



History – Michigan Local (City) Cannabis Law Reform Victories and defeats

Michigan legalized marijuana in 2018, after 16 years of struggle in Michigan to prepare the ground.

In our local citywide campaigns we had no budget to persuade voters to change their opinions, we were basically “taking a poll” at the polling place – the most accurate place to do it.

Using this technique we were able to prove that the voters in nearly all of Michigan's large cities were not in favor of cannabis prohibition...actually they were in favor of cannabis. Cities that wanted to flout the election law and keep us from the ballot were immediately sued.

Our efforts proved that the majority of Michigan voters don't support a vicious policy that criminalized cannabis users and kept the benefits of cannabis away from our culture. We knew that a policy not supported by the voters could be ended – through a statewide referendum.

25 local citywide campaigns were victorious at the ballot box. (All Michigan citywide citizen initiated ballot initiative efforts are legally enabled by MCL 117.21 – 117.25, which Tim and Chuck know well...and will defend when cities want to ignore it.)

24 of these citywide victories were organized by the team of Tim Beck and Chuck Ream, credit for the Grand Rapids victory goes to the great activist Michael Tufflemire. The greatest local activist of this period was Debra Young who, (with Andrew Sissel) , was responsible for wins in 5 cities.

PRIOR TO THE LOCAL BALLOT CAMPAIGNS (WHICH BEGAN IN) THERE WERE MAJOR EFFORTS TOWARDS CANNABIS LEGALIZATION IN MICHIGAN.

Mae Nutt, now deceased, is the “godmother” of Michigan Medical Marijuana. Her son Keith developed testicular cancer at age 22. After two surgeries, Keith was given a chemotherapy drug that made him “vomit violently for eight to ten hours, and afterward be so profoundly nauseated that he could not bear to look at or smell food”. Mae Nutt read about medical marijuana, then called her state representative and was referred to activist Roger Winthrop...(hey, that’s r.d.). She got the medicine.

“The next day we took the marijuana to Keith in the hospital”, said Mae. “After he smoked it the vomiting abruptly stopped. The sudden change was amazing to see.” His nausea also ended; he felt hungry and gained weight. He joined the family for dinner rather than lying in his room “like a wounded animal”. He was able to testify before the Senate Judiciary committee about a medical marijuana law that was in the Michigan legislature, and enjoyed teaching others about the medicine.

Testimony was also given by a Grand Rapids Christian Reformed pastor, Reverend Negen. He described the agony of his daughter’s chemotherapy, and how he had to send his sons out onto the street to find the only thing that helped her.

“On October 10, 1979 the Michigan House voted 100 to 0 in favor” of making medical marijuana available (the Senate vote was 33 to 1). (35 states passed medical marijuana during this period – the feds squashed all attempts to implement these laws).

The momma of medical marijuana ! Thank you Mae Nutt for paving the way !

The “father” of cannabis legalization in Michigan is John Sinclair!

1972 First big city wide reform in USA was Ann Arbor \$5 fine in 1972

---wikipedia ---During the last 40 years, the college town of Ann Arbor, Michigan has enacted some of the most lenient laws on marijuana possession in the United States. These include measures approved in a 1972 city-council ordinance, a 1974 voter referendum making possession of small amounts of the substance merely a civil infraction subject to a small fine, and a 2004 referendum on the use of medical marijuana. Since state law takes precedence over municipal law, the far-stricter state marijuana laws are still enforced on University of Michigan property.

See also: Cannabis in the United States

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Marijuana ordinance of 1972

Through the 1960s and early 1970s, as Ann Arbor played host to a number of radical organizations—including formative meetings of Students for a Democratic Society, the establishment of the White Panther Party, and the local Human Rights Party—public opinion in the city moved steadily to the left on the criminalization of marijuana possession. The Michigan Daily, the main student newspaper at the University of Michigan, gained national press coverage by urging the legalization of marijuana as early as 1967. However, two more specific factors pushed the city towards the eventual adoption of marijuana enforcement provisions that proved to be among the most liberal in the country.

The first factor was local reaction to the state penalties, which provided for a year's imprisonment for possession of two ounces (57 g) or less, four years' imprisonment for the sale of marijuana, and harsher penalties for repeat offenses. These penalties received national attention when poet and activist John Sinclair was sentenced to ten years in prison for possession of two joints, a sentence that sparked the landmark John Sinclair Freedom Rally at Ann Arbor's Crisler Arena in December 1971. The event brought together a who's-who of left-wing luminaries, including pop musicians John Lennon, Stevie Wonder, and Bob Seger, jazz artists Archie Shepp and Roswell Rudd, and speakers Allen Ginsberg, Rennie Davis, Jerry Rubin, and Bobby Seale. Three days after the rally, Sinclair was released from prison after the Michigan Supreme Court ruled that the state's marijuana statutes were unconstitutional.

The second factor was the April 1972 election to Ann Arbor city council of two candidates from the Human Rights Party (HRP), an organization that promoted local progressive and radical causes. In September 1972, several months after they took their seats on council, the HRP's two council members

spearheaded a bill that would reduce city penalties for possession of less than two ounces of marijuana to a \$5 civil-infraction ticket. (The city penalty had previously been identical to the state penalty.) City police would then charge violators under the city ordinance rather than the state statute. The HRP representatives, by garnering the support of Democratic council members, quickly managed to pass the ordinance over the objections of council Republicans. In supporting the new ordinance, Democratic mayor Robert J. Harris told the Washington Post, "In this town, it was the only way to go. ... We've made a great effort to get a decent relationship between the kids and the cops. Now at least we'll get the police out of the marijuana business."

Outside observers characterized the ordinance as the most lenient in the country. In press interviews, the city attorney described the penalty as "sort of like a parking ticket", explaining that violators could mail the ticket, with a guilty plea and the fine, back to city hall in order to dispose of the charge. City police and prosecutors agreed to use the \$5 city ordinance, rather than the still-applicable state laws, as the tool for enforcement against violators. The city police chief, however, promised to continue to pursue large-scale drug dealers aggressively, using the harsher state laws against this class of violator.

Shortly after the measure's adoption, the New York Times reported: "Under the trees on the University of Michigan campus, in the back rows of movie theaters—even, it is said, in the public gallery of the City Council chamber itself—young people are increasingly lighting up marijuana in public these days." However, both police and independent academic observers asserted in national media articles that the amount of marijuana smoked in the city had not increased; the locations had merely switched to include more public spaces.

Charter amendment of 1974

Within weeks of its adoption, the new marijuana ordinance had sparked outrage in many parts of the state. The director of the Michigan State Police, for instance, immediately threatened to move his troopers into Ann Arbor in order to enforce the state codes against possession of marijuana. In the first test case, decided on September 29, 1972, a district court judge ruled the ordinance unconstitutional as an "intrusion of Ann Arbor in the judicial functions of the State of Michigan." City voters responded in November by electing Perry Bullard to the Michigan House of Representatives on a platform that called for full legalization of the possession, but not sale, of marijuana by adults throughout the state.

Despite the adverse court ruling, the city's marijuana ordinance remained in place until June 1973, when it was repealed by the city council. The local debate attracted attention from a number of national media outlets, including CBS and NBC television news programs and The New York Times. During the council's vote to repeal, about 150 spectators packed council chambers to light up joints in protest, and one protester hurled a cherry pie at Mayor James Stephenson.

On April 2, 1974, voters in Ann Arbor overruled the council's decision by amending the city charter with the famous Section 16.2, which, in somewhat altered form, remains in effect today. The charter section reinstated the \$5 civil-infraction penalty for possession, use, giving away, or selling of marijuana and prohibited city police from enforcing the more stringent state laws. The same day, the neighboring city of Ypsilanti adopted a similar measure. In adopting the charter amendment, Ann Arbor voters asserted that the provisions were necessary to ensure the "just and equitable legal treatment of the citizens of this community, and in particular of the youth of this community present as university students or otherwise."

Part of Section 16.2 declared that no city police officer "shall complain of the possession, control, use, giving away, or sale of marijuana or cannabis to any other authority except the Ann Arbor city

attorney; and the city attorney shall not refer any said complaint to any other authority for prosecution." In doing so, the provision effectively denied state courts the opportunity to declare the measure unconstitutional, as had occurred in 1972, since a test-case opportunity would thus never come before a state judge.

The perception of the city as a haven for marijuana permeated the local culture. In January 1975, the countercultural Ann Arbor Sun newspaper held a "Win a Pound of Colombian" giveaway contest of marijuana. Meanwhile, John Sinclair ran a local, pro-legalization radio program entitled Toke Time on Ann Arbor's WNRZ.

Tightening the Marijuana law in 1990

During the 1980s, pressure grew from Ann Arbor Republicans to eliminate the city's lenient marijuana city-charter section. In a 1983 referendum, Ann Arbor voters rejected a proposed repeal of the section, with 61.7 percent of voters opposing the proposed tightening of marijuana codes. By the late 1980s, however, moderate GOP mayor Gerald D. Jernigan was calling the marijuana code an "embarrassment" to the city. In January 1990, the city council approved holding a referendum on increased penalties for possession, use, or sale of marijuana. In the resulting referendum, held in April 1990, 53 percent of voters agreed to amend Section 16.2 of the city charter with heightened penalties, raising the fine from \$5 to \$25 for a first offense, \$50 for a second offense, and \$100 or more for further offenses. The offense, however, remained a civil infraction rather than a misdemeanor or felony.

In the same election, using a tactic modeled on the city's original \$5 marijuana law, voters approved a charter amendment intended to protect access to abortion in Ann Arbor if it ever became illegal in the state of Michigan. Voters mandated that, should abortion ever become illegal, a city ordinance would come into force under which abortion would be punishable in Ann Arbor solely by a \$5 fine. Local judges would thus have the ability to assess the \$5 fine rather than any more punitive state penalties. Crafted as the state legislature debated increased restrictions on abortion in Michigan, including the adoption of a parental-consent bill, the measure declared the city a "zone of reproductive freedom." The legality of the charter amendment remains unclear, since it has never been tested.

One local activist expressed disappointment with the voters' marijuana decision, telling USA Today: "The people were clearly pro-choice on abortion, and I expected them to be pro-choice on marijuana as well." However, even with the new fine, possession of small amounts of the substance remained largely decriminalized in Ann Arbor, since the penalty continued to consist only of a civil-infraction ticket similar to a traffic fine. Indeed, the Ann Arbor Observer reported in 2012 that assistant city attorney Bob West could remember "only two times in the last five years that possession of non-medical marijuana has resulted even in a formal court hearing—and then only because the users contested tickets received under the city's lenient marijuana law."

Medical-marijuana referendum of 2004

On November 2, 2004, voters in Ann Arbor approved the Ann Arbor Medical Marijuana Initiative authored by city resident Rich Birkett. This ballot initiative amended Section 16.2 of the city charter to allow the growing and use of marijuana for medical purposes when authorized by a physician. The measure also capped fines for the third and subsequent offenses for non-medical uses or sale at \$100. The measure passed with 74 percent approval among voters. The Ann Arbor initiative was only one of several similar measures on local and state ballots that day: Columbia, Missouri, another college town, approved a similar law on medical marijuana, as did the state of Montana, while Oregon voters

rejected an initiative to loosen its existing medical-marijuana program, and Alaska voters rejected total decriminalization of marijuana possession.

However, what had been a relatively uncontroversial measure during the election proved controversial following its passage. Shortly after its approval, the Ann Arbor city attorney Steve Postema characterized the initiative as "unenforceable," citing its conflicts with federal and state law. Likewise, city police chief Dan Oates announced that his police force would disregard it and continue normal enforcement practices. Activists who had worked to put the initiative on the ballot quickly expressed their outrage. But since medical-marijuana users in Ann Arbor are very rarely prosecuted, and because the penalty for first-time possession remains a \$25 civil-infracton fine, both the 2004 ballot measure itself and Oates's subsequent statements on enforcement may prove to be more symbolic than substantive.

Michigan Medical Marijuana Act of 2008

In November 2008, Michigan voters passed the Michigan Medical Marijuana Act. The new state law supports the Ann Arbor City charter by offering protection from state law enforcement for qualifying patients and their assigned primary caregivers under the law that took effect on April 4, 2009. Under the law, a patient with a qualifying condition and a signed statement from an attending physician, can register for an identification card under the Michigan Department of Community Health managed program for legal medical marijuana use in Michigan. After registration, the patient and primary caregiver can legally be in possession of marijuana according to State law. The primary caregiver may provide assistance for using medical marijuana or even be assigned responsibility for cultivating the patient's legally protected maximum of 12 marijuana plants, for a fee.

Even though the legal use of medical marijuana was allowed for in the Ann Arbor City Charter, it was still illegal in the State of Michigan, allowing for arrest by state police and other state law enforcement agencies. With this new protection under the Michigan state law, the only remaining threat to a registered patient or caregiver in Ann Arbor is from the untested nature of the new state law and the acts of the D.E.A and other federal law enforcement agencies.

PRA history

The first effort at statewide legalization of marijuana was organized by John Sinclair in the late seventies.

The second was the Personal Responsibility Amendment (PRA) put together by attorney Greg Schmid.

Michigan's Personal Responsibility Amendment Surges Ahead 3/03/00

Greg Schmid is no dreamer. An attorney from a prominent family in his hometown of Saginaw, he has a long history of successfully getting things done in the pragmatic world of electoral politics. His father, Allan, wrote the language for the first term limit initiative in the nation, passed by the voters of Michigan in 1992. Greg himself has been a driving force behind both the term limits initiative and the

Tax Limitation Amendment, passed by Michigan voters in 1978. When it comes to changing state law at the ballot box, Greg Schmid knows exactly what it takes.

But in 1999, when Schmid proposed PRA 2000, the Personal Responsibility Amendment, it appeared that perhaps this proud libertarian had let his past success cloud his political judgment. After all, term limits are one thing, but the outright legalization of marijuana for private, personal use is quite another.

The amendment, as written, would make it legal for any Michigan adult (21 or older) to possess up to three ounces of processed marijuana, plus three mature plants, in the privacy of his or her own home. Marijuana must be kept secure and out of the sight of any minor. Marijuana for medicinal use could also be possessed, under a doctor's supervision, at any location outside the home, where a patient is residing for the purposes of bona-fide treatment.

But the legalization of marijuana is just part of the equation.

"The amendment will also take the corruptive influence out of asset forfeiture by redirecting seized assets out of the hands of the people who are seizing them, namely, the police," said Schmid. Section "D" of the amendment reads, in part:

Seized funds or assets "shall not be used for or by state or local law enforcement agencies or for any purpose other than voluntary Personal Responsibility Education Programs for domestic violence, gambling, drug, alcohol, and tobacco abuse awareness and treatment."

Without money for polling, and therefore without any solid evidence of likely success save his own intuitive understanding of the Michigan voting public, Greg Schmid began making calls looking for backers. He knew then that he was unlikely to find much help, but he was prepared to go it alone, at least to start.

"The national organizations that have helped out with initiatives in other states have limited resources. I understand that," says Schmid. "When you have limited resources and you are trying to instigate systemic change, you have to deploy those very carefully.

"We need 302,000 signatures to qualify for the ballot. More like 400,000 really, when you factor in a percentage of the signatures that will be declared invalid. Conventional wisdom says that you need a huge budget, somewhere in the neighborhood of \$1.2 million in order to pay people to collect those. So I needed to find some leverage to allow us to succeed against the conventional wisdom."

A savvy political organizer, Schmid recognized the potential of the Internet to turn what would have once been a lost cause into a nearly unstoppable political machine.

