

## Medical Marijuana Overview

All 13 state medical marijuana laws currently in effect are working effectively and protecting patients from arrest.

A clear majority of the public and many prominent religious and medical organizations support seriously ill patients' right to use medical marijuana without risking arrest and imprisonment.

### Marijuana's Medical Value

- Studies show that many patients suffering with HIV/AIDS, glaucoma, cancer and chemotherapy, multiple sclerosis, epilepsy, and other debilitating illnesses find that marijuana provides relief from their symptoms.
- "Nausea, appetite loss, pain and anxiety are all afflictions of wasting and can be mitigated by marijuana."  
— Institute of Medicine, *Marijuana and Medicine: Assessing the Science Base*, 1999
- "ACP urges an evidence-based review of marijuana's status as a Schedule I controlled substance to determine whether it should be reclassified to a different schedule. ... ACP strongly supports exemption from federal criminal prosecution; civil liability; or professional sanctioning, such as loss of licensure or credentialing, for physicians who prescribe or dispense medical marijuana in accordance with state law. Similarly, ACP strongly urges protection from criminal or civil penalties for patients who use medical marijuana as permitted under state laws. ... Evidence not only supports the use of medical marijuana in certain conditions but also suggests numerous indications for cannabinoids."  
— American College of Physicians, *Supporting Research into the Therapeutic Role of Marijuana*, 2008
- Available prescription drugs often come with far more serious side effects than marijuana, and many patients who find relief from marijuana simply do not respond to prescription medications. Smoking or vaporizing marijuana are much more effective delivery methods than pills for many patients: The drug works instantly, the dosage may be controlled by the patient, and there is no problem "keeping it down" since it cannot be vomited back up.
- Cocaine, morphine, and methamphetamine may all be legally administered to patients — so why not marijuana, which has a far lower rate of dependency and on which no one has ever overdosed?

## State Laws

- Under state law, 13 states currently provide legal protection for seriously ill patients whose doctors recommend the medical use of marijuana: Alaska, California, Colorado, Hawaii, Maine, Michigan, Montana, Nevada, New Mexico, Oregon, Rhode Island, Washington, and Vermont. Ten of those states issue ID cards to patients who provide their doctors' recommendations to a state or county agency. Michigan will begin issuing ID cards in April 2009.
- All state medical marijuana programs are working well and protecting patients. Since 1996, when the first effective medical marijuana law passed, data have shown that concerns about these laws increasing youth marijuana use are unfounded: No state with a medical marijuana law has experienced a statistically significant increase in youth marijuana use since the law's enactment. In fact, all states have reported overall decreases — exceeding 50% in some age groups.

## The Issue of Federal Law

- Federal law does not prevent states from removing state criminal penalties for the medical use of marijuana. Nothing in the U.S. Constitution or federal law prohibits states from enacting penalties that differ from federal law.
- The U.S. Supreme Court's 2005 ruling in *Gonzales vs. Raich* did not change states' ability to enact medical marijuana laws. The ruling simply maintained the status quo by affirming that the federal government may prosecute medical marijuana patients.
- Although the medical use of marijuana is not yet allowed under federal law, removing state criminal penalties can still provide almost complete protection to patients, since 99% of all marijuana arrests are at the state and local level.
- A federal appellate court has ruled that the federal government cannot punish — or even investigate — physicians for discussing or recommending the medical use of marijuana with patients.

## Support from the Public

- An October 2005 national Gallup poll found that 78% of Americans favor "making marijuana legally available for doctors to prescribe in order to reduce pain and suffering."
- Voters in nine states -- four red and five blue -- enacted medical marijuana laws by statewide ballot initiatives. The most recent of these, in Michigan in 2008, received 63% of the vote, more than the 57% President-Elect Obama received in the state.

## **Support from the Medical Community**

*American College of Physicians • Institute of Medicine • American Public Health Association • American Nurses Association • American Academy of HIV Medicine • Leukemia and Lymphoma Society • Lymphoma Foundation of America • American Medical Student Association • the state medical societies of New York, Rhode Island, and California • Scientific American*

- The American Medical Association "*calls for further adequate and well-controlled studies of marijuana*" and believes that "*effective patient care requires the free and unfettered exchange of information on treatment alternatives and that discussion of these alternatives between physicians and patients should not subject either party to criminal sanctions*" — These views stand in sharp contrast to the actions of the federal government, which has systematically hampered research and attempted (unsuccessfully) to bar doctors from recommending marijuana to their patients.
- According to a 2003 WebMD Medscape poll, 76% of physicians and 86% of nurses favor "the decriminalization of marijuana for medicinal purposes."

## **Support from the Religious Community**

*United Methodist Church • Presbyterian Church • United Church of Christ • Episcopal Church Unitarian Universalist Association • Union of Reform Judaism • Progressive National Baptist Convention*

## **Support from the Press**

*The Economist • New York Times • USA Today • San Francisco Chronicle • Chicago Tribune • Washington Post • New York Daily News • Las Vegas Sun • Roanoke Times • Los Angeles Daily News • The Tennessean • Rocky Mountain News • Newark Star-Ledger • Los Angeles Times • New Haven Advocate • Providence Journal • Hartford Courant • Honolulu Star-Bulletin • Baltimore Sun • Daily Record • Reason Magazine*

And many, many more...