

# the Ally



DPA New Jersey State Director Roseanne Scotti, pictured with talk show host Montel Williams at our conference last November (see pages 4-5). Williams, who suffers from multiple sclerosis and uses medical marijuana to relieve chronic nerve pain, was honored by DPA for his groundbreaking journalism and outspoken advocacy on behalf of medical marijuana patients and providers.

## Your Support Pays Off in New Jersey

DPA's efforts in New Jersey over the past seven years have transformed it from one of the worst states for drug policy to a cutting edge leader. In January, the state passed two major reforms that were both spearheaded by DPA – an innovative medical marijuana law and the nation's first law to eliminate "drug-free zone" mandatory minimum sentencing enhancements.

At the same time, we will fight to ensure the broadest access for patients. New Jersey's law is one of the nation's strictest. Initially, it will only apply to patients with certain medical conditions. However, since the law also allows for the state health department to approve additional medical conditions and treatments, we will be working over the coming years to expand the number of qualifying conditions.

In each case, DPA's New Jersey office laid the groundwork for the legislation, recruited sponsors, generated hearings, and garnered support from a broad array of allies. Our goal was not just to pass bills – but to ensure that they had the broad support necessary for successful implementation. We also focused on organizing advocates and patients, such as Montel Williams (pictured left), to share their stories with legislators and the media, resulting in surprisingly high levels of legislative and editorial support.

The country is also taking notice of New Jersey's new legislation giving judges the discretion to waive the harsh three-year mandatory sentence for drug law offenses within 1,000 feet of a school. In a powerful repudiation of failed sentencing policies, New Jersey is now the first state in the nation to directly reform a drug-free zone law.

Drug-free zone laws have led to a radical expansion of the prison system, disproportionately impacting urban Americans, despite conclusive research showing that they do not reduce drug activity. The zones cover entire cities, forcing judges to give stiff mandatory minimum drug sentences. The laws are racially unjust – 96 percent of those sentenced under these laws in New Jersey are African American or Latino.

With your continued help, New Jersey's move will undoubtedly influence states around the country seeking ways to save money and increase fairness and efficiency in criminal sentencing.

New Jersey's medical marijuana law made headlines around the country, including the top of the front page of the *New York Times*. What's innovative about New Jersey's law is the high degree of state engagement with the regulatory process. The bill will allow for the licensing of centers where qualifying patients can safely access medical marijuana. Over the next year, DPA will work with the state's Department of Health and Senior Services on regulations to implement the legislation.

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## Unprecedented Opportunities for Progress

*Ethan Nadelmann,  
Executive Director*

In all my years fighting to end the drug war, I've never had such an up-and-down year as the past one. The most frustrating part is that while the opportunities are unprecedented, fundraising has been harder than ever.

Since Labor Day, I've spoken publicly and met with local activists and officials in Bozeman, Portland, San Francisco, Las Vegas, El Paso, Houston, Albuquerque, Santa Fe, San Diego, Washington, D.C., Los Angeles, Phoenix, Warsaw, Copenhagen, Ciudad Juarez, and Budapest. And I can tell you that the ongoing transformation in public opinion about drugs – especially marijuana – is unlike anything I've seen before. Our credibility and influence as advocates of drug law reform are increasing by the day. Politicians in Washington and state capitals are saying and doing things about drug policy that I've never heard or seen before.

What stunned me most was the Gallup poll released in October finding that support for making marijuana legal has jumped from 36 percent in 2005 to 44 percent in 2009. Fifty-four percent of

*“We’ve finally got some momentum and the media seems to be spinning our modest steps forward into major victories. But I can’t say we’re winning – at least not yet.”*

Democrats, 53 percent of people living in the West, and 50 percent of 18-49 year-olds now support making marijuana legal.

I've also been pleasantly surprised with Congress and the Obama administration. I had expected them to wait until 2010 to end the ban on federal funding for syringe access or to issue favorable guidelines on state medical marijuana laws – and instead both happened late last year.

We've finally got some momentum and the media seems to be spinning our modest steps forward into major victories. But I can't say we're winning – at least not yet. While changing perceptions is a pivotal component of any successful movement, you should not be fooled. We're up against a prison-industrial complex of immense power.

