

To: Mr. Ron Olsen
Acting Clerk – City of Ann Arbor

April 12, 2004

From: Charles Ream – Chairman, Washtenaw Coalition for Compassionate Care,
Treasurer, MMAAYS (Medical Marijuana in Ann Arbor, Ypsilanti, and Saline).
Four term Scio Township Trustee
4500 W. Liberty Rd.
Ann Arbor, Michigan 48103 761-5869 cell 395-0811 moksha@umich.edu

Greetings

I thank you, Mr. Olsen, for speaking with me on the telephone last week. We agreed that I should speak to whomever is running the election, possibly Ms. Northcross. I am very concerned that I have as yet heard nothing from you or Ms. Northcross.

I would like to have a friendly meeting to determine that we are “on the same page”. A terrible mistake was made by the clerks office during a previous incarnation of this issue. The wrong petition turn in date was given to Medical Marijuana petitioners, petitions containing thousands of signatures were rejected, the mess was upheld in court, and the effort died. Activists and attorneys all over the United States are now waiting to see if Ann Arbor again moves to destroy a legally valid petition initiative.

Copies of our petitions (as required by law) and a detailed letter requesting information were delivered weeks ago to Ms. Kathleen Root, who was then City Clerk. No feedback of any kind has been received.

We will turn in our petitions at a press conference on Friday May 7, probably at 10:00 a.m. To insure that we have no difficulty qualifying for the ballot we will be turning in signatures with a “50% cushion”.

Printed information received from Brenda at the City Clerks office on 11/24/03 indicated that “charter amendments require [the valid signatures of] 5% of registered voters at the time of filing (number changes daily) approx 4170 (Home Rule Act)”. To achieve the 50% cushion” we will turn in more than 6255 that we think are valid (we will put a line through many signatures that appear to be clearly invalid). There will be no doubt that we have turned in enough signatures. We need only 700 more signatures by May 7 to reach 6255. This will not be a problem.

We are using a somewhat old petition form which has a column titled “Post Office”. On the new form that column is titled “zip code”. This is actually not a legally required column. Nonetheless, I have secured a copy of the memo from the director of elections at the Michigan Secretary of States Office, Sue McGrill, indicating that there is to be (I quote) “no penalty” for using the older petition form. Ms. McGrill also mailed a copy of this memo to your office.

Most importantly, I need to know the safest way to turn in the petitions on May 7. We have a complete hard copy printout of the list of Ann Arbor registered voters so we can check any signature. How can we be sure that half of our petitions are not simply dropped into the shredder? What is to stop the clerks office from saying “We sampled your sheets and you don’t have enough valid signatures”? Specifically, I want your permission to number and photocopy all petitions. If this is not legal then I need to know another way I can turn in the petitions and feel protected against possible fraud.

We have tried to communicate with the clerks office carefully throughout this process to insure against any last minute surprises. We have gotten no response. I can assure you that we are fully prepared to litigate most vociferously if the letter and the intent of Michigan Law is not followed by the City of Ann Arbor. Our retained legal advisor in Michigan is Neal Bush, who has advised initiative and referendum campaigns in Michigan for decades. We have had advice locally from attorney David Cahill, who remains available to us.

We have many attorneys at the state level who are waiting to stand behind us. In the Detroit area we have two "movement" attorneys who have volunteered to help, as well as the team at Constitutional Litigation Associates of Detroit. Following our various discussions the Legal Director of the Michigan ACLU, Michael Steinberg, (an Ann Arbor resident) told me "If you have any problems with this Chuck, please call me right away".

At the national level, we have come "under the wing" of the Marijuana Policy Project of Washington D.C. They gave us a grant to finish getting our signatures and I hope to get a grant from them to run the campaign. These people are absolute tigers who always wear business suits, work day and night, and have many millions of dollars. Their brilliant legal staff knows initiative and referendum law as well as any firm in this nation. We have no doubt that they will fight hard for us if we "get screwed" again here in Ann Arbor.

I have less than zero desire for any sort of controversy about getting on the ballot. We will turn in enough signatures so there should be no problem. I look forward to your help. In November we will win on the ballot with about 80% in favor of Medical Marijuana. Our citizens very much want this to be on the ballot, which is made clear by how much most registered voters want to sign our petition. What if you (or your mom) was so sick that you could not keep food down and your only prognosis was painful death. I'll bet you would try a bit of mother natures healing balm.

If you have any problem with our petition effort I need to know that now, before another day goes by.

I specifically need to know (time is of the essence) whether I can number and photocopy the petitions before I hand them to you on May 7, 2004.

I thank you very much for your help. I know you are doing a very difficult (I would think impossible) job right now in these tight budget times. Please communicate with me.

Sincerely,

Charles Ream

cc Neal Bush

Bruce Mirkin – legal director MPP

Richard Birkett, Chairman MMAAYS