuel Ramirez** - in a no-knock drug raid police and SEALs burst into his apartment and shot Ramirez twice in the chest in front of his family without announcing who they were, or giving any order to drop the weapon before firing.

**Antione Thomas** - expectant father killed from single gunshot wound to the head during a confrontation in his building with a plainclothes police officer.

**John Fellin** - shot five times and killed by a drug task force in his home. He died in front of his live-in girlfriend and one of his three children.

**Ronald C. Loop, Jr.** - suspected of marijuana dealing, Loop had just picked up a Federal Express package that contained 10 pounds of marijuana. He was unarmed and was shot as he fled from police outside his home.

**Leon Kelly** - Age 15 at time of death by an undercover police officer who had been drinking before he fatally shot the teen. Tests showed Leon had traces of marijuana in his blood.

**Curt Ferryman** - unarmed man shot in his car by DEA agent.

**Barry Hodge** - was shot and killed in front of his wife during no-knock raid looking for marijuana. Wife of victim contends police never identified themselves when they broke down the front door of their home. —pau

Officials stated that the proposed policy would also tolerate the creation of private establishments, similar to so-called Dutch coffee-shops, that would sell small amounts of marijuana. In 1999, the Swiss Federal Commission for Drug Issues recommended Parliament legalize the possession and use of marijuana, and implement a national policy “making it possible for cannabis to be purchased lawfully.”

The government’s decision to liberalize its marijuana laws ignores pressure from United Nations officials, who last month chastised Swiss drug policies as overly lenient.

In recent years, several European nations - including Italy, the Netherlands, Portugal and Spain - have stopped enforcing criminal laws prohibiting the possession and use of marijuana. Last January, Belgium became the latest European country to decriminalize marijuana.

German courts have also ruled that minor marijuana possession should not be a criminal offense. But federal legislators have yet to amend the law to reflect that sentiment.

Since the 1970s, most European countries have pursued marijuana policies contrary to those of the United States, which rely almost exclusively on arresting and punishing users. —pau

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# Will Foster freed from jail: 93 years for medical marijuana

**W**ill Foster, the Oklahoma medical marijuana patient who was sentenced to 93 years in prison for keeping a small cultivation room in his basement, has been released on parole.

Foster, a 42-year-old father of two, was arrested in 1995 for growing marijuana in the basement of his Tulsa home. He used the marijuana to relieve chronic pain caused by acute rheumatoid arthritis.

When police raided Foster's home on December 28, 1995, they were acting on a fraudulent tip that Foster was selling methamphetamine. The raid terrified Foster and his family including their 5-year-old daughter who watched police tear apart her teddy bear looking for drugs. Only when they forced open a locked steel door did police find Foster's small, 25 square-foot growing room.

At the time of the raid, Foster was a highly paid computer programmer. "My medical use of marijuana never interfered with my work, I ran a successful business. I told my conservative doctor what I was

doing; he did not really agree with it cause of the health risk of smoking, but he witnesses my positive results. I was minding my own business taking care of my health and my family. What was I doing to anybody that got me 93 years?"

In 1998, an appeals court found that the 93-year term "shocks our conscience" and reduced the sentence to 20 years, which opened up the possibility of parole for Foster.

The parole board quickly issued a unanimous recommendation for the release of Foster. Oklahoma governor Frank Keating made the unusual move of turning this down. The next year Foster came up for parole and he received the recommendation of the board but Keating rejected it. On his third attempt at parole, Keating was busy being a candidate for attorney general and then the drug czar. Only when it was clear that Keating would not get either position did he finally agree to release Foster.

Foster immediately flew to California where he plans to rebuild his life.

## Canada, British docs opine for drug-law reform

**Washington, DC** — Two of the world's leading medical journals have thrown their support behind amending North America's drug laws.

Editors of the Canadian Medical Association Journal (CMAJ) opine in their current issue that the recreational use of marijuana should no longer be a criminal offense. They argue that the health and social risks posed by marijuana are minimal compared to the negative consequences of a criminal arrest and record, and urge Parliament to amend the law.

They write: "The possession of small quantities [of marijuana] for personal use should be decriminalized. The minimal negative health effects of moderate use would be attested to by the 1.5 million Canadians who smoke marijuana for recreational purposes.

The editors also praise Health

Canada's recent decision to codify the medical use of marijuana for qualified patients, noting that about 400,000 patients nationwide use it medicinally.

A separate editorial appearing in the March 31 issue of *The Lancet* — the United Kingdom's top medical journal — further criticizes the futility of drug prohibition and America's present anti-drug strategies. Entitled "Rethinking America's 'War on Drugs' as a public health approach," editors call upon U.S. politicians to "redirect many of the resources currently used for law enforcement," and pursue harm reduction strategies such as expanded treatment for addicts.

The editors opine: "It is time for America to move beyond its moral crusade and adopt a public health approach to the problem of drug abuse, an approach that is likely to be much more successful and certainly more humane."

## California medical pot clubs Open despite court ruling

**San Francisco, CA** — Medical marijuana dispensaries in northern California and elsewhere throughout the state remain open despite Monday's Supreme Court ruling stating there exists no medical exemption for the manufacture and distribution of marijuana under federal law.

According to the San Francisco Examiner 5/16), medical marijuana proprietors "reacted with a shrug . . . and said they plan to continue holding regular hours until someone tells them otherwise." The Oakland Cannabis Buyer's Cooperative — which was the sole defendant in the Supreme Court case — also remains open as a patient resource center, but no longer distributes medicinal marijuana.

California NORML Executive Director Dale Gieringer said it would be a "serious mistake" for the federal government to try and close the state's medical marijuana dispensaries. "The clubs provide a valuable service to their members and their communities," he said. "Not only do they provide countless thousands of patients with relief from otherwise intractable illnesses, but they also promote public safety by taking the marijuana traffic out of the hands of street dealers."

Rather than cracking down on dispensaries, "the government would be better advised to change its policy," he said. "The federal government lacks the manpower, competence and moral authority to prevent the medical use of marijuana."

## Help wanted: Webmaster Videographer

DPFH is looking for someone who can manage the DPFH website on a part-time basis. Also, we are looking for someone who can videotape our public events, edit, and place them on 'Olelo for viewing.

Limited funds are available for this assistance.

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## HAVE YOU EXPIRED???

As most of you are aware, DPFH depends on membership dues and contributions to cover the costs of this newsletter, announcements, flyers, and other such expenses. All office expenses are covered by personal funds of the officers, and funds for bringing in speakers from the mainland are provided through a grant from the Drug Policy Foundation. To keep the newsletter and other announcements coming, **we need your help.**

To save us the cost of sending out individual reminders, please check your mailing label for your membership expiration date, and take appropriate action. **Mahalo.**

### YES! I WANT TO HELP D.P.F.H. PROMOTE DISCUSSION OF DRUG POLICIES!

*Please accept my TAX-DEDUCTIBLE membership donation:*

\$10 Student/Low Income or Gift Membership

\$35 Organization Membership

\$25 Regular Membership

Other \_\_\_\_\_

**From the D.P.F.H.**  
Changes in current drug policies will not be advanced by elected officials or those with vested interests in maintaining them. The D.P.F.H members believe that in an open debate, reason and truth will prevail. Your help is needed in making that happen.

**MAHALO!**

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