"I knew that unlike taxes or term limits, marijuana was an issue that incites people's passions," Schmid said. My feeling was that if we could get enough committed volunteers, we could train, equip and organize them through the web site and e-mail. Well, I never could have imagined how right I was."

Schmid said the organization, the Personal Responsibility Amendment Committee, of which he is director, now has more than 2,000 volunteers.

"And more than 1,500 of them are online," he added.

Next, Schmid pulled a rabbit out of a hat. He petitioned the state to allow the use of a petition that could be downloaded as a PDF file, saving himself the time and expense of distributing tens of thousands of petitions to his signature collectors. The state agreed.

"The online petition printing gives us access to folks that we never hear from. People who would be reluctant to give us their address, people who might not have otherwise gotten involved. People can get active at their own speed. Now we're getting sacks full of signed petitions coming into the office."

Organizing is also easier online. "We have strong numbers in each of the 83 counties in the state. People who want to organize other petitioners to blanket an event just let me know, and I put their contact information out in our regular e-mail newsletter so that people in their area can get in touch. It's all working beautifully."

Schmid has until July 10 to turn in the required signatures, but up to this point, he has decided not to count them as they come in. Nevertheless, he is confident that the PRA will make it to the ballot.

"The volunteers that we have now are the real hard-core types. They're the people who've been out in the Michigan winter, at polling places during the primary. Signature gathering is really a warm weather sport. We're expecting to have a lot of new recruits in the next few months as the weather warms up. And now, we have 1,500 people online who know the routine, who can train and lead the new people. I am absolutely confident that we will get the signatures we need."

Signature gatherers are also doing double duty helping people to register to vote. Many of Schmid's volunteers are focusing on the 18-30 year-old crowd, that is less likely to have registered before. Michigan law counts signatures as valid as long as a signer's voter registration is postmarked by the day that they sign the petition.

And what does Schmid think of his chances of getting the amendment passed on Election Day?

"Most of the experts from around the country think that we're biting off a lot with this amendment. But Michigan is a funny state. We have a lot of libertarians here, a lot of gun owners who are wary of government intrusion into people's homes and lives. We also have a very strong Democratic base -- union people," he said.

"We've also written the amendment very carefully. The way I like to say it is that the amendment will keep marijuana away from kids, cars, the public and peddlers. We expressly forbid any commerce, which keeps the federal government out of the equation. I think that when people in Michigan read this, they'll see the sense. Personal responsibility, the idea that it is the individual who must make and live with the consequences of his or her own actions, has a lot of support in this state. I think that come election day, the people of Michigan might just make history."

Marijuana Legalization Initiative Rises Again in Michigan, Personal Responsibility Amendment Petition Drive to Kick-Off at Ann Arbor Hash Bash 3/9/01

Saginaw attorney Greg Schmid is at it again. Last year, his all-volunteer effort to legalize marijuana through Michigan's initiative and referendum process never made it to the ballot, falling well short of the 302,000 voter signatures to qualify. But Schmid is back, and this time he thinks he can pull it off.

Schmid has a new, improved, four-part Personal Responsibility Amendment this year, which would legalize hemp, medical marijuana, and personal marijuana use and possession by adults, and would direct asset forfeiture funds away from law enforcement and into drug and alcohol treatment programs.

If he succeeds, it will be a first. No legalization initiative has yet led to victory at the polls, and even other drug reform initiatives, such as medical marijuana, asset forfeiture reform, and sentencing reform have generally succeeded only when well-seeded with money, especially in states as populous as Michigan. And the really big money deemed necessary to win such initiatives is only provided by the famous troika of drug reform philanthropists, George Soros, Peter Lewis, and John Sperling, who have made it clear that they consider legalization too far ahead of the political curve to merit funding.

Schmid is aware of the record and wishes the big money would come around, but he tells DRCNet that he expects to do it with volunteers and small donations. And he gives Soros and his ilk credit. "For me or against me, those are the people who made marijuana a word people could hear and not shudder," he said. "If not for their medical marijuana initiatives, we would still be where we were a decade ago," Schmid conceded.

"But I think those big groups listen to their political consultants too much," he told DRCNet. "Still, if not for them, I couldn't do what I'm doing. I owe them a huge debt, and I wish they would reconsider their stand on legalization initiatives."

Schmid, who has now become the head of the National Organization for the Reform of Marijuana Law's (NORML) Michigan chapter, will be getting support from the national organization.

NORML executive director Keith Stroup told DRCNet the national group would do what it could to help.

"I'll be going up to Ann Arbor for the PRA forum and the Hash Bash," Stroup said, "and national will do whatever we can, but realistically, we don't have the resources to hire people to collect signatures and we'll have to do this as a volunteer effort."

So why would a volunteer effort succeed this time around? Schmid has some answers.

"First off, we have a better time frame," Schmid said. "Last year our six-month window for gathering petitions ran from January to July, so we got three months of hard, Michigan winter, and we missed the summer festivals. This year, we're using April to October, which gives us the benefit of good weather, leaves us 13 months to campaign after the petition drive, and leaves open the opportunity to extend the drive if we're close, but not quite there."

"Second, we now have seasoned petitioners," Schmid continued. "Last year, they were all novice petitioners and many had never before been engaged in the political process. Now they are trained and seasoned. And the fact that we got 151,000 signatures last time has been a lesson both to the people who were overconfident and to those who doubted. With concerted effort, it is doable."

His volunteer list has mushroomed from 1,000 to 3,000, Schmid told DRCNet, and he is building local NORML chapters as a base for the petition drive, but again the conversation turns to funding.

"Our needs are modest," Schmid maintained. "We pay for mailings, but not for signatures; we have high-priced consultants, but we just don't pay them. I hope and expect national groups will help to the extent they can, but we're relying on the money and efforts of thousands of people, \$50 here, \$100 there."

But, his tone turning steely, Schmid had a message for the big boys. "Once we earn our way onto the ballot, if we were to lose a general election with 13 months to prepare because the people with the money wouldn't stand by us, then I think those groups' constituencies would have something to say to them."

The PRA 2001 petition drive gets underway in less than a month in Ann Arbor with a National Symposium on Cannabis Prohibition Reform on Friday, April 6, and the 30th annual Hash Bash starting at noon the next day.

Information on the PRA initiative can be found at <http://www.prayer.com> online, or call the Schmid Law Office, (517) 799-4641.

AUGUST PRIMARY, 2004

DETROIT MEDICAL MARIJUANA – Tim Beck, Organizer

BEGUN IN 2002, VICTORY IN AUGUST PRIMARY, 2004

Q. Tim, your win in Detroit for medical marijuana in 2004 was not your first effort in Detroit, could you comment on that prior effort.

Yes I can - we got all the signatures that we needed in 2002 but we had flawed legal advice and the petition was not properly put together. According to state law it was flawed.

Q. Tim, what exactly made you think that you could influence and change the political process in Detroit, a very corrupt and difficult environment.

I guess I was just naïve at the time, I was naïve in the sense as to how complex the the project really is in terms of the kind of legal work that needs to be done and the kind of attacks that are going to come up come at you by the bureaucrats and politicians who don't want you to win.

If I knew then what I know now I might not might not of attempted it. We didn't really have any rules in the beginning and so we appealed the to the higher courts - to the appellate courts - to fight Detroit's keeping us off the ballot. We lost the case but we found out exactly what to do next time around. So we followed the law exactly as the appellate court said we had to and qualified for the ballot in the August 2004 primary.

Q. Was there anyone that helped you with that first campaign?

Well, in 2002 there was there was no campaign since we didn't make the ballot. I got a competent attorney named Neal Bush and we appealed through the courts. We got a small grant from the Marijuana Policy Project to appeal the case. When the ruling came down we lost but we now knew what to do to qualify for the ballot.

In 2004 I work very closely with a seasoned political professional and attorney by the name of Neil Bush. He had worked for city Council for many years and he knew the ropes. He and I basically ran the campaign. We also did get endorsements from prominent politicians including John Conyers, Marianne Mahaffey - head of the city Council, and Joanne Watson who is a African nationalist leader.

Ron Scott headed the Detroit Coalition Against Police Brutality and he got a number of others to be in support.

The result in Detroit in 2004 was a 60% victory for medical marijuana. Even then, Sheriff Bouchard popped up in opposition. Tim had to FOIA to get the public documents regarding the opposition.

There was opposition, such as the Troy Community Coalition for the Prevention of Drug and Alcohol Abuse, etc. The winning 2004 effort was organized under the auspices of the "Detroit Coalition for Compassionate Care" ,which had a 14 member steering committee with Tim as chairman...which included George Cushingberry, Lamar Lemons, Isaiah McKinnon – (former Detroit police chief), Ron Scott, John Sinclair, and others.

From NORML Foundation

<http://www.norml.org/>

Thursday, 05 August 2004

Detroit, MI: Sixty percent of city residents voted Tuesday in favor of Proposition M: The Detroit Medical Marijuana Act.

The measure amends the Detroit city criminal code so that local criminal penalties no longer apply to any individual "possessing or using marijuana under the direction ... of a physician or other licensed health professional."

Voters in Ann Arbor and Columbia, Missouri will vote on similar municipal initiatives this fall. Montana voters will also decide on a statewide medical marijuana legalization proposal in November.

Campaign organizer Tim Beck of the Detroit Coalition for Compassionate Care said that his group intends to work with lawmakers to place the medicinal marijuana issue before the state legislature in 2005. If lawmakers are resistant to the issue, Beck says that he will push for a statewide ballot proposal in 2006.

Similar laws exempting patients who use marijuana medicinally from state arrest and prosecution have been passed by voters in Alaska, Arizona, California, Colorado, Maine, Nevada, Oregon, Washington, and Washington, DC, though the District's law was never implemented.

State legislatures in Hawaii, Maryland and Vermont have also enacted similar laws protecting qualified medical marijuana patients.

For more information, please contact Allen St. Pierre, Executive Director of the NORML Foundation, at (202) 483-5500.

Detroit Voters Approve Allowing Medical Marijuana Use

Posted by CN Staff on August 03, 2004

By Sarah Karush, The Associated Press

Detroit -- Residents approved a proposal Tuesday to legalize medical marijuana use in a largely symbolic victory for those who hope to rewrite the state's drug laws. With 98 percent of precincts reporting, 59 percent, or 38,604 votes, were in favor of Proposal M, while 41 percent, or 26,497 votes, were against.



The vote changes the city code, creating an exception to the marijuana ban for people who use the drug for medical purposes under a doctor's direction. But the change has no effect on federal and state laws that allow prosecution of those possessing or using marijuana.

The initiative's backers acknowledge that there will be little practical effect from the change and view the measure as a step toward rewriting the state's drug laws.

Timothy Beck, founder of the Detroit Coalition for Compassionate Care, which collected the necessary signatures to put the measure on the ballot, said his group will work to change state laws following the Detroit vote and a similar one scheduled for November in Ann Arbor.

Beck said the group will work with lawmakers to put the issue before the state Legislature or push for a statewide ballot initiative in 2006.

"We're just going to let this message resonate, and it is a substantial message," Beck said.

"Sophisticated persons that vote in primaries overwhelmingly support medical marijuana."

Opponents of the change say it will send the wrong message to young people about drug use and is part of a push for broader legalization of marijuana.

Alaska, Arizona, California, Colorado, Hawaii, Maine, Nevada, Oregon, Vermont and Washington state have passed laws allowing the use of marijuana for medical purposes. The U.S. Supreme Court said in June that it will rule on the issue in the case of two California women who say marijuana is the only drug that eases their chronic pain.

Detroit Coalition for Compassionate Care: <http://www.mmdetroit.org/>

DETROIT VOTERS APPROVE ALLOWING MEDICAL MARIJUANA USE

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MAP posted-by: Richard Lake

ANN ARBOR, MEDICAL MARIJUANA

November 2004 see Ann Arbor history above

The Detroit medical marijuana victory was in the primary, in August 2004, winning with 60% of the vote.

The Ann Arbor victory was in November 2004. We won with 74.28% of the vote.

Chuck Ream was teaching kindergarten in Monroe and had been preparing himself for an opportunity

to work in cannabis politics for decades. In Ann Arbor in late 2003 Rich Burkett and JP DeNoyer had a good medical marijuana petition, were getting signatures, but had no money and no possibility of real success. Chuck decided that this would be a good year for him to retire and take over the Ann Arbor campaign, which Rich and JP were willing to relinquish if the job could be done. More than 5000 signatures were required in Ann Arbor.

In Detroit, Tim did an ordinance amendment rather than a charter amendment and had to gather around 7000 signatures.

The only volunteers other than Rich Birkett or JP Denoyer were Trina Moss and Melody Karr, who produced sheets of signatures. Most of the signatures were paid for by Chuck, and the city checked each signature right back to the persons card they filled out when they registered to vote.

Chuck has a few pamphlets and materials from this Ann Arbor campaign, see "What If It Was Your Mother", a pamphlet;.

Stephen Postma, Ann Arbor city attorney, said that Ann Arbor would not recognize the law – and a media war occurred between Ream and Postma, which was mostly contrived to sell papers. (Postema later gave testimony before a state legislative committee on the necessity to have well regulated dispensaries to implement the MMMA of 2008.)

Local Boy Makes Good

Stephen Postema weighs his next move

Ann Arbor Observer
by James Leonard
January, 2013

Of the ten years Stephen Postema's been Ann Arbor's city attorney, the past one's been his best yet for big wins in court.

The blond-going-gray lawyer hasn't lost a lawsuit since he got the job. But he's won more and bigger cases in the past year than ever before.

(MOST OF ARTICLE OMITTED)

After the state's voters approved the Medical Marijuana Act in 2008, local entrepreneurs quickly opened twenty businesses where the drug is bought and sold.

In 2010, council asked Postema to draft a measure regulating the dispensaries. Since the law made no provision for sales or purchase, Postema responded with a draft that would have them shut down as public nuisances. Council rejected that approach, instead imposing a moratorium on new openings but grandfathering in existing businesses.

Councilperson Sabra Briere played a key role in drafting the law that eventually passed. "Asking a city attorney to change the way they look at the issue requires a real ability to screw their head on in a different direction," she says, "and I wouldn't say that everybody was there yet."

Apparently, Postema's head has since changed directions. Though he maintains that "the city can't have its own medical marijuana law separate from the state," he says the city could advocate changing state law--and that's what he'll be doing in Lansing this spring. "There's an effort to amend the law to allow

for a local option" on permitting or banning dispensaries, he says, "and I'll be speaking at the state legislature specifically on that issue."

Writes Briere, "He heard clearly from the folks who were on Council in the summer of 2011 that they wanted to provide controls but not barriers to medical marijuana."

"If my clients want that and there are legitimate problems with the law, then we're going to the state legislature to get the law changed," Postema agrees. "Changing the law would be a real game changer-- which is not to comment on whether it's a good or a bad thing."

"My jaw dropped when I heard him say I'll help you guys get through at the state level," says Chuck Ream, the longtime medical marijuana advocate who once threatened to burn Postema in effigy and is currently president of Arborside Compassion, one of two local dispensaries raided by the Livingston and Washtenaw County Narcotics Enforcement Team last year. "That's impressive and shows good faith. I'm proud of him for that."

Ann Arbor's City Attorney Declares Medical Marijuana Vote Invalid

BY JOIN TOGETHER STAFF
November 7th, 2004

A day after voters in Ann Arbor, Mich., voted to approve a medical marijuana ballot initiative, City Attorney Stephen Postema declared the measure invalid, the Ann Arbor News reported Nov. 4.

According to Postema, a 1977 court decision law permits city officials to refer marijuana cases for prosecution under state law even though their actions would contradict the city's new charter language. The case law, said Postema, means that his office and city police are not bound by charter amendment prohibitions that conflict with state and federal law.