The unholy combination of prosecutors, private prison builders, police and corrections officers unions, and other government-funded agents of

the criminal justice system has never been more powerful. The worst drug war policies remain entrenched, as almost a million people are arrested for marijuana offenses each year and a half million people are behind bars tonight for a drug law violation. Ninety-nine percent of all elected officials are not yet ready to endorse making marijuana legal, and only a modest number are even ready to call for a real debate.

There are two mistakes we could make right now. The first would be to underestimate the ability of our opponents to undermine and reverse the progress we're making. But the second could prove even more damaging. That would be to underestimate the potential for rapid and major reform. It's up to us to make the most of our current momentum.

I am grateful for all you've done, and for all that you can do – especially now.

## re:FORM

17 May 2010  
Sikkema Jenkins & Co.  
New York, New York

On May 17, DPA will host re:FORM, an art auction and cocktail party benefit at Sikkema Jenkins & Co. in Manhattan. re:FORM represents the third installment in a groundbreaking partnership between the art world and the drug policy reform movement.

[www.drugpolicy.org/auction](http://www.drugpolicy.org/auction)

## National Marijuana Debate Heating Up

### The debate over our nation's marijuana policies is raging like never before.

For years, supporters like you have helped us limit the federal government's systematic obstruction of medical marijuana laws. Now, the feds are changing their tune by encouraging state and local governments to increase their involvement in legally regulating medical marijuana.

In October, U.S. Attorney General Eric Holder announced new Department of Justice guidelines for prosecuting medical marijuana cases. The guidelines direct federal drug agents not to arrest or harass medical marijuana patients and their sanctioned suppliers in states that have approved the medicine, as long as they are following their state's medical marijuana law. The media ran with this story – over 1,000 news articles were published around the world, with DPA quoted in dozens of them. DPA Executive Director Ethan

Nadelmann pushed the discussion further with a provocative opinion piece in *Politico*, “Now, Let's Decriminalize Marijuana.”

Later in the same month, the American Medical Association reversed a longtime position by urging the federal government to remove marijuana from Schedule I of the Controlled Substances Act, which equates it with heroin and PCP.

Even the U.S. Congress passed historic legislation in December to end the decade-long ban on implementing a medical marijuana law approved by Washington, D.C., voters in 1998. This is not only the first time Congress has given its approval to a state or local law that permits medical use of marijuana, but also the first time in history Congress has changed a marijuana law for the better. The D.C. government is now charged with creating regulations to govern the implementation of the initiative's language.

The widespread acceptance of medical marijuana has blossomed alongside an increasingly mainstream debate about the outright taxation and regulation of marijuana.

Last fall, DPA testified at a California Assembly committee hearing that was the most substantive legislative discussion in U.S. history about ending marijuana prohibition. Assembly member Tom Ammiano's bill passed the Assembly Public Safety Committee, but ultimately died when it was not brought to a Health Committee vote before deadline. Yet, the groundbreaking proposal generated an unparalleled national discussion – as chronicled by the Associated Press, *New York Times*, and others – about the logistics of the various ways that marijuana could be legally taxed and regulated.

DPA has also assisted in drafting a voter initiative to make marijuana legal – sponsored by Oakland activist and medical marijuana provider Richard Lee – that will appear on this November's ballot in California.

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## Maine Voters Overwhelmingly Approve Medical Marijuana Initiative

In 2009's only statewide medical marijuana ballot measure, Maine voters sent an unmistakable signal of support in their state by approving Question 5, the Maine Medical Marijuana Initiative, with 59 percent of the vote.

DPA worked closely with Question 5 proponents in Maine, played a pivotal role in ensuring that it qualified for the ballot, and helped to fund the campaign.

Maine voters approved the use of medical marijuana in 1999 with the passage of Question 2, but that measure provided no legal mechanism for patients to obtain their medicine. Question 5 mandates the creation of a regulated system of medical marijuana distribution to qualified patients through nonprofit dispensaries, and establishes a statewide ID card system to protect patients from arrest.

The ballot measure in Maine was the first opportunity for voters to weigh in on medical marijuana policy since the Obama administration's announcement in October that it would halt prosecution of medical marijuana patients and caregivers who comply with state law.

## New Possibilities Energize DPA's Biennial Reform Conference



DPA Executive Director Ethan Nadelmann, joined by former New Mexico Governor Gary Johnson, wraps up the conference with a rousing call to action.

