

# THE DOPE ON CANNABIS

## A Portland buyers' club gets medicinal marijuana to people who need it

by Inga Sorensen • photos by Linda Klierer

**T**wenty-nine year old Marc Brown, a gay man living with HIV, watched his longtime partner, Pat Belcher, waste away.

"Pat died in 1992 [at the age of 37] of an opportunistic infection that attacked his digestive tract. Like so many people with AIDS, he suffered from wasting syndrome. He vomited 12 times a day. He couldn't eat. He was the most beautiful man and he suffered so much," says Brown, who moved to Portland from California's Bay area in 1988. "People should not have to suffer like that if they don't have to."

Brown, who believes he contracted HIV when he was 20, says he not only understands the emotional suffering associated with losing a loved one, but also the physical suffering born of disease. "I would wake up in pain every day. I have chronic hepatitis B, which causes periodic flare-ups of my liver. I got night sweats. After I found out I was HIV positive, I began taking AZT and ddC. The side effects from these treatments were awful. I was nauseated, and I was very edgy because of the meds. I tried smoking cannabis and it worked wonders. I was much more relaxed; my appetite was stimulated. It helped regulate my bowel movements. I can sleep again."

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In HIV/AIDS cases, many people who use legally prescribed treatments such as the anti-retroviral drugs ddC and AZT say they have experienced severe side effects including constant nausea, disorientation, body aches, depression and an inability to keep food down. They further maintain that cannabis stimulates their appetite, thus countering the devastating "wasting syndrome." People with glaucoma say using cannabis relieves painful eye pressure; those suffering from conditions such as multiple sclerosis say smoking pot alleviates spasms.

As we well know, there is no known "miracle cure" for AIDS, which recently became this nation's leading cause of death for men between the ages of 25 and 44. Researchers have a lot of questions and few answers about the disease. What most will tell you, however, is that people living with HIV/AIDS who maintain their strength through a healthy diet and exercise have a greater chance of prolonging their lives.

"Nothing makes me feel better than cannabis," says Brown, who as a teenager smoked an occasional joint. "Doctors can give people with HIV and AIDS medications that may decrease the nausea caused by drugs like AZT, but they don't have anything—anything—that can stimulate appetite. So many of us die because we waste away. Cannabis can help put a stop to that."

Brown could have settled for smoking cannabis on his own. After all, he has a "wonderful life" with his current partner, 33-year-old David Olstein, who is also living with HIV. The couple share their Northeast Portland home with two women, three dogs, two cats, and a chicken. "It was an Easter gift," laughs Brown.

But improving his own health wasn't enough for Brown, who left a job as a social services administrator two years ago to go on disability: In mid-March he founded the Portland Cannabis Buyers' Club, a not-for-profit, above-ground organization that makes cannabis available for medicinal purposes to its members.

An estimated 35 buyers' clubs have sprung up around the country during the past couple of years. The first above-ground CBC was founded around 1993 in Washington, D.C., by Steve Smith, a gay rights and AIDS activist living with HIV. Some CBCs operate above ground, others, under. Some have only a handful of members, while the San Francisco CBC boasts a membership of 4,000. According to Brown, the Portland CBC currently has 16 members: 14 members are living with HIV or AIDS, one member has multiple sclerosis, and one, a woman, is dealing with a painful ailment that affects the lining of her bladder.

According to a CBC information packet, the club is "open to all people living with HIV/AIDS who are able to obtain a physician's statement acknowledging the therapeutic value of cannabis for the treatment of their condition. Membership, while focused primarily

on HIV/AIDS issues, is not limited to people with HIV/AIDS. Anyone with a genuine medical need for cannabis and [who] can obtain a physician's statement is eligible for membership."

Brown, who says his personal physician is supportive of his cannabis use, says it is virtually impossible to get a physician to formally state that cannabis use is of therapeutic value to his or her patient.

"Doctors and lawyers don't want to publicly touch this issue," he says. "So instead we ask that potential members supply us with a formal diagnosis of their condition and then I decide whether that person can become a member."

**A**ccording to Richard Cowan, national director for the National Organization for the Reform of Marijuana Laws, medicinal cannabis is legally available to only eight people in the United States through a federal program known as the Compassionate Investigational New Drug Program.

"During the Bush administration a handful of people were approved for the program, but they started getting flooded by

According to Gary Meabe, a Multnomah County senior deputy district attorney who handles drug cases, there are three potential main drug charges: possession, delivery and manufacture of a controlled substance.

Meabe will be the first to admit the laws around marijuana are "extremely complex." Generally, if a person is caught possessing less than an ounce of marijuana—and there is no evidence the person intends to deliver it—then he or she is likely to face a charge of possession of less than an ounce: a violation punishable by up to a \$1,000 fine. If the person is caught with more than an ounce, it is a Class B felony; if convicted, the guilty party could see some time behind bars, though Meabe says a first-time offender who shows no intent to deliver would probably get probation coupled with a little jail time or community service. If a person is caught selling or manufacturing any amount of cannabis, it is a felony. Finally, if a person is caught giving (not selling) someone less than 5 grams of marijuana, it is a violation—again, punishable by up to a \$1,000 fine.

"There's probably a lot of low-level growing and possession out



Tom Zink, co-founder and president of the Portland CBC, demonstrates the medicinal use of cannabis

hundreds of requests from people with AIDS," says Cowan, who is gay. "That's when James O. Mason, who headed up the Public Health Service under Bush, decided to close the program to new applicants. He is even quoted as saying that people with AIDS shouldn't be able to get medicinal marijuana because they'd be more likely to engage in unsafe sex."

Cowan adds, "Clinton has not reopened the program to new applicants."

So aside from those few cases, using marijuana remains illegal thanks to a complex and often draconian web of federal and state laws. Although about a dozen states, including Oregon, have decriminalized cannabis possession to some extent by making the possession of small amounts a violation, it remains illegal, and there are constant efforts to reinstate criminal penalties for cannabis possession. (For instance, state Rep. Jerry Grisham (R-Beavercreek) introduced two bills this session calling for tougher criminal penalties for possession of less than an ounce of cannabis. The bills are all but dead.)

there that we don't even know about," says Meabe, who cannot recall any case in Multnomah County where a person who claimed to use marijuana for medicinal purposes faced prosecution. "Quite frankly, going after someone who is dying of AIDS and smokes cannabis because it helps him feel better probably isn't going to be law enforcement's top priority. It's just not the same as a hardcore seller who is pushing drugs on kids."

He adds, "The police tend to look at the more serious offenders, but that doesn't necessarily mean they should turn a blind eye on other illegal activity that may be going on."

For people like Brown, the risks are worth it: "Pat had a moral code, and he didn't smoke marijuana. He wasted away. I don't know if it would

have helped him, but it helps me and others like me." Joanna McKee, who runs a buyers' club called Green Cross on

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