Following Postema's declaration, Ann Arbor Police Chief Dan Oates ordered his officers to continue following normal enforcement policies for all marijuana sale and possession offenses. Medical-marijuana proponents who led the city's petition drive said the matter is likely to end up in court.

Despite Michigan's case law on charter amendments, Scio Township Trustee Chuck Ream said, "The citizens of Ann Arbor have spoken just as clearly. And people who would like to be employed by the city should either listen to the voice of the people when they vote or they should seek employment in another community. If the people of Ann Arbor didn't speak clearly yesterday, then I don't know what it takes."

Proposal C was approved with 74 percent of the vote.

Ann Arbor officials look to cap medical marijuana dispensaries at 15 under new ordinance

By Ryan J. Stanton
Ryan J. Stanton | AnnArbor.com



Medical marijuana advocate Chuck Ream addresses the Ann Arbor City Council Monday night. The council is considering new licensing and zoning regulations for medical marijuana dispensaries and home occupations.

Ann Arbor officials are proposing to limit the number of medical marijuana dispensaries and cultivation facilities in the city to 15 under a new licensing ordinance.

Fifteen facilities — each serving 500 patients on average — should be enough to meet the demand for medical marijuana in Ann Arbor, said Wendy Rampson, the city's planning manager. She predicts up to 5,700 individuals locally might seek medicinal cannabis.

Across Michigan, there already are more than 43,000 patients.

Details of Ann Arbor's new medical marijuana licensing ordinance were shared with the Ann Arbor City Council Monday night.

New information suggests at least a dozen dispensaries are already operating in Ann Arbor, and some serve anywhere between 300 and 1,000 patients.

But for now, there's a moratorium on any new dispensaries opening until city officials can sort out how to properly regulate them.

The council decided Monday to postpone a first reading of the new licensing ordinance until Jan. 3 at the advice of City Attorney Stephen Postema, who said details still are being worked out. The ordinance is expected to come back for final approval on Jan. 18.

At that same meeting, the council will be asked to give final approval on a new zoning ordinance that regulates where dispensaries can locate in Ann Arbor.

The licensing ordinance doesn't include a limit on the number of medical marijuana home occupations. But it does say if residents want to grow more than 24 plants, they would be subject to a safety inspection by a city building official.

If a building official deems it necessary, those running home occupations also may need to show proof from a qualified professional that "equipment necessary to handle heating, ventilation and air balance requirements has been installed to prevent the growth of harmful mold or other conditions harmful to individuals inside the dwelling."

The ordinance, as it's now proposed, further states no one can be eligible for a license to operate a cultivation facility, dispensary or home occupation if they have been convicted of a misdemeanor involving any controlled substance or any felony.

Postema said the rules, including the inspections, aren't meant to infringe on anyone's rights or invade anyone's privacy. Rather, he sees them as reasonable to ensure safety.

But that's not the way local marijuana advocate Chuck Ream sees it.

Ream thanked council members Monday night for their work on the new medical marijuana regulations, saying they have done a "tremendous job so far." But he accused the city attorney's office of throwing "a giant monkey wrench into the works."

"This home occupation thing is clearly illegal and really stinks," he said. "Council never once asked for the power to identify and harass local caregivers who are licensed by state law."

Ream said he considers inspections an illegal "home invasion." He said it would "terrify" and "discourage" people who need medical marijuana from participating in the program.



"The law says you may not search, you may not inspect," Ream told city officials. "Here in Ann Arbor, we simply can't set a bad example. People all over the state are looking for us to set a good example that they can take to their city." Postema disagreed with Ream's legal interpretation. He said local medical marijuana regulations throughout the state will be tested in court, but he thinks inspections are reasonable to the extent that they look out for safety.

"In a residential neighborhood for a caregiver, the statute provides up to 60 plants," he said. "And I think anybody who deals with these type of grow operations recognizes — even the proponents of marijuana — that 60 plants grown in a residential home is a serious issue."

Postema said the city would keep its list of license holders confidential and wouldn't disclose the names or addresses to anyone under any circumstances.

He said having the city keep a list benefits license holders so they're not subject to unnecessary raids by police who might otherwise suspect an illegal grow operation.

"There have been raids on dispensaries in the state of Michigan as recent as September, so it is not true that the federal government has taken a hands-off policy," he said.

Postema said Ann Arbor's regulations pale in comparison to the level of regulations in some other places, including in the state of Colorado.

In Michigan, he said, the state statute legalizing medical marijuana doesn't even mention dispensaries, which has made the issue more contentious.

"The argument is, in some sense, whether or not that absence in state law permits such an entity, or whether the absence indicates it is prohibited," Postema said. "That is an issue that will now be fought out in the courts because there are many communities that have not allowed medical marijuana dispensaries at all. In fact, many smaller local communities surrounding Ann Arbor have made that determination."

Postema said licensing and regulating dispensaries in Ann Arbor is prudent because of what has happened in other states that have allowed dispensaries.

"The experience both in California and then looking at Colorado that did this much earlier demonstrated that a wide-open acceptance of dispensaries without regulation was a clear error — in no uncertain terms — on all levels of public policy," he said.

Council Member Stephen Kunselman, D-3rd Ward, asked whether limiting the number of dispensaries would just end up creating larger ones. Postema said that could be the case.

Postema said the city attorney's office still is considering a licensing fee. He said it could be \$200 with additional fees to cover the costs of any inspections.

Council Member Sabra Briere, D-1st Ward, said it seems more questions need to be addressed.

"We should have more answers than we do today," she said. "We should know where we're headed. I hear a lot of questions about where we're going."

Ryan J. Stanton covers government and politics for AnnArbor.com.

FERNDALE MEDICAL MARIJUANA

In Ferndale we had Donal O'Leary, who was interested in being the local spokesperson for medical marijuana. Neil Bush wrote the Ferndale petition in 2005. He drafted all of the early petitions in campaigns run by Tim.

Signatures were essentially single-handedly gathered by Donal and Tim. Only a small amount were needed. They needed 293 valid signatures.

There was a grant from MPP for Ferndale., A total of \$4488.

Back to Detroit: there was a \$30,000 grant from MPP, possibly \$10,000 was raised, and 40 or \$50,000 came from the pocket of Tim.

Note: also in Ann Arbor, there was a grant of two or \$3000 from MPP, given twice – Chuck put up around five or \$6000.

There was opposition in Ferndale in 2004 from the police chief and some members of the city council.

We won bigtime.

TRAVERSE CITY MEDICAL MARIJUANA

This was written as a charter amendment and as a lowest law enforcement priority initiative for medical marijuana. The petition was drafted by David Cahill.

The most striking oddity for me was that we could use none of our signs, which we had spent so much money on. We got up in the morning to post our signs, and all of them were taken down. They don't allow signs at all.

Many folks helped with the Traverse City campaign – which was spearheaded by Laura and Matthew Barber, Matthew was a disabled veteran with multiple Sclerosis.

Former Detroit police officer Dan Solano moved to the Traverse City area to significantly help with a portion of this campaign.

Melody Karr and Reverend Steve Thompson came in to help with a portion of the campaign. I remember myself and Laura Barber pacing the room and dry heaving from anxiety at 5 a.m..

In the early morning of these elections one always wonders "what have I done, what if we lose".

Adam DeVaney was the spark plug on the street before actually getting the signatures necessary to make this happen.

The Traverse city medical initiative won at 63% in favor.

There did not appear to be any active opposition.

Traverse City, Ferndale approve medical marijuana use

November 09, 2005
John Flesher , Associated Press

TRAVERSE CITY - Laura Barber says she's convinced good will come from an approved city ordinance instructing police to go easy on those who use marijuana for medical purposes, although critics dismiss it as a worthless gesture.

"I believe in my heart that it will have an effect," said Barber, executive director of the Coalition for Compassionate Care, which led the petition drive to get the measure on the local ballot.

Her 32-year-old husband, Matthew Barber, was convicted of possession last year. Laura Barber says he uses marijuana to relieve symptoms of multiple sclerosis.

Voters in this northern Michigan community endorsed the ordinance during Tuesday's election, with 1,594 in favor and 925 opposed. It doesn't make marijuana legal but declares possession, use or delivery of the drug by a medical patient the "lowest law enforcement priority of the city."

Meanwhile, a proposal to allow medical use of marijuana in Ferndale passed 1,894 to 1,222. Detroit and Ann Arbor adopted similar measures in 2004.

But state law prohibits possession and use of marijuana, raising doubts about the legality of the municipal ordinances.

The Michigan attorney general's office last year concluded the Ann Arbor ordinance was contrary to state law, spokeswoman Allison Pierce said.

Donal O'Leary III, a University of Michigan student and Ferndale resident who led the pro-marijuana campaign there, said he believes local officers pay attention to such ordinances.

"There have been zero medical marijuana-related arrests or prosecutions" in Detroit or Ann Arbor since their measures passed, O'Leary said.

A message seeking comment was left with Ferndale Police Chief Michael Kitchen. He has said his department would continue arresting anyone found with marijuana.

FLINT – MEDICAL MARIJUANA

It was the only thing on the ballot.

The city Council deliberately dragged its feet so that our issue would not make the November ballot... in a big turnout election.

It was put on a February ballot all alone – a deliberate move to cause it to cause it to lose. Low turnout elections are generally bad for this issue.

Then, of course, they blamed us for having to have the February election with one item on the ballot ,wasting taxpayer dollars.

3% of the electorate turned out in February, nonetheless the voters turned out our standard 62% medical marijuana victory, even after all the shenanigans.

Flint leaders on the ground back then were Brian Morrissey and Charles Schneider and his mate. Tim also gathered signatures.

Flint to Vote on Medical Marijuana Ballot Measure

Sunday, January 14, 2007

Flint voters will decide next month on a municipal initiative that seeks to exempt qualified patients from local prosecution if they possess and use cannabis under a physician's recommendation.

Sponsored by the Flint Coalition for Compassionate Care, Proposal 1 amends city law so that the possession of cannabis and cannabis paraphernalia by authorized patients would no longer be a criminal offense. Proponents submitted approximately 2,000 signatures from local voters last August to qualify the measure on the 2007 ballot.

"A win in Flint would send a powerful message to Michigan citizens," said Flint Coalition for Compassionate Care co-director Charles Snyder III. Snyder, who uses cannabis medicinally to treat symptoms of Nail Patella Syndrome (NPS), a rare bone disease, added, "Having already won in four major Michigan cities, a win in Flint would help create the momentum and support necessary to put forward a statewide ballot initiative before Michigan voters in 2008."

Ann Arbor, Detroit, Ferndale, and Traverse City have approved similar citizen voter initiatives since 2004.

Flint citizens will vote on the measure on Tuesday, February 27, 2007. THIS IS THE ONLY ITEM ON THE BALLOT, SO MAKE SURE YOU GET TO THE POLLS YOU LAZY POTHEADs!



STATEWIDE MEDICAL MARIJUANA FOR MICHIGAN! 2008 (MPP) (see **Wiki summary**)

After the first five victories were accomplished, the Washington DC based Marijuana Policy Project (MPP), could see a clear path to victory for medical marijuana in Michigan. They organized and funded a statewide campaign in Michigan for medical marijuana.

Victory was accomplished in 2008, gaining more votes than had ever been cast for any human being or issue in Michigan history.

63%...in a presidential election year.

Strategic drafting was used to maximize vote – we accomplished our goal, later this effort was called “hazy” since it provided no safe access other than a caregiver who could grow for 5 patients. Most votes ever...8 years later there has been no state action to provide safe access.

Michigan voters approve medical marijuana measure

AP By The Associated Press
on November 04, 2008 at 10:53 PM, updated November 05, 2008 at 1:33 PM

DETROIT - Voters in Michigan overwhelmingly approved a medical marijuana ballot measure -- making it one of a quarter of states to allow severely ill patients to use the illegal drug.

With 87 percent of the precincts reporting, 63 percent, or 2,557,410 people, voted "yes" on Proposal 1, which removes state penalties for registered patients to buy, grow and use small amounts of marijuana. Thirty-seven percent, or 1,519,273 voters, were opposed.

Opponents again were unable to derail the measure. In fact, only one state, South Dakota, has failed to OK a ballot attempt.

Of the 12 other states with medical marijuana laws, eight stemmed from ballot initiatives; four were enacted by state legislatures.

"I think it's a real victory for the patients and their families," said Dianne Byrum, spokeswoman for the support group Michigan Coalition for Compassionate Care. "I just had a feeling from the very beginning this was going to pass, and it was going to resonate with the voters. ... "Voters knew right from the beginning the medical value of marijuana."

Michigan Court of Appeals Judge Bill Schuette, chairman of the opposition group Citizens Protecting Michigan's Kids, said he was disappointed with the outcome but not the effort.

"It appears we came up short," he said. "We waged a good campaign, a hard-fought campaign. But we were severely underfunded, and that's always a challenge."

The coalition included more than two dozen medical, law enforcement, anti-drug and other organizations, including the Michigan State Medical Society, the Prosecuting Attorneys Association of Michigan and Citizens for Traditional Values.

Opponents launched their first TV ad last week that says so-called "pot shops" exploded in California when that state passed a medical marijuana law. Critics such as law enforcement officials say Michigan's law wouldn't prevent the proliferation of stores that grow and sell marijuana.

Backers responded that the Michigan measure was significantly different from California's law. Proposal 1 advocates ran ads urging voters to support the measure. They featured Rochelle Lampkin of Detroit, who suffers from multiple sclerosis and experiences blindness from optic neuritis, and George Wagoner, a retired physician from Manistee who helped his wife of 51 years by procuring

medical marijuana to ease her symptoms of chemotherapy as she underwent treatment for ovarian cancer.

In campaign finance reports for the period through Oct. 19, proponents reported raising \$1.5 million, most of which came from the Marijuana Policy Project in Washington, D.C. The opposition group raised \$125,500 for the same period.

While the measure will remove state-level penalties for registered patients using marijuana, it won't create legal dispensaries for the drug. Nor will it affect the federal ban on marijuana, which makes possessing marijuana for any purpose illegal.

Larry Lenchner, 56, of Birmingham, voted for the measure.

"If you got cancer and you're dying and you want to smoke weed, it's just another pharmaceutical to me," he said.

Claire Luczak, a 20-year-old junior at the University of Michigan, said she voted against the proposal because she thought it was too lax.

"It would be too easy to get it," she said. "I know hundreds of people who smoke pot, and I think people would get it for recreational use and not legitimate reasons."

KALAMAZOO, 2011, Lowest Law Enforcement Priority (LLEP)

Much had been won, but victory was grossly incomplete – the medical law was being ignored and people were still being arrested for marijuana...including qualified medical patients.

Louis Stocking from Kalamazoo kept repeating on the Michigan NORML listserv that we should run a lowest law enforcement priority initiative in Kalamazoo, thus beginning our city by city strategy all over again. He was a contentious and voluble individual. However, over time, Chuck began to realize that he was right. Chuck met with him, and joined with him in his concept, and ended up giving him thousands of dollars, which Chuck got mostly by selling signs at the Hash Bash. These were signs that growers could buy to notify any onlooker that their operation followed the law. Many buyers thought they needed to have one. After the Hash Bash of 2010 I had nearly \$3000 stuffed into my jeans - which went to Kalamazoo. Louis did not personally get signatures, but he was a pretty good organizer of other people to get good signatures, (which has its own set of challenges) and if he got enough money he could get enough signatures and we put it together successfully.

Ryan___ also helped...get sigs. Find records, contracts

Louis conducted an interview for one newspaper article which went something like " won't it be great when everybody comes to Kalamazoo and smokes pot".