### Were you in Albuquerque?

In November, the movement came together at the 2009 International Drug Policy Reform Conference in Albuquerque, New Mexico. It was our strongest, most diverse coalition of people, issues, co-hosts, and partner organizations yet. The 2009 meeting brought together over 1,000 participants, such as former New Mexico Governor and 2012 Presidential hopeful Gary Johnson and former Mexican foreign minister Jorge Castañeda.

The Reform Conference wasn't just a conference – it was an intellectual, political, emotional, and even spiritual feast. People's minds opened, and so did their hearts. One participant described the conference as a cross between a top-level policy conference and a three day revival meeting.

The conference focused on the rapidly changing political climate and forward-thinking issues, such as systems for marijuana regulation, supervised injection sites in the U.S., and shifting drug use from a criminal justice to a health issue. It also reflected the diversity of our growing movement. There were more people from outside



Above: El Paso City Council member Beto O'Rourke welcomes attendees at the opening plenary.

Right: DPA Southern California Deputy Director Margaret Dooley-Sammuli addresses the panel, "Taking the Profit out of the Drug War," joined by LEAP speaker and former U.S. Marshal Matt Fogg.

Far right: DPA Board member Reverend Edwin Sanders presents during the panel, "The Message is the Medium: Communication and Outreach Without Borders."



the U.S. than ever before, and more sessions on international issues, cutting edge marijuana debates, psychedelics, and drug treatment than at any previous conference.

We were also able to grant more conference scholarships than ever before, giving more than 300 people the opportunity to attend the conference who wouldn't have had the resources to do so otherwise.

The conference generated a flurry of positive media coverage in outlets such as the Associated Press, *Washington Post*, *Vancouver Sun*, *Albuquerque Journal*, and *The Economist*.



Hundreds of attendees converge on Albuquerque's Civic Plaza for a candlelight vigil to commemorate and stand in solidarity with individuals currently and formerly incarcerated for drug law violations.

## 2009 Reform Conference Achievement Award Winners



DPA Executive Director Ethan Nadelmann (center) with DPA Reform Conference award winners, from left to right: Peter Christ, Donald MacPherson, Deborah Peterson Small, Jeffrion L. Aubry, Howard Lotsof, Marsha Rosenbaum, Montel Williams, Martin Schechter, and Jeffrey Miron.

**Peter Christ**

The H.B. Spear Award for Achievement in the Field of Control and Enforcement

**Donald MacPherson**

The Richard J. Dennis Drugpeace Award for Outstanding Achievement in the Field of Drug Policy Reform

**Howard Lotsof & Deborah Peterson Small**

The Robert C. Randall Award for Achievement in the Field of Citizen Action

**Jeffrion L. Aubry**

The Justice Gerald Le Dain Award for Achievement in the Field of Law

**Marsha Rosenbaum**

The Dr. Andrew Weil Award for Achievement in the Field of Drug Education

**Montel Williams**

The Edward M. Brecher Award for Achievement in the Field of Journalism

**Martin Schechter**

The Norman E. Zinberg Award for Achievement in the Field of Medicine

**Jeffrey Miron**

The Alfred R. Lindesmith Award for Achievement in the Field of Scholarship



**Mark your calendar!**

**November 2-5, 2011**

**The next Reform Conference will be at the Westin Bonaventure in downtown Los Angeles.**

## Congress Emerges from Dark Ages by Ending Syringe Funding Ban

**Savor the moment – thanks to your support, hundreds of thousands of lives will be saved.**

The decades-old policy banning cities and states from using federal HIV/AIDS prevention money on syringe access programs has finally been lifted. Congress passed the measure and the president signed it in December.

Ending the syringe funding ban is a huge victory for HIV/AIDS prevention and drug policy reform. DPA and numerous allies worked hard on this issue for two decades. We couldn't have succeeded without strong leadership from Speaker of the House Nancy Pelosi (D-CA),

Congressmen David Obey (D-WI), Jose Serrano (D-NY), and Delegate Eleanor Holmes Norton (D-DC), who responded to pressure by advocates urging them to stand up for science over drug war hysteria.

