

News

Looming Marijuana Ruling Could Limit Federal Prosecutions

By *Sudhin Thanawala,*
Associated Press

SAN FRANCISCO—Rolland Gregg and his family have fought federal marijuana charges for more than three years, arguing that the roughly 70 marijuana plants investigators found on their Washington property were for their own medicinal use and fully complied with state law.

A federal jury last year convicted Gregg, his mother and his then-wife

of growing 50 to 100 marijuana plants — amounts their attorney said are in compliance with state medical marijuana law. With prison sentences looming, they have now turned to a recent act of Congress that they say should have stopped the U.S. Department of Justice from prosecuting them because they were doing what their state allowed.

Marijuana is illegal under federal law, and the DOJ disagrees with

Gregg's understanding of the new law.

"It's been the hardest thing I've ever had to deal with in my life when you see the government coming down on you for simply trying to be healthy," Gregg said.

A federal appeals court is expected to issue a ruling soon on the scope of the law that could pave the way to end or overturn at least six federal marijuana criminal prosecutions and convictions in California and

Washington, including Gregg's, and limit future prosecutions of medical marijuana users and dispensaries in eight Western states that allow them.

"The 9th Circuit is the biggest circuit, one that contains lots of marijuana states. If they were to say, 'The federal government is prohibited from enforcing medical marijuana law,' that would be huge," said Sam Kamin, a professor at the University of Denver Sturm College of Law who studies marijuana regulation.

At issue is a Congressional amendment that said the DOJ could not use funding Congress allocated to it for 2015 and 2016 to prevent states that have legalized medical marijuana from



AP PHOTO/ELAINE THOMPSON

In this photo taken Tuesday, May 3, 2016, Rolland Gregg poses with a John Lennon poster at his home in Kirkland, Wash. Lennon is a heroic figure for him. Gregg and his family have fought federal marijuana charges for more than three years, arguing that the plants investigators found on their Washington property were for their own medicinal use and fully complied with state law.

charging state officials who implement them, yet permits U.S. attorneys to go after marijuana dispensaries and growers. The 9th Circuit is ex-

uel Doyle, met Washington's requirements for collective cannabis grows for medical marijuana patients, his attorney Douglas Hiatt said.

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implementing laws that permit its use, distribution and possession.

The amendment's bipartisan sponsors — California Congressmen Sam Farr, D-Carmel, and Dana Rohrabacher, R-Costa Mesa, — say it prohibits the DOJ from prosecuting people who are complying with state medical marijuana laws. California and more than 20 other states have legalized marijuana for medical use. The drug, however, remains illegal under federal law.

The DOJ has interpreted the law more narrowly, saying it prevents prosecutors from trying to block state medical marijuana laws or

pected to clarify the amendment in appeals by three sets of defendants who have cited it as grounds for judges to dismiss their marijuana charges.

Steve McIntosh, a dispensary owner in Los Angeles, had permits from local officials that show him in compliance with state law, according to his attorney, Marc Zilversmit.

Under the Congressional amendment, the most the federal government can do is refer him to state authorities for prosecution, Zilversmit said.

Another defendant, marijuana grower Sam-

“He was growing medical marijuana for people who needed it, whether they could afford it or not,” Hiatt said.

The DOJ says McIntosh's dispensary had ties to a street gang, and Doyle and his co-defendants did not meet the legal requirements for medical marijuana in Washington.

Investigators found more than 550 plants growing on the Spokane property Doyle oversaw, and at least one of Doyle's co-defendants indicated the marijuana was being sold, prosecutors said.

The DOJ did not respond to a request for further comment.

Obituary: Gladys Farve

December 12, 1941 – May 4, 2016

Gladys Farve passed away peacefully on Wednesday May 4th, 2016. She was born on December 12, 1941 in Bonita, Louisiana to Amos and Helen Mott.

In addition to Antione, her loving husband, Gladys is survived by her children, Gail Farve of New Orleans, LA, Antione J. Farve IV of Portland, OR, Desiree Farve of Gaithersburg, MD, Antionette Robinson of Portland, OR, Delaney Farve, Vancouver, WA, five grandchildren, five great grandchildren, eight siblings and host of nieces, nephews and cousins.

Gladys was preceded in death by her two children, Andre Farve of Portland, OR and Denise Farve of



Gladys Farve

New Orleans, LA, her parents Amos Mott and Helen Hawkins, step Father, Robert Taylor and four siblings.

A viewing will be held from 4 p.m. to 7 p.m. on the evening of Wednesday, May 11th at Terry Family Funeral Home, 2337 N. Williams Avenue, Portland, OR 97227 and a Mass of Christian burial will be held at 10:00 a.m. Friday, May 13, 2016, at St. Andrew, 806 NE Alberta Street, Portland, OR 97211. The repast will follow at 11:30 a.m. in the church community center.

In lieu of flowers, remembrances may be made to the Alzheimer's Association.



Prayer and Bible Study

Every 3rd Thursday of the month @ 7pm

**Oak Acres Mobile Home Park
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