Evidently no one paid much attention and the LLEP won with 65% of voters in favor.

Martin Chillcutt ,who had done work with cannabis reform in Colorado, helped with the Kalamazoo Initiative.

This Kalamazoo victory set up our big year for victory of 2012.

Kalamazoo voters overwhelmingly pass charter amendment de-emphasizing marijuana enforcement



By Paula M. Davis | Kalamazoo Gazette_

on November 09, 2011 at 6:35 AM, updated November 09, 2011 at 6:46 AM



KALAMAZOO — Busting someone age 21 or older for having a small amount of marijuana is to become codified in Kalamazoo's charter as the lowest priority for law enforcement.

A ballot measure to amend the city charter passed resoundingly Tuesday, with 65 percent of those voting on the proposal approving it. Unofficial totals show 4,649 voted for it, while 2,416 voted against it.

The margin of victory was no surprise to Louis Stocking, who led the petition drive of the Kalamazoo Coalition for Pragmatic Cannabis Laws to get the proposal before city voters.

Stocking pointed out the winning margin Tuesday was "almost identical to" the Michigan's Medical Marihuana Act of 2008, which received about 65 percent approval in Kalamazoo County and 63 percent statewide.

"It's pragmatic. That was the name of my campaign," Stocking said. "It's logical. There's no reason for it to be a priority at all. This is a harmless drug," said Stocking, who added that the "next drive is for a state initiative along the same lines."

Stocking said he plans to mount a statewide effort to legalize marijuana.

The ballot question voters approved Tuesday was: "Shall the Kalamazoo City Charter be amended such that the use and/or consumption of one ounce or less of usable marijuana by adults 21 years or older is the lowest priority of law enforcement personnel?"

Kalamazoo City Attorney Clyde Robinson and Kalamazoo Department of Public Safety Chief Jeff Hadley have said it will have no practical effect because the city's charter only addresses ordinances. Marijuana possession and use are illegal under state law, which officials say they will continue to enforce.

Attorney General Bill Schuette and Gov. Rick Snyder formally disapproved of the charter change when it was just a proposal but had no legal standing to bar it from going before voters in Kalamazoo because it was prompted by citizen initiative.

Edward Redlin and Melissa Zinn were among the "yes" voters Tuesday, saying that government spends too much money on prosecution of marijuana possession while legal substances, such as alcohol, cause more damage in society in their view.

"I just think it's (marijuana) the most demonized plant on the planet for basically no reason. It's a plant. ... It's nothing like heroin or LSD ... or even alcohol," Redlin said.

"It should be a low priority for law enforcement," said his wife, Zinn.

Dale Rowe was among Kalamazoo residents who voted against the proposal, saying Tuesday that "nobody should be smoking marijuana."

Rowe feels that drug policy reforms should be addressed at the federal and state levels and that a city charter amendment "isn't the way to change it."

enforcement



Louis Stocking, 26, of Kalamazoo, is a medical marijuana user. Stocking suffered a spine injury from an auto accident and because of chronic pain, he applied for a medical marijuana card in 2009.
Mark Bugnaski | MLive.com



By [Aaron Mueller | amueller1@mlive.com](mailto:amueller1@mlive.com)

on February 01, 2014 at 6:45 AM, updated February 01, 2014 at 10:37 AM

KALAMAZOO, MI – Criminal cases for marijuana possession hit a five-year high in Kalamazoo in 2013, despite recent charter and ordinance changes de-emphasizing pot possession.
I smoke marijuana A medical marijuana user explains why he smokes.

The Kalamazoo Department of Public Safety had 884 marijuana possession cases in 2013, up 11 percent from 2012 and 20 percent from 2011. Yet, far fewer people were arrested last year for marijuana possession, with most instead being issued citations for misdemeanor possession.

"The main difference now is that if you are arrested for armed robbery and have marijuana in your pocket, it is coded as an arrest," said Public Safety Chief Jeff Hadley. "If you are caught smoking a joint, it's coded as a citation and you are given a ticket."

In November 2011, Kalamazoo voters by a 2-1 margin approved a charter amendment to make busting adults age 21 or older in possession of marijuana the lowest priority for police. Then in October 2012, the Kalamazoo City Commission adopted an ordinance making marijuana possession a misdemeanor enforceable by an appearance ticket rather than an arrest.

KDPS statistics show arrests for marijuana possession went from 690 in 2012 to 349 last year. But there were also 535 ordinance code violations for possession of marijuana in 2013, taking total cases to 884. That compares to 795 cases in 2012, 738 in 2011, 881 in 2010, and 765 in 2009.

Hadley said the 2011 charter amendment making marijuana possession the lowest law enforcement priority hasn't changed the way his officers approach marijuana offenses.

"It's what I said in the past and what I say today. We don't go out and look for people smoking marijuana," the chief said. "We don't have staff meetings saying, 'Let's go find people smoking marijuana.'"

If officers "stumble upon" someone with weed, they will be issued an appearance ticket and charged with a misdemeanor, Hadley said. If a person arrested for another offense is in possession of marijuana, he or she will face a possession charge.

Kevin Spitler, who owned the Med Joint Community Compassion Center in Oshtemo Township before the state outlawed medical marijuana dispensaries, said he hasn't heard marijuana users in Kalamazoo say they feel targeted by police. "I haven't heard a lot of backlash about people feeling like they are getting harassed," he said.

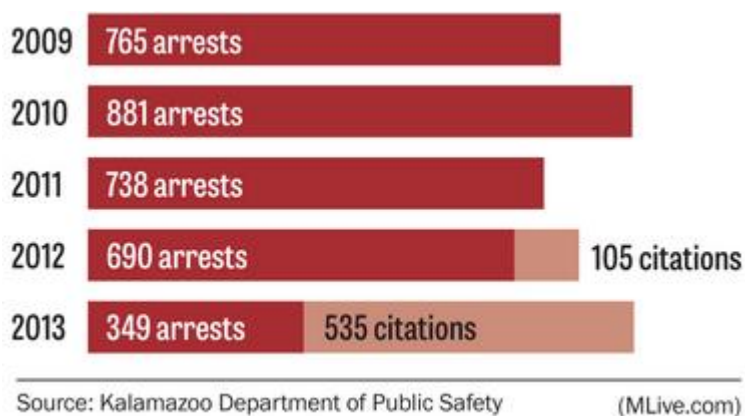
Louis Stocking, a Kalamazoo resident who holds a medical marijuana card for treatment of chronic migraines from a herniated disc in his spine, said he hasn't had any issue with police targeting him. In fact, Stocking said on one occasion officers actually helped him get back some stolen marijuana.

"Somebody had stolen two ounces from me," Stocking said. "The cops searched the house, found it, gave me back my marijuana ... and that was that."

But Kalamazoo defense attorney John Targowski, who helped co-author the 2011 charter amendment, is disappointed that it hasn't had more impact. "I perceive that there is almost no difference, based on the number of people that I am representing," he said.

Stocking, who also helped push for the amendment, said he was hoping officers would only make an arrest or issue a citation for marijuana possession if the offender also was committing another crime.

"I've heard a lot of people getting a solo charge," he said. "I just don't think that's right."



Although the 2011 charter amendment hasn't reduced the overall number of arrests and citations, the 2012 ordinance has helped free up officers' time significantly, police say.

"By issuing a citation, it eliminates a lot of work, unless the person decides to get a court date and have a hearing," Hadley said. "It has freed up some time for officers to focus on other higher priority things." Assistant Chief Donald Webster, who oversees the Kalamazoo Valley Enforcement Team, said detectives in the drug interdiction unit had wanted such an ordinance for years.

"This ordinance has had a huge impact on this organization," Webster said. "It has reduced the caseload by hundreds of cases this year. It has helped free up detectives to spend more time on more serious cases."

The ordinance also lessens the penalty for marijuana possession. Previously, a possession charge carried a penalty of one year, a \$2,000 fine, or both. Under the current ordinance, it carries a maximum 93-day jail term, a \$100 fine, or both.

Webster said because of that, more offenders are now pleading guilty to the charge and not fighting it in court. And if there is a guilty plea, detectives don't have to spend time reviewing the report, processing evidence and testifying in court.

Another side effect of the ordinance has been reducing crime lab drug testing by 50 percent, according to the assistant chief. It saves a lot of man hours, considering testing an ounce of marijuana takes the same amount of time as pounds of the drug, Webster noted.

The ordinance also impacts patrol officers, who don't have to spend time arresting people for possession of marijuana. It takes about 20 minutes for an officer to issue an appearance ticket, while it can take about 90 minutes to make an arrest and book a suspect, Webster said.

Targowski said he is happy with the lower penalties for marijuana possession, but argues it doesn't go far enough.

"The city portrayed it as an easier thing for people caught with marijuana," Targowski said of the ordinance. "But it's still a misdemeanor. They still have to go to court, get a court-appointed attorney and have a criminal record."

The city portrayed it as an easier thing for people caught with marijuana. But it's still a misdemeanor. -- attorney John Targowski

The ordinance allows first-time offenders to have the misdemeanor removed from their record upon successful completion of probation, but Targowski said young people are still racking up unnecessary criminal offenses.

Targowski supports decriminalizing marijuana possession, similar to the voter-approved amendment in Grand Rapids that made possession of a small amount of weed a civil infraction. The penalty in Grand Rapids is \$25 for first offense, \$50 for second offense and \$100 for third offense.

"This would mean no court appearance, no court-appointed lawyer, and making the consequences drastically less," Targowski said.

Spitler said he has met with city officials to "educate them" about marijuana's medical benefits and arguments for legalization, but he said he doesn't know of any local efforts to try to decriminalize the drug.

Targowski said he is unsure if the Kalamazoo community is ready for marijuana possession to be decriminalized. If Michigan reverses course and makes medical marijuana dispensaries legal, it might create momentum to move toward decriminalizing marijuana, he said.

House Bill 4271, which passed the state House of Representatives in December and moved on to the Senate, would empower local communities to decide whether they want to allow dispensaries.

"If dispensaries open in Kalamazoo, there would be broader movement to decriminalize it," Targowski said.

Aaron Mueller is a public safety reporter for the Kalamazoo Gazette.

2012 CAMPAIGNS (5)

Michigan State Policy Alert

Sent: November 7, 2012

From: Dan Riffle

Topic: Ballot Initiatives

Title: Marijuana goes five for five in Michigan!

Message:

Colorado and Washington are getting lots of attention this morning for becoming the first states to end marijuana prohibition, and deservedly so, but Michigan deserves some attention too. There were five cities voting on initiatives that would roll back marijuana prohibition, and all five passed!

Detroit — Measure M, removing criminal penalties for possession of less than one ounce of marijuana under city law, received 60% of the vote.

Flint — An initiative similar to Detroit's, decriminalizing possession of less than an ounce under city law, received nearly 60% as well.

Kalamazoo — An initiative allowing three medical marijuana dispensaries received more than 64% of the vote.

Grand Rapids — An initiative making possession of marijuana a civil, rather than criminal, offense and removing the possibility of jail time under city law passed with 59% of the vote.

Ypsilanti — A measure making enforcement of marijuana laws the city's "lowest law enforcement priority" got a whopping 74% of the vote.

Congrats to Decriminalize Grand Rapids, the Coalition for a Safer Detroit, Eastern Michigan Students for Sensible Drug Policy, and all the other activists around Michigan who made this historic sweep happen! Help us carry the momentum forward by asking your legislators to decriminalize marijuana throughout the state.

DETROIT, 2012 FULL LEGALIZATION

This was our first campaign for full legalization.

Question: Tim..., what was it that made you decide to do another Detroit initiative, this time for full legalization?

Tim: "I simply wanted to continue the struggle. The goal in my mind was never medical marijuana - it was strictly the concept of legalization and regulation - so the next logical step was going for legalization in the biggest city in the state to make a statement and set up the field of play and start out on the trail toward full legalization."

Q. What could you say about the power or influence of non-governmental neighborhood based organizations in Detroit?

Tim: Well it all depends on what issue you're referring to. With respect to cannabis they don't really have that much power because most most people in Detroit, while they don't want to admit it except in the privacy of the voting booth, don't really have much of a problem with the peaceful use of marijuana.

Q. Did you encounter community organizations that wanted a payment for their support?

Tim: They have these slates; they're called Detroit Eastside slate or Fannie Lou Hamer or a different one. You pay the money for them printing up material and getting the word out.

We did have opposition from the usual suspects that opposed medical marijuana in 2004 . It's the Partnership for a Drug Free Detroit. They get some federal money to make sure to protect people from the scourge of drug abuse, including marijuana. They did demonstrations and had a letter writing campaign but nobody really paid much attention.

We also were opposed by the fourteenth district democratic party organization which was controlled by the UAW. They came out against legalization. 13th congressional district voted in favor of legalization so then we met.

For the first time we got the endorsement of a major newspaper which was the Detroit Free Press, the Detroit News did not take a position on the issue.

Legalization won in 2012 in Detroit by 65%.

It took two years of litigation to get on the ballot in 2012, this was supposed to be on the ballot in 2010. The state Supreme Court ordered the city to put it on the ballot. Tim had hired the firm of Honigman Miller - they're the largest law firm - to win this lawsuit; and spent tens of thousands of dollars. Following this decision our legalization template was basically affirmed . We used it in many more cities.

This is a published opinion, which means it has the force of law state wide, unless it is changed by the legislature.

Matt Abel argued the case for the coalition for a safer Detroit.

www.huffingtonpost.com/2012/11/02/detroit-marijuana-ballot-measure-proposal-enforcement

Voters to decide pot issue in Michigan, across country

Bill Laitner, Detroit Free Press 10:38 a.m. EST November 3, 2014

Tuesday's election is the first in Michigan and across the nation to reflect in key ways that Americans are shifting in their attitudes toward marijuana.



(Photo: AFP/Getty Images)

Tuesday's election is the first in Michigan and first across the nation to reflect a widespread movement in the change of attitudes on the issue of legalizing marijuana.

Residents will vote on ballot measures to significantly amend marijuana laws in four states — Alaska, California, Florida and Oregon — as well as in Washington, D.C., and numerous cities and counties around the country.

In politics, as in so many other things, the rule is: Follow the money.

"This is the first election ever when people with big money are getting involved with pro-marijuana candidates and the ballot issues" to legalize medical marijuana, said Chuck Ream, 67, of Ann Arbor.

But the big money is being spent in Florida and other states — not Michigan, said Ream, a retired kindergarten teacher and veteran marijuana activist. While Florida has been the site of multimillion-dollar contributions both for and against a statewide proposal to allow medical marijuana, which is supported by one gubernatorial candidate and opposed by the other, Michigan's campaigns are operating on shoestring budgets, he said.

The nonprofit group Ream co-founded — the Safer Michigan Coalition — spent only about \$12,000 on lawyers' fees and to pay signature collectors when it gathered petitions to put marijuana proposals on ballots in 11 communities, he said.

"Most of our campaign people were unpaid volunteers, and we're spending nothing on the usual things — no billboards, no flyers, no TV or radio ads," he said.

In several communities, where more than enough voters signed petitions to get marijuana proposals on city ballots, local officials mounted legal challenges and the Safer Michigan Coalition ran out of money to respond in court, said Tim Beck, 62, of Detroit, a retired health insurance executive who bankrolled some legal fees.

Despite those setbacks, marijuana proposals will be on ballots in Clare, Frankfort, Harrison, Lapeer, Mt. Pleasant, Onaway, Port Huron and Saginaw. In metro Detroit, proposals will be on ballots in three neighboring cities of southeast Oakland County.