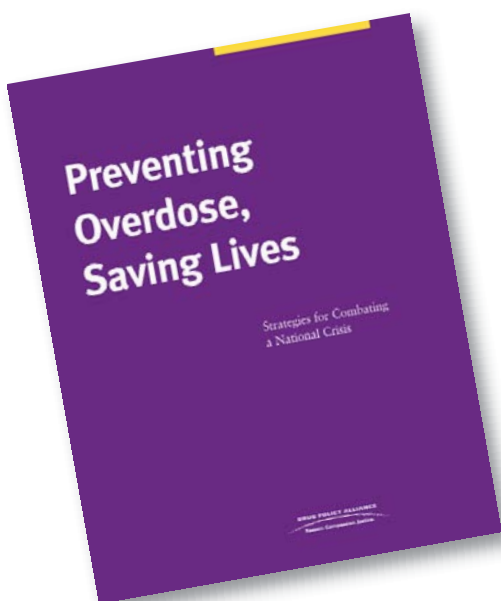
The legislation not only overturns the syringe funding ban but eliminates troubling provisions the House passed early in 2009. While some advocates have concerns about restrictions in the bill, they are excited that federal money could soon start flowing to syringe exchange programs around the country.

The science is overwhelming that syringe access programs reduce the spread of infectious diseases without increasing drug use. On the campaign trail, President Obama called for treating drug use as a health issue instead of a criminal justice issue. He promised to base policy decisions on science rather than politics. While the Obama administration has yet to shift the majority of drug war funding toward this approach, this is a sign that the administration is willing to take small steps to reorient U.S. drug policy toward a health-based approach.

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## Proposing a New National Strategy to Halt the Overdose Epidemic



Over 100 people are needlessly dying everyday. Accidental drug overdose is now the second leading cause of injury-related death in the United States. Since 1990, overdose deaths have quadrupled, reaching 39,000 in 2008.

DPA is leading the way to take on this crisis. Our major report, *Preventing Overdose, Saving Lives*, promotes a harm reduction approach to the epidemic, including advocating for supervised injection facilities and expanded access to the opiate overdose reversal drug, naloxone. The report's release coincided with the introduction of the Drug Overdose Reduction Act, a bill drafted by DPA and introduced by Representative

Donna F. Edwards (D-MD) that would establish an innovative grants program for organizations across the country working to prevent drug overdose.

DPA also raised awareness with our Purple Ribbons for Overdose Prevention campaign. We linked the purple awareness ribbon to the overdose prevention issue, creating an icon to represent our efforts to reduce overdose deaths. This symbol of our campaign is now on posters, websites, and stickers across the country. More than 11,000 of you have become overdose prevention supporters by joining DPA's Purple Ribbons for Overdose Prevention page on Facebook.

## Making Rockefeller Reform a Reality for New York

It's one thing to win a major reform – but it is often more of a challenge to implement it. In April 2009, your support enabled DPA to lead the coalition to win reform of New York's draconian Rockefeller Drug Laws. Since then, we have been focusing on making reform real – especially resentencing for people still unfairly languishing behind bars.

The reforms allow for the resentencing and release of over 1,000 people currently incarcerated under the Rockefeller Drug Laws. DPA brought together legal service agencies and human service organizations that provide legal help, housing, counseling, job training, and other services to people upon their release from prison. DPA staff met with officials from the legislature and the Governor's office, as well as with the administration of Mayor Michael Bloomberg, to encourage coordination of services and smooth implementation of the reforms.



New York Assembly member Jeffrion L. Aubry accepts an award at the Reform Conference for his leadership in the lengthy struggle to overturn the draconian Rockefeller Drug Laws.

DPA also created the New Directions coalition to watchdog the reforms. The coalition includes the New York Academy of Medicine, the Fortune Society, VOCAL – the NYC Drug Users Union, Women on the Rise Telling Her Story (WORTH), and many others.

## Cutting California's Drug War Waste

Thanks to your support, DPA was able to cut California state costs by over \$100 million while improving the lives of people already in the criminal justice system.

In 2009, California received an unprecedented \$225 million in federal Justice Assistance Grants (JAG) funding. Historically, JAG funding has fueled many of the worst drug war practices. DPA determined that if California spent JAG dollars as it had in previous years, these federal grants would have led to over 30,000 mostly low-level drug arrests. If even one-quarter of those arrested spent a year in prison, the additional costs to the state would surpass \$370 million.

We couldn't let that happen. DPA led a successful, precedent-setting campaign to redirect \$100 million in JAG funds from the usual suspects (like regional drug taskforces) to drug treatment, probation services, and re-entry courts.

