

1 [Support for Proposition 215—Compassionate Use Act.]  
2

3 **Resolution reaffirming the City and County of San Francisco's support for growers of**  
4 **medical marijuana within San Francisco's municipal jurisdiction to exercise their right**  
5 **to cultivate and distribute medical marijuana under San Francisco's Proposition P and**  
6 **California's Proposition 215 without arrest and/or harassment by the San Francisco**  
7 **Police Department under legally uncertain charges, or from unreasonable fear of**  
8 **prosecution by the District Attorney of San Francisco, whether acting alone or in**  
9 **conjunction with federal or state agencies.**  
10

11 WHEREAS, Proposition P, which recommended restoring hemp medicinal preparations  
12 to the list of available medicines in California was passed by an overwhelming 80% of San  
13 Francisco voters in 1991; and

14 WHEREAS, The Board of Supervisors passed a resolution (141-92) urging the Police  
15 Commission and the District Attorney to make lowest priority the arrest or prosecution of those  
16 involved in the possession or cultivation for personal involved in the possession or cultivation  
17 for personal use of marijuana for medicinal purposes in 1992; and

18 WHEREAS, San Franciscans voted in favor of Proposition 215, the Compassionate  
19 Use Act which legalized state medical marijuana use and cultivation in California in 1996; and

20 WHEREAS, San Francisco voters and policy makers have repeatedly demonstrated  
21 their intent to provide compassion, dignity, and relief from those suffering from the  
22 immeasurable pain caused by debilitating illnesses such as cancer, anorexia, AIDS, chronic  
23 pain, spasticity, glaucoma, arthritis, migraines through the use of medical marijuana use; and

24 WHEREAS, Due to ambiguities in Proposition 215 relating to the rights of growers of  
25 medical marijuana, San Francisco growers who sell to dispensaries have been arrested with

1 the assistance of the San Francisco Police Department without clear standards or guidelines;  
2 and

3 WHEREAS, The San Francisco Police Department has hindered the will and intent of  
4 the people of San Francisco by arresting growers under legally uncertain charges by depriving  
5 patients and their caregivers within the City and County of San Francisco of their state right  
6 and assurance under Proposition 215 to medicinal marijuana; and

7 WHEREAS, Law enforcement resources could be better directed to align with the will  
8 of the voters and to address rising homicide rates and other issues; and

9 RESOLVED, The Board of Supervisors of the City of San Francisco urges  
10 the San Francisco Police Department and the District Attorney to halt all future raids, arrests  
11 and prosecution, either acting alone or assisting federal and state agencies, against growers  
12 of medicinal marijuana until clear standards and uniform guidelines consistent with the voters'  
13 intent are in place.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25



# City and County of San Francisco

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

## Tails Resolution

---

**File Number:** 040888

**Date Passed:**

Resolution reaffirming the City and County of San Francisco's support for growers of medical marijuana within San Francisco's municipal jurisdiction to exercise their right to cultivate and distribute medical marijuana under San Francisco's Proposition P and California's Proposition 215 without arrest and/or harassment by the San Francisco Police Department under legally uncertain charges, or from unreasonable fear of prosecution by the District Attorney of San Francisco, whether acting alone or in conjunction with federal or state agencies.

---

June 22, 2004 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell,  
McGoldrick, Peskin, Sandoval

Excused: 1 - Ma

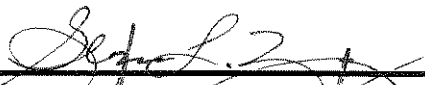
File No. 040888

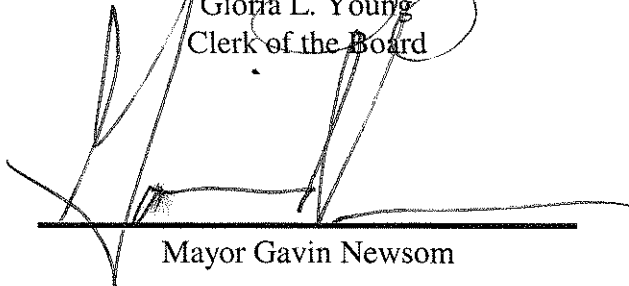
I hereby certify that the foregoing Resolution was ADOPTED on June 22, 2004 by the Board of Supervisors of the City and County of San Francisco.

JUL 01 2004

---

Date Approved

  
Gloria L. Young  
Clerk of the Board

  
Mayor Gavin Newsom