In Berkley and Huntington Woods, the wording is almost identical: Should voters replace local ordinances that make marijuana possession a criminal offense with one allowing possession of small amounts of marijuana by those 21 and older, on non-public private property? In Pleasant Ridge, which has no local marijuana ban, the ordinance asks whether to make possession and use of marijuana the town's "lowest law enforcement priority."

Ferndale residents voted last year to allow possession of small amounts. Similar proposals passed in August in Hazel Park and Oak Park. The change in attitudes toward marijuana is a worry to supporters of the Tri-Community Coalition, a substance-abuse prevention group in Berkley, Huntington Woods and Oak Park.

"Hopefully, people will vote no and this issue will die," said Executive Director Judy Rubin.

"I don't want to see any marijuana use in our communities," Rubin said.

And opponents question whether such ordinances are more than mere symbolism.

Ferndale Police Chief Tim Collins said the proposal's passage didn't change anything in his department, where officers now follow the state law that still forbids marijuana possession.

Yet, each time a city's voters approve one of the proposals, it shows state legislators that Michigan is ready for a statewide law to ease marijuana penalties, Beck said.

"We've never lost one of these elections," he added.

Meanwhile, more candidates are speaking out on marijuana, prompting some pro-cannabis voters to split their tickets.

The Compassion Chronicles, an online magazine for users of medical marijuana, last week posted a special edition headed "Michigan's Cannabis Voter Guides." Previous guides have appeared in print but "this is the first attempt I know of to get this on the Internet," said Rick Thompson of Flint, publisher of the Compassion Chronicles.

A bill that would let communities choose whether to allow medical marijuana shops, called dispensaries, sponsored by state Rep. Michael Callton, R-Nashville, was overwhelmingly approved by the House in December by a 95-14 vote and could come up for Senate approval in the lame-duck session of the state Legislature this fall, Thompson said.

Contact Bill Laitner: blaitner@freepress.com or 313-223-4485

These 14 cities in Michigan have passed laws decriminalizing marijuana possession and use

By MICHIGAN RADIO NEWSROOM • NOV 7, 2014



A scene in Portland.
CREDIT USER IAN SANE / FLICKR

On November 4, voters in five Michigan cities voted to decriminalize marijuana possession.

- Berkley
- Huntington Woods
- Mount Pleasant
- Port Huron
- Saginaw

These are the most recent cities to do so. But decriminalizing a federally illegal substance is complex. These laws leave a lot up to the interpretation of local law enforcement officials.

Decriminalizing marijuana began back in 1972 in Ann Arbor, and has really picked up steam over the last few years. Here's an overview of the cities that have decriminalized marijuana in Michigan, when they did so, and what it means for residents and law enforcement.

Ann Arbor, 1972

Starting in 1972, possession of two ounces or less of marijuana would yield a \$5 ticket. The law came about in response to the arrest of poet and activist John Sinclair, who was sentenced to 10 years in prison for selling two joints to undercover police officers.

Today, the ticket is \$25, and no specific amount of weed is listed in the city charter.

Detroit, Flint, Grand Rapids, 2012

Detroit's proposal M exempts adults 21 years or older from criminal prosecution for the possession of an ounce or less of marijuana.

Flint's policy is similar to Detroit's, but for citizens 19 years or older. Flint police, however, were very vocal about the vote not influencing the way that police officers carried out their jobs.

Grand Rapids voters approved a law that mirrors Ann Arbor's — possession of marijuana is a civil infraction, similar to receiving a parking ticket.

That vote is being challenged by the Kent County prosecutor's office in court. The Michigan Court of Appeals will hear arguments on the case on November 14.

More from WOOD-TV:

The prosecutor's office says the charter amendment conflicts with state law and prevents prosecutors from doing their job prosecuting criminal offenses, which includes drug cases. The city is defending the amendment.

Lansing, Jackson, Ferndale, 2013

Voters in Lansing, Jackson and Ferndale all passed local laws decriminalizing small amounts of marijuana in November of 2013.

Hazel Park, Oak Park, August 2014

Both Hazel Park and Oak Park voted to decriminalize less than one ounce of marijuana for adults 21 and older who are on private property.

Berkley, Huntington Woods, Pleasant Ridge, Saginaw, Mount Pleasant, Port Huron, November 2014

In the Metro Detroit communities of Berkley and Huntington Woods, voters lifted local bans on possession of marijuana for individuals 21 years or older on private property.

Pleasant Ridge voted to make marijuana a low priority for city police officers.

And Saginaw voters put a new section in the city's charter that prevents elected officials from placing further restrictions on marijuana use for people 21 and up who are on private property. According to MLive:

Saginaw County Sheriff William Federspiel said deputies will stop citing people with minor marijuana violations. However, interim Saginaw police Chief Robert Ruth and Saginaw County Prosecutor John McColgan both said they did not plan on having their respective departments change how they do their jobs.

Mount Pleasant voted that nothing in the city's charter would punish marijuana possession of less than an ounce, which according to the city's public information officer, won't result in much of a change because they already do not target marijuana use.

Port Huron narrowly passed a similar ordinance to Berkley and Huntington Woods.

But what does it mean?

These local laws all conflict with state and federal laws that deem marijuana use illegal. The laws are, however, symbolic of the public's increasing tolerance of marijuana use and possession.

In an interview with Michigan Radio's Steve Carmody, Jeff Hank, who headed up Lansing's pro-marijuana campaign, said, "It sends a message not only to our local politicians, but politicians at the state level that it's time to do something."

We ran this list by the Marijuana Policy Project in Washington D.C. and they agreed that it looks complete. If you think we missed a city, let us know!

- *Paige Pflieger, Mark Brush, Michigan Radio Newsroom*

**Correction - An earlier version of this story listed Pleasant Ridge, MI as a city that passed a "decriminalization law." The voters passed a law that made marijuana possession a low priority for police enforcement - technically not decriminalization. The copy has been corrected above.*

GRAND RAPIDS 2012 - DECRIMINALIZATION (SMALL FINE)

The 2012 victory in Grand Rapids for marijuana decriminalization is the only one of these 25 local victories which was not in some way connected with Tim, Chuck, and the Safer Michigan Coalition. It was very well put together by a large and solid community coalition led by Michael Tuffelmire, an experienced community organizer.

Attorney Jack Hoffman was also involved; active, articulate and supportive.

A number of strong endorsements were procured, some from former mayors and city officials. To gain a 59% victory for cannabis in Grand Rapids is a great achievement, and we greatly complement Michael Tuffelmire. and his team in Grand Rapids.

The Grand Rapids campaign was run the most like a traditional campaign, with endorsements, a steering committee, social media, a get out the vote effort, etc. Tim bothered with endorsements only in his first campaign, Chuck never did. Chuck always put signs at polling places, Detroit was too big for signs, and Tim is not as enamored with them.

Grand Rapids' marijuana decriminalization stands after high court nixes hearing



By John Tunison | jtunison@mlive.com
on December 12, 2015 at 10:17 AM, updated December 12, 2015 at 12:44 PM



MLive file photo

GRAND RAPIDS, MI -- The city's 2012 amendment to decriminalize possession of small amounts of marijuana has cleared a final legal challenge.

State Supreme Court justices, in a split decision, declined to hear an appeal from Kent County Prosecutor William Forsyth in a ruling issued Saturday, Dec. 12.

Since voters approved the measure in 2012 — making possession of less than 2.5 ounces of marijuana a civil infraction — Forsyth has sought to have it overturned.

He argued the amendment wrongly prohibits Grand Rapids police from enforcing state law, or reporting marijuana offenses to county prosecutors.

A state appeals court disagreed with Forsyth's view in January, and he appealed to the Supreme Court.

The highest court's ruling was not without dissension.

Justices Stephen Markman and David Viviano wanted to hear the case.

Viviano wrote:

"I would have granted the application because I believe this case presents an important constitutional question concerning whether a home rule city may, through its charter, encroach upon a county prosecutor's broad power to enforce state law.

"I believe this case presents a conflict between the authority of a local municipality to govern its affairs and a county prosecutor's broad constitutional discretion as "the chief law enforcement officer of the county" to decide whether to prosecute or what charges to file," Viviano wrote.

Viviano, in his dissent, said he hopes the state Legislature will clarify the rights and responsibilities of a city police department and the county prosecutor once an arrest is made.

He suggested the state's "Home Rule City Act" could be amended to close a "loophole" that allows charter amendments to override a state criminal law.

E-mail John Tunison: jtunison@mlive.com and follow him on Twitter at

Election results: Proposal 2 marijuana decriminalization passes in Grand Rapids



By Matt Vande Bunte | mvandebu@mlive.com
on November 07, 2012 at 12:28 AM, updated November 07, 2012 at 10:27 PM



Dave Noble, center, Sherry Smith-Noble, right, and Rebecca Smith-Hoffman, left, all sit and drink together during the watch party for the backers of Grand Rapids Proposal 2 (the decriminalization of marijuana) at The Meanwhile Bar on Tuesday, November 6, 2012. Sherry is the mother of Michael Tufflemire, the proposal's creator. Dave is Michael's step-father and Rebecca is his aunt. (©Matthew Busch/Mlive)
Matthew Busch | mbusch1@mlive.com

GRAND RAPIDS, MI – City voters strongly favored marijuana decriminalization at the polls Tuesday, Nov. 6, giving 60 percent support to Grand Rapids' local Proposal 2 with about one out of every four precincts reporting.

The decision amends the city charter so that people possessing or using marijuana no longer are subject to a misdemeanor offense. Instead, marijuana violations will be civil infractions punishable by a fine of \$25 for a first offense, and rising to a maximum of \$100 for subsequent offenses.

The charter amendment came before voters because decriminalization advocates collected more than 10,000 signatures to put it on the ballot.

“I don’t think the crime warrants the sentence,” said Matthew Peterson, 30, drinking a Long Island Ice Tea at The Meanwhile bar where DecriminalizeGR advocates gathered. “This (alcoholic beverage) is far more dangerous than marijuana.

“This (vote) is about redefining what the substance means, taking away the stigma. There’s a lot of wasted energy (trying to crack down on marijuana).”

Proposal 2 supporters, including Mayor George Heartwell and three other city commissioners, claim that marijuana decriminalization will free up city police to focus on what they consider more serious crimes. Decriminalization also will keep people from getting a criminal record for what a marijuana violation that Heartwell has called a “youthful indiscretion.”

RELATED: Proposal 2 in Grand Rapids: 5 angles on marijuana decriminalization

The Grand Rapids charter amendment borrows language from a 38-year-old decriminalization policy in Ann Arbor, except that sale of marijuana remains a criminal offense.

"It just shows what can happen when a group gets together and pushes for what they believe in," said Michael Tuffelmire, DecriminalizeGR director. "It was time for a change (in city policy on marijuana)."

Police Chief Kevin Belk and Kent County Prosecutor Bill Forsyth also opposed decriminalization, saying it will complicate law enforcement and lead to increased substance abuse.

“It shouldn’t have been illegal in the first place,” said Andrea Horn, 24. “It’s just got a bad rap. There are too many good people getting punished.”

Email Matt Vande Bunte, follow him on Twitt

KALAMAZOO 2012 – THREE DISPENSARIES ALLOWED

Chris Chiles, a young non-attorney, was largely responsible for the drafting of this initiative; and Chuck Ream was primarily responsible for the funding and bringing it to its conclusion. Again some of the money came from the sale of "Restricted Area" signs for growers.

Dr. Crockett made major contributions.

This is another initiative that was illegally forced into a tortuous path prior to victory. Enough signatures were collected to put this issue on the ballot, but the city clerk said that there were not enough.

Chris Chiles rushed to prove that we had plenty of good signatures, and then we were told that we were now too late – even though we had enough signatures in the first place. The vote was postponed to a less advantageous date.

Charles Ream put in the signs at all 27 precincts for the first Kalamazoo initiative, and Kevin Spitler hit half of the precincts for the second initiative.

The Kalamazoo initiative to allow three dispensaries won with 57% support.

It will become operative if the Michigan State Legislature ever provides a legal framework for medical marijuana dispensaries.

FLINT, 2012, LEGALIZATION

We nearly failed in Flint to get enough valid signatures. Nearly double the amount of signatures were turned in, people felt confident, and then in the end we only had about 10 signatures to spare, out of thousands. Ben Horner was largely responsible for getting the signatures to make this campaign possible. His strategy was to get as many signatures as possible rather than checking validity. In many poor communities people will tell you they are registered to vote when they are not, because they want to sign the petition., Or they don't know.

The petition was basically created by Chris Chiles, our young nonattorney. It was accepted by the city. There was almost no campaign, and no opposition, and we won handily.

Charles Schneider and Shelby continued to work with the Flint campaign.

Flint was under emergency management at the time. The emergency manager declared that the vote meant nothing and “we will continue to enforce state law”.

YPSILANTI, 2012 LOWEST LAW ENFORCEMENT PRIORITY (LLEP)

Mostly done and paid for by Chuck.

Antonio Cosme and ? were the two Eastern Michigan University leaders.

Tim and Ben Horner both came in to Ypsilanti to help get signatures. Chuck learned that just giving money is not enough, you have to have people who can use that money and organize people to actually get good signatures.

John Evans was our validator for signatures, and was very conservative, to the point where Chuck ended up paying for nearly 1000 extra signatures.

This was a lowest law enforcement priority campaign in an extraordinarily sympathetic area, maybe the most supportive area in Michigan outside of East Lansing and Ann Arbor, and it won strongly with more than 74% in favor.

Posted on Tue, Sep 11, 2012 : 5:57 a.m.

Ypsilanti ballot initiative seeks to direct police efforts away from marijuana enforcement

By Katrease Stafford

Editor's note: This story has been updated with information from the city clerk's office regarding the number of signatures required for this initiative.

A proposal to redirect police efforts away from enforcing laws against marijuana use in the city of Ypsilanti has secured enough signatures to be on the Nov. 6 ballot.



The EMU Students for Sensible Drug Policy helped secure enough signatures for the November ballot.
Courtesy of Students for Sensible Drug Policy

City Clerk Frances McMullen said the proposal organizers, the Eastern Michigan University student organization Students for Sensible Drug Policy and the YpsilantiLowest Law Enforcement Priority initiative, secured 1,101 confirmed signatures.

For petition initiatives, 5 percent of the city's registered voters signatures must be obtained. McMullen said 700 were required.

Ypsilanti residents will vote on the following question:

"Shall the Ypsilanti City Charter be amended such that the use and/or consumption of one ounce or less of usable marijuana by adults 21 years or older is the lowest priority of law enforcement personnel?"

In May, the groups announced their efforts to secure enough votes for the initiative. Chuck Ream, political director of the LLEP, provided most of the funding for the campaign to secure votes.

Ream said SSDP members and other volunteers went door to door seeking signatures.

"The reaction was extraordinarily positive," he said. "People would rather be protected from robbery or murder than have the police chasing some kid for pot. Everyone wanted to sign even if they were not from the city of Ypsilanti."

Antonio Cosme, coordinator and organizer for the committee for a safer Ypsilanti, said he was surprised by the mixture of individuals interested in the initiative.

"We thought a lot of the older people would be against it, but I was surprised to find a lot of good discussion with people," Cosme said. "If it helps one person, it was worth all the effort. If a student gets a petty marijuana charge they can lose the opportunity to get federal grants and loans."

Cosme said organizers also received some resistance to the measure.

"We got a lot of people that just did not want to support anything that supports drugs," he said.

Other cities such as Seattle, San Francisco and Kalamazoo all passed LLEP initiatives, Ream said and he expects Ypsilanti to do the same. Ream said in November 2011, Kalamazoo voters by a nearly 2-1



Chuck Ream
File photo

margin voted to make the crime of the possession of less than one ounce of cannabis by adults the lowest priority of law enforcement employees.

