

ACTION ALERT:

Patient Rights Under Attack in Colorado

There are now two law enforcement bills working their way through the Colorado state legislature that would seriously harm medical marijuana patients and their caregivers in Colorado. Both of these bills have seen strong support from legislators, both Democrats and Republicans.

Law enforcement bill #1 (SB109) would destroy the confidentiality of the Registry by allowing the government to use patient records to determine "suspicious" activity by physicians. It allocates over \$1 million of patient registration fees to prosecute these "suspicious" physicians.

The bill's sponsor, Senator Chris Romer (D-Denver), promised the Cannabis Therapy Institute repeatedly that he would use patient registration fees to create 24/7 access for law enforcement of the Registry so that police could confirm whether a patient was legal after business hours and on weekends. This has been the #1 patient concern for years and would prevent many patients from being arrested and taken to jail simply because the Registry offices were closed. Instead, Romer wants to use patient fees to prosecute those patients' physicians, allowing unprecedented access to the formerly confidential Registry.

Law enforcement bill #2 (HB 1284) is a 49-page regulatory monstrosity that seeks to eliminate 95% of existing dispensaries. It creates a state medical marijuana licensing board run by the Department of Revenue. Dispensaries would have to get a state license, a local license, and a cultivation license. Dispensaries would be subject to warrantless searches of their premises. Law enforcement would be able to come in as often as they wanted to count and weigh a dispensary's cannabis and search through patient records to make sure the dispensary didn't have "too much". Law enforcement would be able to track patients as well, to make sure they weren't purchasing "too much" medicine. HB1284 would create a new class of law enforcement official, the "medical marijuana enforcement investigator" that would be in charge of these warrantless searches.

Senator Romer, one of the co-sponsors of HB1284, discussed the bills at a meeting of the Medical Marijuana Business Alliance on April 15, 2010 at the Loews Hotel in Denver. His comments were shocking to the audience.

Romer described the new regulatory regime. "The Department of Revenue will regulate it with guns," he said. "Auditors with guns will be in your dispensary every 5 to 7 days" to count and weigh your medicine. Since you will be seeing so much of your auditor, Sen. Romer said, "Your auditor will be your best friend. Yes, he will have a gun, but that will be OK." Romer repeated the phrase "auditors with guns" dozens of times in his 20 minute speech, almost seeming gleeful at the thought. Romer also said that the progress on HB1284 has been stalled because "we're trying to figure out exactly how many auditors with guns we will need."

The big bombshell fell when Romer was asked how much a state dispensary license would cost. He replied that the fee might be around \$50,000 a year, maybe more.

This is the future of medical marijuana: the Law Enforcement Model to Medicine. Readers in other states should be wary as well. Law enforcement all over the country will be using Colorado's regulatory regime as a model for their own state's regulations down the road.

TAKE ACTION NOW!

Call or email your local House and Senate Members and ask them to:
VOTE NO ON HB1284 and SB109

House Offices: (303) 866-2904
Senate Offices: (303) 866-2316

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