Please contact DPA Southern California Deputy Director Margaret Dooley-Sammuli at [msammuli@drugpolicy.org](mailto:msammuli@drugpolicy.org) to learn more about how you can help divert funding from the drug war to drug treatment in your state.

## DPA Jumps to Action in Methadone Drug Court Case

Methadone maintenance is a treatment for people who are dependent on drugs like heroin. Despite the stigma associated with methadone, research has consistently demonstrated that people dependent on drugs like heroin who receive methadone treatment live longer, spend less time in jail and the hospital, are less often infected with HIV, and commit fewer crimes.

DPA is committed to ensuring that medical decisions are made by medical professionals – not the criminal justice system. When a drug court judge in California recently ordered that a client be weaned from methadone against the client's wishes and the client's physician's medical judgment, DPA took action. In the course of three days, DPA got the National Association of Drug Court Professionals, the California Society

of Addiction Medicine, and Aegis Medical Systems (the largest treatment provider in California) to write the court and urge the judge to stop interfering with legitimate medical practice. This effort, in turn, prompted each of these organizations to pay closer attention to the problem of drug courts devaluing narcotic replacement therapy and to stand ready to combat similar cases.

## Healing a Broken System: DPA Report Examines Veterans and the Drug War

Hundreds of thousands of veterans of the wars in Iraq and Afghanistan are returning with Post-Traumatic Stress Disorder, Traumatic Brain Injury, and other illnesses and injuries that often contribute to substance abuse and addiction, fatal overdose, homelessness, and suicide. Left untreated, these underlying medical conditions also contribute to violations of the law, especially nonviolent drug offenses. As of 2004, roughly 140,000 veterans were in U.S. state and federal prisons, with tens of thousands more in county jails. Research shows that substance abuse is the single greatest factor leading to the incarceration of veterans.

On Veterans Day, DPA released *Healing a Broken System: Veterans Battling Addiction and Incarceration*. The report examines the significant barriers that veterans face in obtaining effective treatment for mental health and substance abuse problems, and the tragic consequences of leaving these wounds of war untreated.



DPA Research Associate Daniel Robelo (left) facilitates the Reform Conference panel, "Veterans: Casualties of the Drug War," along with Guy Gambill (right), Research and Policy Director of the Veterans Initiatives Center and Research Institute.

The report comes at a critical time. As more veterans return from longer and repeated deployments to Iraq and Afghanistan, the number of incarcerated veterans is likely to increase significantly.

The report urges local, state, and federal government agencies to take immediate steps to ensure the health, safety, and freedom of the men and women who serve in the U.S. Armed Forces. It recommends changes to state and federal laws that expand and improve alternatives to incarceration for veterans who commit nonviolent drug offenses; overdose

prevention programs that target veterans who abuse substances or take prescription medications; and increased access to medication-assisted therapies such as methadone and buprenorphine for veterans who struggle with opiate dependence.

The report generated favorable articles and opinion pieces in media outlets including the *Detroit News*, *Orange County Register*, *Oakland Tribune*, *Milwaukee Journal Sentinel*, other regional outlets, and the *Army Times*, which is circulated to over two million servicemen and their families.

### Since We Last Spoke

- A major donor committed to matching all membership donations at the end of 2009, up to \$100,000. She has to get her check writing pen out because our members rose to the challenge, giving nearly \$150,000!
- DPA Executive Director Ethan Nadelmann has been selected by Change.org as a founding member of the Changemakers network, a new initiative bringing together prominent voices for social change, such as Robert F. Kennedy, Jr., Senator John Kerry, and actress Mia Farrow. Nadelmann will be writing periodically about DPA's work on Change.org to advance public dialogue and to mobilize the online community to get involved in drug policy reform.
- In one week alone last fall, three major stories about marijuana appeared in the *New York Times* – two of them on the front page, and all of them good. In the same month, *Fortune*, *Newsweek*, *New York magazine*, *Texas Monthly*, the *Washington Post*, *Wall Street Journal*, "This Week with George Stephanopoulos," and dozens of other media outlets covered our efforts.
- The Drug Policy Alliance has once again been nominated to receive funding in 2010 from Working Assets/CREDO. Customers vote how funds are distributed among each year's nonprofit recipients. If you are a Working Assets/CREDO member, don't forget to vote for DPA!