"The city of Ypsilanti has had an extraordinary measure of reasonableness and support," Ream said. "It's not proper and it's un-American to destroy someone's life for a flower that grows out of the ground. I think the voters of Ypsilanti are going to top any of those numbers on that list."

Ream said if passed, the proposal will be "largely symbolic" but may lead to actual change.

"They illustrate the greatest divide between the voters and politicians that there is in American society," he said. "Ultimately the politicians will listen and the policies will begin to be similar."

Katrease Stafford covers Ypsilanti for AnnArbor.com.

FERNDALE, 2013

Ben Horner was involved in the genesis of this Ferndale campaign.

It took very few signatures to make the ballot, this was not a charter amendment, but an ordinance change.

Ben set up a meeting between Tim and Andrew Sissel, and a friend,

Andrew Sissel was impressive and took leadership along with Ben, in the later stages Deborah Young appeared to gather signatures.

Andrew Sissel got most of the signatures and Ben's employee did most of the validating, after we were scared by our close call in Flint.

Any kind of cannabis initiative will win in Ferndale— and we wanted another victory to go along with Lansing and Jackson.

One extraordinarily strange cannabis initiative passed in Ferndale. It seemed to make no sense — but passed anyway.

There was opposition in Ferndale this time, police chief Tim Collins, pretty livid, pretty aggressive and attacking, pretty crazy.

At the council meeting where the council had to decide whether to pass our resolution themselves or put it on the ballot there was vigorous opposition from the head of the school board and from the local anti-drug coalition. It won with 69% of voters in favor.

We did spend some money here.

Some friends generated a piece of literature to handout door to door. Andrew, Debra, and some friends of theirs covered the entire city with this pamphlet.

Ben Horner donated the money to pay for the piece of literature.

JACKSON, 2013

Steve Sharpe and Roger Maufort were basically responsible for the Jackson campaign.

Steve and his crew, including Roger Maufort, gathered most of the signatures.

Michigan NORML and Jackson NORML helped out.

Attorney Cahill did the petition.

The Jackson legalization campaign won with 61% in favor.

One thing that was interesting about Jackson was that, after it passed, the police and the city Council actually said that they would follow the voters will.

This also happened in Grand Rapids, but was highly uncharacteristic of the reaction of most municipalities.

The Jackson victory surprised many commentators, since it is a more working class and Republican area.

We should note that it works to our advantage that these votes are conducted only within the metropolitan area, not the suburban area, of these cities. The Urban area people are more likely to be the victims of the drug war rather than the perpetrators.

LANSING, 2013

The Lansing campaign was probably the idea of Ryan Basore. He spearheaded it until he had to report to prison,..he was organizing the signature gathering on the ground.

Lance Enderle helped at the beginning and got some signatures.

Jeff Hank headed up the Lansing campaign, and brought it to a successful conclusion following Ryan's departure for Morgantown Federal Prison.

Signature gathering was not going well until Ben Horner stepped in to help out.

Our issue made it to the ballot and won at 63%.

Signature gathering requirements were very high, 5% of registered voters was challenging.

There was no organized opposition in our state capital.

A couple times we did have a fundraiser for Lansing that raised a couple of thousand dollars, which was in part a going away party for Ryan.

A research document presented by Chuck at many “forums” about our local campaigns:

WHY SHOULD LANSING VOTERS DECIDE TO EXEMPT FROM PUNISHMENT ADULTS WHO POSSESS LESS THAN AN OUNCE OF MARIJUANA ON PRIVATE PROPERTY ?

HOW COULD THIS IMPROVE PUBLIC SAFETY?

Fighting crime means preventing crime or catching offenders.

Local law enforcement dollars would be better spent on protecting our safety or finding criminals than on persecuting cannabis consumers.

It is relatively unknown that law enforcement in the USA has been continually less effective at finding real criminals since it began to focus on Drug War. Murderers, rapists and robbers are apprehended far less often today than they were when Drug War began in earnest in 1971.

Data by Riedel, (2008) (1) “describes the decline in the percent of homicides resulting in arrests and charges from over 90% in 1960 to 61% in 2006”

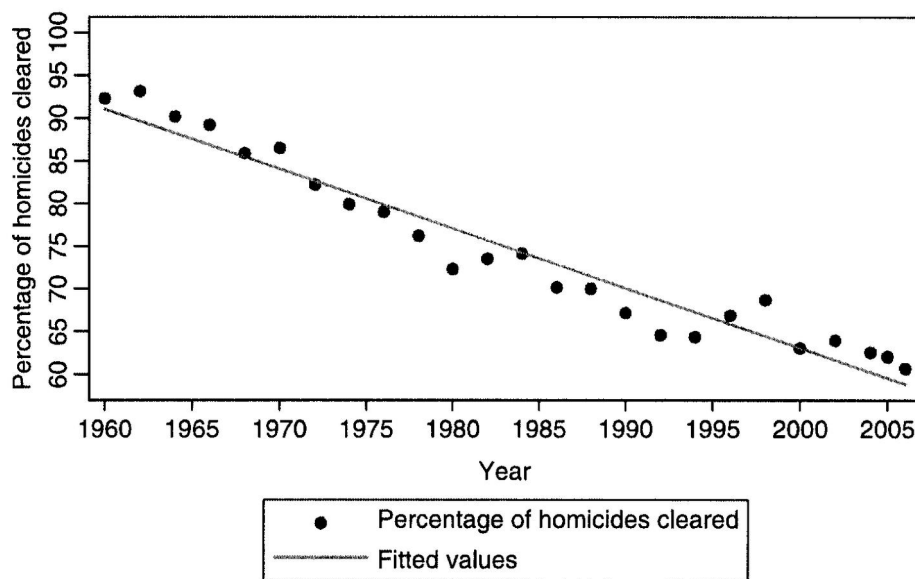
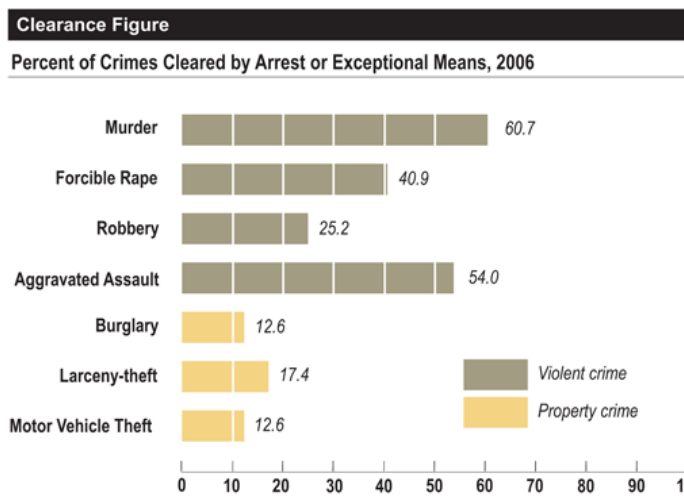


Figure 1. Percentage of US Homicides Cleared: 1960–2006.*
 *Source: Annual Editions of the UCR and Sourcebook of CJ Statistics.

Police in other industrial countries are far more successful at solving homicides (Japan 95%, Australia 86%, England and Wales 81%, Canada 73%). Arrest “clearances” are the most basic performance measures of law enforcement, raising questions about the downward trajectory of law enforcement success in the USA. During the Drug War, success at solving crime has dropped quickly as arrests, incarceration, and spending shoot skyward.



The percentage of rapes and robberies “cleared by arrest” has declined far more than homicides. (2) Burglary and car theft appear to be low risk occupations.

Criminal justice author Scott Christianson points out that while crime in the USA has dropped the number of arrests went from 3.3 million in 1960 to 14 million in 2004. He asks:

“...if reported crime has been going down and arrests have gone up, what accounts for the plummeting arrest clearance rates for murder, robbery, rape, burglary,

larceny, and motor vehicle theft?

Part of the answer must involve drug law enforcement.... Instead of arresting suspects for burglaries and other serious reported crimes, cops today spend much of their energy going after illegal drugs. Their arrest rate for drug possession (especially marijuana) has shot up more than 500 times from what it was in 1965.” (3)

Data from Ousey and Lee (2010) was released “against the backdrop of the precipitous decline in urban homicide clearance over the past several decades”. The authors make it clear that “there are several good reasons why this trend in clearance rates is disconcerting.... First, it raises questions about the effectiveness of recent law enforcement policies and practices...it seems curious that homicide clearance rates have been declining during a period in which incarceration rates have been sharply rising.... Second, it signals a decline in punishment certainty and threatens to undermine deterrence principles, a key foundation of our criminal justice system. Finally, lower clearance rates indicate that the state is ineffective at insulating citizens from violent offenders, which may contribute to negative social reactions such as loss of faith in public officials, an increased sense of fear and insecurity, and a general proliferation of firearms....” (4)

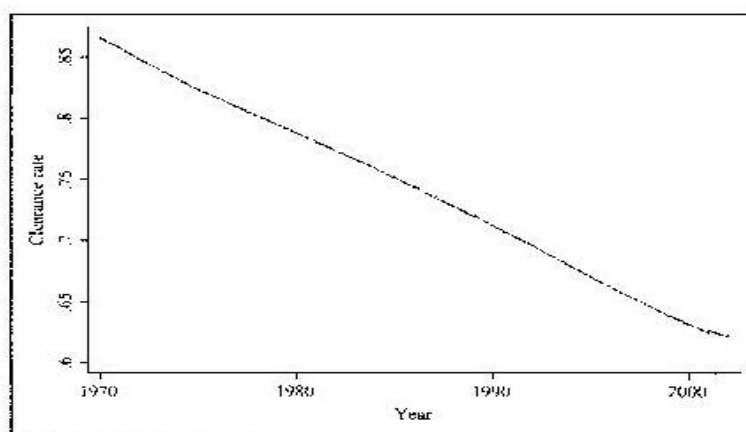


Figure 1. Clearance Rates in Cities of 100,000 or More Population

It is sometimes argued that small scale cannabis arrests serve to reduce the amount of serious or violent crime.

The “broken windows” theory of public safety asserts that a police emphasis on prosecuting small crimes will lead to the prevention of larger crimes. The “broken windows” strategy has been pursued with vigor in New York City under Mayor’s Giuliani and Bloomberg.

Data from Harcourt and Ludwig at the University of Chicago prove that, if they have any effect, small scale pot arrests increase the frequency of other crimes. The authors concluded that pot arrests took officers off the street for long periods of time and distracted them from being able to focus on fighting other crime. They found that “New York City’s marijuana policing strategy is having exactly the wrong effect on serious crime – increasing it, rather than decreasing it”. Veteran cops call pot busts “a waste of time”. These arrests drain time and resources not only from police, but also from courts, jails, prosecutors, and public defenders. (5)

Criminologist Harry Levine (2010) asks, “Is this what Americans want their police to be doing – arresting enormous numbers of young people, disproportionately Black and Latino, and destroying their futures, for...pot possession?” (6)

Americans are usually surprised to learn that the effectiveness of law enforcement at solving crime has taken a dive since police turned their effort to Drug War. What about the expensive SWAT and CSI teams, new federal funds, and forensics labs with DNA testing...don't they work? A top police scholar, Professor David Bailey of the State University of New York said, "I've been involved in the field for 40 years and best as I can tell, nobody has even raised this stuff. Hearing it now is like being hit by a bus". (7)

If cannabis is damaging to our society we should not make it a low priority. However, data from Thomas and Davis (2009) shows that about 94% of the "social costs" of cannabis have to do with the costs of enforcement, not the cost of health problems. The author's state: "variations in risk, harms and cost need to be taken into account as we think about further efforts to deal with the use of these three substances... (Cannabis, alcohol, and tobacco). Efforts to reduce social costs related to cannabis, for example, will likely involve shifting its legal status by decriminalizing casual use, to reduce the high enforcement costs. Such a shift may be warranted given the apparent lower health risk associated with most cannabis use" (8)

We should also consider the crime that Drug War directly causes, from turf battles between dealers, to organized crime and gruesome Mexican cartels. This chaotic brutality is unnecessary. There is no situation where a problem with dangerous drugs is improved by turning their manufacture and distribution over to criminal gangs!

When police try to catch a real criminal they may run into trouble, even gunfire, and they aren't allowed to plunder the automobiles, houses, bank accounts, and other property owned by that criminal. If they find a cannabis consumer they can just about wreck his or her life if they want to.

Police prefer to chase around after pot, but wouldn't your family be better protected if officers were preventing crime or finding real criminals?

Please VOTE YES ON the LANSING CHARTER AMENDMENT

NOVEMBER 5, 2013! MAKE HISTORY!

MAKE YOUR VOICE COUNT!

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2014 Campaigns:

2014 CAMPAIGNS/VICTORIES

	CITY	POPULATION		
1)	Saginaw	50,790		
2)	East Lansing	48,579		
3)	Port Huron	30,184		
4)	Oak Park	29,319		
5)	Mt. Pleasant	26,016		
6)	Hazel Park	16,422		
7)	Lapeer	8,841		
8)	Utica	4,757		
9)	Clare	3,118		
10)	Harrison	2114		
11)	Benzie County	17,525	Frankfort	1286
12)	Onaway	880		

Original dozen

Still to finalize

13)	Portage	46,292		
14)	Berkley	14,070		
15)	Huntington Woods	6,238		
16)	Pleasant Ridge	2,526		
17)	Grosse Pointe Park	11,555		

- 18) Montrose 1657
- 19) Keego Harbor 3000

Campaigns with Tim Beck as the main contact person: trbeck1@gmail.com 313-881-8995

- 1) Saginaw
- 2) Port Huron
- 3) Oak Park
- 4) Hazel Park
- 5) Lapeer
- 6) Berkeley
- 7) Huntington Woods
- 8) Pleasant Ridge
- 9) Gross Pointe Park
- 10) Montrose

Campaigns with Chuck as the main contact person:

Chuck Ream 734-395-0811 moksha@umich.edu

- 1) East Lansing Jeff Hank
- 2) Mount Pleasant Brandon McQueen
- 3) Utica Mike Lumetta
- 4) Clare Jamie/Rick
- 5) Harrison Jamie/Rick
- 6) Frankfort Rev. Steve Thompson
- 7) Onaway Ron Langworthy....Brad f
- 8) Portage Ken and Michaelyn Jonatzke
- 9) Keego Harbor Peter Tzros?

MMMreport

MOSTLY VICTORY: 2014 Election Results Chuck Ream

Thanks and congratulations to every person who helped carry the torch of cannabis freedom forward! We won on Nov. 4, 2014 in Saginaw - pop. 50,790, Mount Pleasant – pop. 26,016, Berkley –pop. 14,070, Port Huron – pop 30,184, Huntington Woods – pop. 6,238 and Pleasant Ridge pop. 2,526.

Lapeer – pop 8,841, lost by 6 votes. Frankfort – pop. 1,286, Onaway pop. 880, Clare pop. 3,118, and Harrison - pop. 2,114 were unsuccessful by wider margins. When you look at the numbers it seems that the real determinant of whether we won or lost is how rural the city is. It seems that majorities of voters in small towns, far from urban centers, are not with us at this time.

Many thanks to Cary and David – and H.B. in Saginaw, to Brandon, Jericho, and Ian in Mount Pleasant, to Laura in Port Huron, and Andrew and Debra for Huntington Woods, Pleasant Ridge, and Berkeley! Great thanks also to Bernard for Lapeer, what a squeaker, Rev. Steve and Laura for Frankfort, Ron and Brad for Onaway, & Jamie and Rick and the whole up north crew for getting us on the ballot in Clare and Harrison.

