

1 [Drug Enforcement Administration (DEA) raids on medical cannabis dispensaries.]

2
3 **Resolution urging a cessation of recent Drug Enforcement Administration raids on**
4 **medical cannabis dispensaries.**

5 WHEREAS, Over the past decade there have been hundreds of Drug Enforcement
6 Administration (DEA) raids on California medical cannabis dispensaries (MCDs) resulting in
7 the seizure of property never to be returned despite arrests rarely being made and criminal
8 charges rarely brought; and

9 WHEREAS, DEA raids are usually conducted during operating hours when seriously ill,
10 disabled and qualified medical cannabis patients are present; and,

11 WHEREAS, Congressman John Conyers, Jr., Oakland Mayor Ron Dellums, Mayor
12 Gavin Newsom and the Board of Supervisors have previously criticized DEA's activities
13 regarding MCDs and called for Congressional oversight of DEA regarding medical cannabis;
14 and,

15 WHEREAS, President Barack Obama repeatedly asserted during his campaign a
16 position of recognizing and respecting state medical cannabis laws; and,

17 WHEREAS, In March, Attorney General Eric Holder articulated the Obama
18 Administration's policy regarding MCDs as enforcement against only "egregious offenders"
19 who violate both federal and state law; and,

20 WHEREAS, DEA has conducted at least four California MCD raids this year without
21 making any arrests, most recently in San Francisco on March 25; and,

22 WHEREAS, There are serious concerns about the DEA's most recent raid because
23 the DEA stated publicly that the MCD raid was in violation of both federal and state law. No
24 arrests were made and no specific details given regarding state law violations because the
25 matter is under court seal; and, now, therefore, be it

1 RESOLVED, That the San Francisco Board of Supervisors urges an immediate
2 cessation of DEA raids on California MCDs until U.S. Attorney General Eric Holder names a
3 new DEA administrator who will appropriately implement President Obama's new federal
4 policy on medical cannabis; and, be it

5 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges U.S.
6 Attorney Eric Holder to provide a further, clear direction in writing to DEA and federal judges
7 currently hearing medical cannabis related cases further detailing the Obama Administration's
8 policy on medical cannabis and the transparent implementation of the policy, be it

9 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges DEA to
10 return all improperly seized property and Congress to conduct DEA oversight hearings
11 subsequent to the achievement of a new DEA Administrator, and, be it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the
13 Department of Justice to dismiss all cases currently pending against MCD operators,
14 cultivation and/or medical cannabis patients whose activities are, and have been, in
15 compliance with state law.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 090486

Date Passed:

Resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries.

April 28, 2009 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Chu, Elsbernd

File No. 090486

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

5/15/09

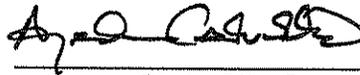
Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: May 15, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Clerk of the Board

File No.
090486

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