We “liberated” more cities than ever before this year; our eight wins in 2014 (including the August wins in Hazel Park and Oak Park) top the 5 wins of 2012. Some cannabis consumers in a few of these cities will get better treatment. Leaders who won should press local leaders to respect their voters’ wishes. You can check and see if pot got more votes than they did.

We couldn’t have made this progress without wonderful activist donors, who gave money to us. We are forever grateful for the \$6500 that was given to our Safer Michigan Coalition Political Action Committee. These donors know that it’s important to always create new political victories to a) help protect and implement safe access to medical cannabis products in Michigan and b) build the momentum for cannabis legalization in Michigan.

State Rep. Jeff Irwin emailed us Nov. 6. He told us that we should not look at this as winning 6 and losing 5 in November, we should realize that there are about 165,000 people in places that voted yes, and a total of about 16,000 in cities voting no.

Hindsight is a perfect 20/20. We took a calculated risk to operate in small rural cities where nobody had ever tried something like this. It was a learning experience that will be heeded in the future. These losses were a shock to me. We know, however, that we can’t win a long war without losing a few small battles. We see that it will be no easy “cakewalk” to legalization; it will be a long hard struggle in Michigan, involving hard working activists who have resources and guts.

We have learned hard lessons from our 2014 results. We will demonstrate that new knowledge in future campaigns. I, (Chuck) did not do a serious enough investigation of the smaller cities to be sure that we would win. We should at least have had a clear knowledge of such things as a) how the town voted on Medical Marijuana in 2008 b) What is the percentage of Democrats and Republicans, c) is the median age older or younger than average. ...& now we must add, d) are they near to or part of major population centers.

Our petition wording this year was bold; it was to enable the “de facto” legalization of an ounce of marijuana. As an alternative, we should use our Lowest Law Enforcement Priority (LLEP) initiative template wherever we have the slightest chance of losing. It is easy to pass, since the voter is voting about spending priorities, not

really marijuana. Also, no observers care about the fine points of which proposal is on the ballot – They just think, “Is this a pot law reform proposal? Did it win or lose? By how much?” No LLEP has ever lost. They win by big margins and indicate that voters want cannabis law reform (the LLEP in Pleasant Ridge had 1,103 "yes" votes to 430 "no" votes). In hindsight, possibly we should have run LLEP's in the small cities.

The Safer Michigan Coalition and local leaders will be involved in many more victories for cannabis law reform in Michigan cities. We will not be timid, but at the same time we will be more circumspect in our analysis. There will never again be a group of losses. Our attitude will still be “Full steam ahead and damn the torpedo's”, - but with finesse gained from experience.

At this time cities under consideration for the ballot in 2015, (a “non election year”, but we don't seem to let that stop us) are East Lansing, Portage, Utica, Traverse City, Gross Pointe Park, Gaylord, Montrose, and Keego Harbor.

OAK PARK, 2014

The five initiatives in Oakland county, the belly of the beast, in 2014 were organized and run and paid for by Deborah Young and Andrew Sissel Two of our Oakland County initiatives that year were put on the primary ballot in August, we wanted to have a continuous stream of positive media attention throughout the fall. The city of Oak Park did not want our issue on their primary ballot...they did not want to force the candidates to take a position on the issue, especially their boy Wittenberg in a primary... Since the primary election is the decisive election in that area. City officials used what Tim might call "junk law"... Their main excuse was that they were waiting on Bill Shutte's approval, which meant nothing- since he has the power of comment but not approval – the governor also – he can disapprove but it still must go on the ballot.

City officials refused to put our issue on the primary ballot even though we had fully followed the law. The concern was that if we lost Oak Park to these machinations then clerks all over the state of Michigan would follow their lead and we would not be on the ballot in November. Debra checked the County Clerk website and found that our measure was not on the preliminary ballot. Tim immediately made a decision to sue. Our attorney was Mark Brewer, former chairman of the Michigan democratic party. There was no actual trial or hearing but the judge indicated that she would issue a court order unless our initiative was put on the ballot – unless we got something worked out. We promised, ludicrously of course, that we would reimburse the city of Oak Park if the Attorney General punished them for allowing us on the ballot without his prior comment. This was a pretty funny face saving fig leaf. Signed a statement to that effect, that we would reimburse their legal fees if Schuette came after them. Made it to the August ballot. Again, the usual line was used by city officials, that this is "meaningless"... And that they were "forced" by state law to allow this on the ballot.

Oakland County Circuit Court orders Oak Park put marijuana proposal on August ballot



Outside the circuit court after the order was issued. Photo by Aftab Borka

Debra Young of Safer Oak Park Coalition, from left, Andrew Cissell of Safer Oak Park Coalition and Tim Beck of Safer Michigan Coalition stand outside the circuit court after the order was issued.

By Aftab Borka, The Oakland Press

POSTED: 06/03/14, 9:28 AM EDT | UPDATED: ON 06/03/2014

An Oakland County Circuit Court judge ordered the city of Oak Park to submit a marijuana legalization proposal to the county clerk's office to be put on the August ballot.

The ruling came after the city and Safer Oak Park Coalition, which sued the city, came to an agreement to put the proposal on the ballot. The order was issued by Judge Rae Lee Chabot.

The group filed a lawsuit recently demanding the city put their marijuana legalization proposal on the August ballot, but attorneys for Oak Park argued the city needs to get the ballot language approved by the state Attorney General's office before putting it on the August ballot.

City Manager Erik Tungate said the city followed all the legal procedures but said it was the attorney general's office that has the final word on the ballot language.

Advertisement

"Oak Park has just been put in a precarious position here, where various parties are perhaps playing precarious position here, where various parties are perhaps playing politics," Tungate said after the court issued the order, adding that he is "not accusing" the attorney general specifically.

Members of the coalition that sued the city said they were happy with the order and would cooperate with the city in future in case of any third-party litigations.

“We will stand shoulder-to-shoulder with Oak Park,” Tim Beck, co-founder of Safer Michigan Coalition said.

<http://www.theoaklandpress.com/government-and-politics/20140806/oak-park-hazel-park-will-continue-to-enforce-state-pot-laws>

BERKELEY, 2014 - see Huntington Woods

HAZEL PARK, 2014

Also on the August primary along with Oak Park.

The clerk in the city attorney seem to be confused, no ballot issue of any kind, especially for something controversial like marijuana, had ever been presented to them.

He told us that "they had no intention" of putting it on the ballot...unless it's got the approval of the Oakland County clerk Lisa Brown. Tim called the clerks office and explained the situation and the deputy clerk in charge of elections agreed that we were right and contacted the Hazel Park city attorney and told them that they needed to put it on the ballot.

They complied without any further problems. Another interesting fact, there was no opposition in Hazel Park, and the mayor strongly came out in favor...and publicly signed the petition at a meeting.

Petitioning was completely done by Andrew and Debra.

They got the signatures they needed for Hazel Park in one day.

HUNTINGTON WOODS. 2014

Opposition:

There was general opposition to all Oakland County initiatives by the local anti-drug group or coalition.

Kurt Metzger was a mayor in opposition.

PLEASANT RIDGE, 2014 LLEP

The reason we did it this way is because there was no specific anti-marijuana language or ordinance in the city code...so we decided to do the lowest law enforcement priority initiative (also it gets the highest percentage victory.)

It won at 70%

MOUNT PLEASANT, 2014

The Mount Pleasant campaign was led by Brandon McQueen ...the McQueen of the infamous legal case regarding dispensaries in Michigan.

Chuck is a tremendous fan of Brandon McQueen for coming back from defeat to organize victory.

He was initially helped by Jericho Simon.

Cahill did their petition. Brandon organized the signature gathering and got enough signatures. Note the Safer Michigan Coalition held one fundraiser and was giving small grants to local leaders by this time.

A small grant was sent to Mount Pleasant, but most of this work is volunteer – small payments only cover expenses.

The city clerk was actually friendly rather than hostile, and helped make sure the petition was done correctly.

We think that she even helped to validate signatures.

There was no organized opposition, and police officials said that marijuana is not a real priority anyway, so they have no problem, and the ballot victory is basically irrelevant, whatever.

Mount Pleasant approves marijuana proposal but police say it won't change anything



Mount Pleasant voters passed a proposal Nov. 4 related to the possession and transport of an ounce or less of marijuana for people 21 and over. *(File Photo)*



By [Brad Devereaux | bdeverea@mlive.com](mailto:bdeverea@mlive.com)

on November 05, 2014 at 1:00 PM, updated November 05, 2014 at 1:13 PM

MOUNT PLEASANT, MI — A Mount Pleasant police officer says a vote allowing marijuana possession in the city will not change enforcement of state laws, but an activist believes its symbolic meaning could help push for bigger changes in the future.

Voters approved a ballot initiative Tuesday, Nov. 4, that amends the Mount Pleasant city charter to state that the code of ordinances will not apply to marijuana possession or transfer of less than one ounce on private property by people 21 and older.

The Mount Pleasant vote passed with 2,705 "yes" votes (about 62 percent of 4,344 votes cast) to 1,639 "no" votes.

The ballot language reads:

Shall Article XIV of the Charter of the City of Mount Pleasant, Michigan be amended to add a new Section 7, entitled "Marihuana", to state that: "Nothing in the Code of Ordinances shall apply to the use, possession or transfer of less than 1 ounce of marihuana, on private property, or transportation of less than 1 ounce of marihuana, by a person who has attained the age of 21 years"?

Mount Pleasant Police Public Information Officer Jeff Browne said the vote will not change anything about how the department does business.

"We've never targeted or looked at people for possession of marijuana," he said, adding police have enforced marijuana offenses while investigating other offenses.

"It's not like we shake down people for possession."

The department will still be able to and will continue to charge people in violation of state marijuana laws when appropriate, he said.

Brandon McQueen, a marijuana activist who is part of the Coalition for a Safer Mount Pleasant and has collected signatures for the initiative, said many people have pointed out that the vote was a symbolic one.

He believes that might be the most important part of the measure passing.

"This is an issue that local, state and federal politicians have been miles behind the public on and that's a failure on their part," he said. "This shows it."

He believes the next step is to push legislators in Lansing to do something in 2015 and, if changes aren't made, he hopes there will be an effort for statewide legalization in 2016.

"I hope (legislators) get the picture and take care of this themselves," he said. "If they don't, the people will step up for sure."

He said he was not surprised by the margin the initiative passed, noting it was similar to the percentage of Mount Pleasant voters who passed the Michigan medical marijuana initiative in 2008.

McQueen owned a dispensary in Mount Pleasant in 2010 and 2011 called Compassionate Apothecary, later renamed CA, that was shut down after a 2013 ruling by the Michigan Supreme Court relating to dispensaries.

He owns a Tae kwon do school in Mount Pleasant and was reelected to the Mount Pleasant School Board Tuesday.

Nearby in the region, voters in Saginaw passed a similar ballot proposal.

Two municipalities in Clare County had ballot proposals about marijuana, both similar to the above listed proposals but for the amount of 2.5 ounces.

The proposal in the city of Harrison failed with 190 "yes" votes to 300 "no" votes.

The proposal in the city of Clare failed with 341 "yes" votes to 432 "no" votes.

PORT HURON, 2014

Port Huron votes to decriminalize pot



Beth LeBlanc, Lansing State Journal 7:27 a.m. EST November 5, 2014



(Photo: MARK R. RUMMEL, TIMES HERALD)

A proposal to decriminalize marijuana possession in the city of Port Huron passed Tuesday, with 3,383 votes yes to 3,192 votes no.

"I'm very happy and I'm optimistic about how all this is going to work," said Laura Rigby, the Port Huron woman who helped collect signatures for a petition to get the pot proposal on the ballot.

"I'm interested to see how all this is going to shake down in the end."

Voters were asked to approve an amendment to the city charter that prohibits anything in the code of ordinances from applying to people 21 years of age and older who use, possess, or transfer one ounce of marijuana on private property.

Port Huron Mayor Pauline Repp was uncertain what effect the amendment would have on the city.

"From my understanding, unless the state law changes, there's not any way that the city can enforce it anyway," Repp said.

"If it were to pass, it would show what the majority of the people wanted it, but it doesn't mean that the law would change in Port Huron."

Port Huron officials have said the city amendment would fail to address federal and state law, which outlaws recreational marijuana use.

Rigby said she felt strongly that the issue was something that needed to be decided by the community.

"If you watch nationwide, you can see that this is a movement that has grown and everybody is kind of done with marijuana being a bad thing," Rigby said.

"A lot of the myths about cannabis are being destroyed."

Rigby wondered if the issue was a motivation for people to get to the polling stations.

"I'd like to see how many more people turned out than the last election," Rigby said. "Did this question actually make a difference in turnout?"

Tina Monzo said she voted in favor of the proposal after discussing the issue with her husband.

"I feel people should have their own choice," the 42-year-old Port Huron woman said.

Steve Steinhaus voted against the amendment.

"I feel for the people who have cancer and use it, but I'm against just anybody walking around with marijuana," the 63-year-old Port Huron man said.

SAGINAW, 2014

Election 2014: Saginaw voters say yes to marijuana decriminalization

Mark Tower | mtower@mlive.com By Mark Tower | mtower@mlive.com
on November 05, 2014 at 1:08 AM, updated November 06, 2014 at 10:19 AM

SAGINAW, MI — Voters in the city of Saginaw Tuesday, Nov. 4, showed overwhelming support for a proposal that seeks to decriminalize marijuana in the community.

Though two city precincts had not yet reported vote totals as of 1 a.m. Wednesday, Nov. 5, election workers already had tallied 5,237 "yes" votes on the city's Proposal 2, compared to 3,081 "no" votes. By 2 a.m., all precincts were in. The tally was 6,959 in favor to 4,717 opposed, for support of about 60 percent.

Cary Justice, who led the campaign to get the proposal on city ballots, said she was encouraged but not surprised by the results.

"It reiterates kind of what we've known all along," Justice said. "The city of Saginaw's voters have spoke now, and this is what they want."

The proposal adds a new section to Saginaw's city charter that bans city leaders from passing any ordinances that restrict the use, possession or transport of small amounts of marijuana on private property by those 21 or older.

"I would hope that law enforcement takes direction from that and moves on to crimes other than possession of small amounts of marijuana," Justice said.

What exactly the passage of the proposal will mean for residents and visitors to Saginaw is still a uncertain.

Since possession and use of marijuana remains illegal under both state and federal law, many have called into question exactly what Saginaw's proposal sought to achieve.

Saginaw County Sheriff William Federspiel said, with passage of the proposal, deputies will stop citing people with minor marijuana violations in accordance with the proposal language.

But interim Saginaw Police Chief Robert Ruth and Saginaw County Prosecutor John McColgan Jr. are taking a different stand.

McColgan said he would continue filing marijuana-related charges under state law, regardless of the results of the city ballot proposal. Ruth said he did not see the proposal changing how city officers do their jobs, though he said he would reevaluate the situation again after Election Day based on the results of the decriminalization effort.

A 'wall of wins'

One thing supporters say the proposal will accomplish is that it will move Michigan that much closer to potentially legalizing the drug someday down the road.

"It is just another referendum by the voters," Justice said.

Pointing to support of Michigan's statewide medicinal marijuana proposal and the series of local ballot issues that have passed, Justice called the legalization of marijuana in Michigan "a given."

Saginaw was one of 11 communities with a marijuana decriminalization proposal of some sort on the November ballot.

MARIJUANA ORDINANCES

Considered on Nov. 4 ballots:

- Saginaw
- Port Huron
- Mount Pleasant
- Lapeer
- Clare
- Harrison
- Frankfort/Benzie County
- Onaway
- Berkley
- Huntington Woods
- Pleasant Ridge

Source: Marijuana Policy Project

Those that ratify the ballot issues will join other communities including Ann Arbor, Detroit, Ferndale, Traverse City, Flint, Detroit, Flint, Grand Rapids, Kalamazoo, Ypsilanti, Ferndale, Jackson and Lansing to pass one of four different brands of pro-marijuana proposals:

- Medical marijuana

- Lowest law enforcement priority
- Legalization
- Decriminalization

Leaders of the movement make no secret that the ultimate goal is statewide legalization, like in Washington and Colorado.

Justice gathered with other marijuana activists and campaign volunteers from across the state in Lansing on Tuesday night to watch results come in from Saginaw and several other communities with marijuana-related proposals on the ballot.

Justice said things, on the whole, were looking pretty good for the pro-marijuana crowd Tuesday.

"We've got a little wall of wins going here," she said.

A citizen-led effort

Volunteers for the campaign to place the question on the ballot turned in petitions bearing about 3,800 signatures at Saginaw City Hall on July 16.

City Clerk Janet Santos later reported her staffed looked over all those signatures and determined 2,287 were those of registered city voters, more than the 2,000 necessary to place the question on the ballot.

Nearly defying the advice of the city's attorney, Saginaw City Council in August narrowly approved a motion to pass the proposal on to city voters. The 5-4 vote came after a lengthy discussion of the issue and advice from Attorney Andre Borrello that, because it was a petition-initiated proposal, the City Council was obligated to ensure it was placed on the ballot.

The marijuana proposal will add a section to the Saginaw City Charter stipulating that possession or use of a small amount of marijuana (less than 1 ounce) would be legal under local laws.

It does not impact state and federal laws banning the sale, possession and use of marijuana.

The local legalization effort only seeks to protect those who are 21 or older and only applies on private property.

The language of "Proposal 2," as it appeared on city ballots:

Proposal 2

Proposal to amend the city charter by adding a new section 24A entitled "marijuana"

Shall the Charter of the City of Saginaw, Michigan be amended by adding a new Section 24A, entitled, "Marijuana," to state that: "Nothing in the Code of Ordinances shall apply to the use, possession or transfer of less than 1 ounces of marijuana, on private property not used by the public, or transportation of 1 ounce or less of marijuana, by a person who has attained the age of 21 years?"

Mark Tower covers local government for MLive/The Saginaw News.

EAST LANSING, 2015

East Lansing approves marijuana decriminalization proposal



(MLive file photo)



By Fritz Klug | fklug@mlive.com
on May 05, 2015 at 11:43 PM, updated May 05, 2015 at 11:44 PM

LANSING, MI — Voters in East Lansing are the latest in Michigan to approve lessening local marijuana ordinances.

With 16 out of 17 precincts reporting late Tuesday night, 2,973 voters, or 65.57 percent, approved a charter amendment to repeal the city of East Lansing's current marijuana ordinances.

Now, the use, possession and transfer of up to 1 ounce of the marijuana is legal for people 21 years or older on private property.

Attorney Jeff Hank, who spearheaded the campaign, said he was pleased with the results. Between a statewide proposal being on the ballot, other city charter questions, the rain and finals week at Michigan State University, he didn't know what the turnout would be.

He said he hopes the proposal will have a positive effect in the lives of people in East Lansing.

"We don't want to see the arrests" related to marijuana possession, Hank said, or have people caught in the criminal justice system.

Hank said the East Lansing vote, like others that have passed in communities across Michigan, should send a clear message to Lansing about legalizing and taxing marijuana.

"Time and time again we keep winning elections," Hank said. "The message is clear, the legislature and the governor has to start this conversation."

Hank also chairs the Michigan Comprehensive Cannabis Law Reform Committee, which seeks to put a statewide proposal on the 2016 ballot to legalize, regulate and tax marijuana in Michigan. He noted that while Proposal 1 failed to raise money for roads on Tuesday, there could be more money coming into the state if it taxes marijuana.

He said Tuesday night he wants to sit down with Snyder and the legislature to discuss their plan to tax the drug.

East Lansing Mayor Nathan Triplett supported the ballot proposal, but said much will likely not change in East Lansing.

"I expect the impact on our community to be very minimal," Triplett said.

In the past fiscal year, there were 23 use or possession citations issued, Triplett said, and that East Lansing police have made marijuana enforcement a low priority.

The proposal will not impact Michigan State University and current state and federal laws still in effect. This could cause some confusion, Triplett said, so the city and University will work on explaining the rules to residents and students.

While Triplett he supports local control on several issues, marijuana is not one of those. Like Hank, he hopes the passage will send a message to the state legislature to address marijuana legislation.

Fritz Klug is a news buzz reporter for MLive.

City of East Lansing Marijuana Decriminalization Proposal (May 2015)

A City of East Lansing Marijuana Decriminalization Charter Amendment was on the ballot for East Lansing city voters in Clinton and Ingham counties, Michigan, on May 5, 2015. It was approved.

Supporters originally sought to put this measure on the November 4, 2014, election ballot.

This measure decriminalized, according to city law, the possession and use of less than one ounce of marijuana on private property by an adult above the age of 21. The measure only applied to city law. Marijuana use remained illegal and fully criminalized according to state and federal law, which laws could be enforced by any law enforcement agency in Michigan, including the East Lansing City Police Department.

Initiative efforts to decriminalize small amounts of marijuana were announced in 18 cities throughout Michigan for 2014 ballots. Thirteen qualified for elections in 2014, while two -- including this proposal in East Lansing -- were postponed until 2015 and three did not make the ballot at all.

Voters in the city of Lansing approved a similar measure in 2013, which was organized by the same local attorney, Jeffrey Hank.

PORTAGE, 2015

Marijuana decriminalization proposal approved by voters in Portage



By Rex Hall Jr. | rhall2@mlive.com

on November 03, 2015 at 10:18 PM, updated November 03, 2015 at 10:20 PM

A licensed marijuana caregiver in Kalamazoo County holds marijuana produced for licensed patients. A City of Portage Marijuana Decriminalization Proposal ballot question did not qualify for the November 4, 2014 election ballot for voters in the city of Portage in Kalamazoo County, Michigan. Initiative efforts to decriminalize small amounts of marijuana were announced in 18 cities throughout Michigan for 2014 ballots. Eleven qualified for

the November 2014 ballot, while two were postponed to 2015 ballots and three did not make the ballot at all. Two were approved on August 5, 2014. (Mark Bugnaski / Kalamazoo Gazette)



Mark Bugnaski | MLive.com

K'ZOO-AREA ELECTIONS 2015

- Recounts to decide 4 races from August primary in Kalamazoo County
- Pick-a-slip drawings decide 2 primary elections ... well, maybe
- 5 takeaways from primary elections in the Kalamazoo area
- 2 races tie, 1 decided by single vote in Kalamazoo County primaries
- Ron Kendall wins Republican primary for Kalamazoo County board

PORTAGE, MI – Voters in Portage Tuesday approved a city charter amendment to decriminalize small amounts of marijuana.

With all precincts reporting in unofficial totals, the charter amendment passed by a margin of 5,500 votes to 5,361.

A group called Committee for a Safer Portage collected more than 1,930 signatures to put the charter amendment on Tuesday's ballot.

The amendment prevents the city from enacting an ordinance making it a crime to possess, transfer or transport an ounce or less of marijuana on private property for a person 21 or older.

Supporters and city officials, including Portage Mayor Peter Strazdas have acknowledged that the charter amendment is only likely to be symbolic and will not trump state law.

The Committee for a Safer Portage is affiliated with the Committee for a Safer Michigan, which has offered similar ballot proposals in several Michigan cities. The wording of the local charter amendment drew inspiration from amendments that were passed last year in Hazel Park and Oak Park.

With the passage of the charter amendment, Portage becomes one of more than 15 cities in the state that have decriminalized marijuana since 2010. Among the others are Grand Rapids, Jackson, Saginaw and Detroit.

Rex Hall Jr. is a public safety reporter for the Kalamazoo Gazette. You can reach him at rhall2@mlive.com

KEEGO HARBOR, 2015

Two More Michigan Cities Vote To Legalize Marijuana

Posted by Rick Thompson on November 4, 2015 Ending Marijuana Prohibition



Ohioans may have nixed their tainted marijuana legalization effort but Michigan cities keep on approving local legal marijuana proposals. Two Michigan cities said yes to 'local legal' marijuana ballot initiatives in voting on Tuesday, November 3. In the last 11 years, cities around the state have approved cannabis law reform efforts in 25 different elections.

Voters in Keego Harbor, in conservative Oakland County, and Portage, a suburb of blue-collar Kalamazoo, both adopted local legal proposals that would remove criminal penalties for the possession, use, transfer and transportation of small amounts of marijuana. Portage voters chose cannabis law reform by a very slim margin- 51%-49%. They also approved two

school bond issues by more favorable margins. Keego Harbor voters were more generous with their marijuana votes, approving the local legal proposal by a 55-45% margin, while soundly defeating a term limit proposal on the same ballot 62-38%.

The pro-school vote turned out in Portage, and the marijuana ballot proposal still won. City officials encouraged voters to participate in the Keego Harbor election, and cannabis law reform still won. The people must REALLY want adult use of marijuana in Michigan.

Portage is a community dotted by lakes just south of Kalamazoo. Keego Harbor is an inland city dotted by lakes just south of Pontiac. The two cities are 135 miles apart, but they share a common story of petition drives, government denials and eventual vindication.

The 'local legal' proposals were placed on the two ballots through the petitioning process. Activists leaders in both cities submitted their completed petitions in 2014, but for administrative reasons in each city the proposals were not included in balloting that year.

Michigan Local Elections and Marijuana- Voting Summary

YEAR	CITY	TYPE	YES VOTE
2004	Ann Arbor	Medical Marijuana	75%
2004	Detroit	Medical Marijuana	60%
2005	Ferndale	Medical Marijuana	61%
2005	Traverse City	Medical Marijuana	63%
2007	Flint	Medical Marijuana	62%
2011	Kalamazoo	LLEP	65%
2012	Detroit	Legalization	65%
2012	Flint	Legalization	57%
2012	Grand Rapids	Decriminalization	59%
2012	Kalamazoo	3 Dispensaries allowed	57%
2012	Ypsilanti	LLEP	74%
2013	Ferndale	Legalization	69%
2013	Jackson	Legalization	61%
2013	Lansing	Legalization	63%
2014	Berkley	Legalization	62%
2014	Hazel Park	Legalization	63%
2014	Huntington Woods	Legalization	70%
2014	Mt. Pleasant	Legalization	62%
2014	Oak Park	Legalization	53%
2014	Pleasant Ridge	LLEP	70%
2014	Port Huron	Legalization	51%
2014	Saginaw	Legalization	60%
2015	East Lansing	Legalization	65%
2015	Keego Harbor	Legalization	55%
2015	Portage	Legalization	51%

Source: The Compassion Chronicles www.thecompassionchronicles.com

Keego Harbor and Portage make the second and third cities to approve ‘local legal’ marijuana ballot initiatives this year. Voters in East Lansing, home of the Michigan State University, decisively approved their marijuana legalization proposal with a 65% YES vote earlier this year. The state capital city, Lansing, passed a nearly-identical proposal in 2013 by a 63% margin. A second marijuana vote was taken in 2015; tiny Montrose did not approve their local legal program during voting in an odd election where marijuana was the only issue on the ballot.

Michigan has a long history of enabling marijuana law reform on a local level (see accompanying graphic). Much like Lansing/East Lansing, Portage is neighbor to Kalamazoo, whose voters approved marijuana liberalization laws in both 2011 and 2013. Oakland County has seen positive votes for marijuana liberalization laws in Berkley, Oak Park, Hazel Park, Ferndale, Pleasant Ridge and Huntington Woods dating back to 2005. Keego Harbor becomes the seventh city to liberalize pot laws in a county which is widely regarded as the harshest in the state on medical marijuana patients and businesses.

Nearly all of the successful petition drives have been initiated by or with the guidance of the Safer Michigan Coalition. Safer leader Chuck Ream has been recognized by national media for his activism and is also a prominent Board of Directors member of the MILEgalize organization. MILEgalize’s Chair, attorney Jeffrey Hank, led the East Lansing and Lansing local legal marijuana petition drives to their successful conclusions.

MILEgalize is in the final months of a statewide campaign to legalize adult use of marijuana for those over 21 years of age, allow all adults the same cultivation privileges afforded to medical marijuana patients, and enable the hemp industry.

MORE FROM THE COMPASSION CHRONICLES REGARDING MICHIGAN’S LOCAL LEGAL VOTES:

thecompassionchronicles.com/2015/11/03/marijuana-elections-today-in-ohio-Michigan/

thecompassionchronicles.com/2015/02/24/marijuana-at-the-polls-in-Michigan/

thecompassionchronicles.com/2014/09/15/11-marijuana-ballot-proposals-for-michigan-or-12-possibly-13/

Source: The Compassion Chronicles

GAYLORD – City gave in before ballot

Chad Morrow/Cloud 45 Raid Stopper

As so many of us already know, northern Michigan has been a scary place for medical marijuana patients. The state of Michigan passed the medical marijuana act in 2008. Shortly thereafter, some northern Michigan communities decided on moratoriums, others embraced dispensaries and the medical marijuana community. Gaylord, Michigan was known as a community that allowed and embraced them and was labeled a city with safe access. I personally spoke with the prosecuting attorney who gave full support to the dispensary owners. That was in 2011. Fast forward to 2015, and a different prosecutor and you'll see what used to be a friendly safe

access community, is now a community that has been desecrated. The new prosecutor came into Gaylord and started ordering undercover investigations and raids on dispensaries in the area that are truly there to help the sick. There was a series of raids on 8 dispensaries last spring, six plea bargains, one victim passed away, and Al Witt was going guilty on one of three charges in a jury trial. In the months it took for court to take it's course, we also went door to door petitioning. We wrote a petition to have a ballot initiative that would allow medical marijuana provisioning centers in the b-2 commercial district. The ordinance would also allow medical marijuana cultivation facilities and medical marijuana processing centers in the M-1 industrial district. The petition needed 86 signature's, ten percent of the previous election turnout. We turned in over 600 signature's! The city council and our mayor decided unanimously to not put this on the ballot, and they decided to move the proposal to the zoning board and to move forward and institute the ordinance. There was a public hearing announced, there was standing room only in the council hall. Not one person was there to show concern, everyone was there in support. The ordinance went into effect, the city had 9 dispensaries and three days after the ordinance took effect, straits areas narcotics raided all nine again, para military style raids and they take all the medicine, cars, computers, cell phones, grow lights, and anything else that has financial value. Now this town is in shock, patients are in pain, caregivers are intimidated. My own patient, who is currently treating brain cancer is scared to take his treatment due to his medication being Rick Simpson oil, which the local prosecutor claims is illegal in his interpretation of the law. The brain tumor causes seizures and he was seizure free while on oil, and had several within the first few days of no oil. This is wrong on so many levels. Patients hurting, caregivers being turned into criminals, raids by police at homes with young children. I refuse to stand by idly and let this happen. We worked with our community, we worked with local government, we were even discussing a fundraiser with the chief of the Gaylord city police department. We must stand together. We must unify. We have section 8 paperwork on every patient, and we have city ordinances allowing our business in the city of Gaylord. This is something I can't do alone financially. I'm not just taking this stand for

myself, I'm standing for every patient,

So we can see that the Michigan Medical law is being trampled.

As Chad Morrow and Dr, Lester Grinspoon know, we will never have full rights for medical use until legalization removes the fear.

MICHIGAN MUST LEGALIZE IN 2018!

SAFER MICHIGAN COALITION