

1 [Supporting Compassionate Use]

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3 **Resolution supporting the compassionate use of medical cannabis for patients while in**
4 **the custody of the City and County of San Francisco and other California counties, and**
5 **reaffirming the right of Steven Wynn Kubby who requires the medicinal use of**
6 **marijuana to remain in good health while in custody in the Placer County jail.**

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8 WHEREAS, Proposition 215 was passed by 56% of California voters in November
9 1996; and

10 WHEREAS, The people of California have declared that patients and their caregivers
11 who obtain and use marijuana for medical purposes upon the recommendation of a physician
12 are not subject to criminal prosecution or sanction; and

13 WHEREAS, The Board of Supervisors unanimously passed resolution 955-01 on
14 December 7, 2001, declaring the City and County of San Francisco a sanctuary for medical
15 cannabis use, cultivation, and distribution, and urging the District Attorney for the City and
16 County of San Francisco, the San Francisco Police Department, the San Francisco Sheriff's
17 Department, the Attorney General for the State of California, and the California Department of
18 Consumer Affairs – Medical Board of California not to assist in the harassment, arrest or
19 prosecution of physicians, medical cannabis dispensaries, individual patients, or their primary
20 caregivers attempting to comply with section 11362.5 of the California Health and Safety
21 Code; and

22 WHEREAS, The Board of Supervisors unanimously passed resolution 398-04 on July
23 1, 2004 reaffirming the City and County of San Francisco's support for growers of medical
24 marijuana within San Francisco's municipal jurisdiction to exercise their right to cultivate and
25 distribute medical marijuana under San Francisco's Proposition "P" and California's

1 Proposition 215 without arrest and/or harassment by the San Francisco Police Department
2 under legally uncertain charges, or from unreasonable fear of prosecution by the District
3 Attorney of San Francisco, whether acting alone or in conjunction with federal or state
4 agencies; therefore, be it

5 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
6 supports the compassionate use of medical cannabis for patients while in the custody of the
7 City and County of San Francisco and other California counties, and reaffirms the right of
8 Steven Wynn Kubby who requires the medicinal use of marijuana to remain in good health
9 while in custody in the Placer County jail.
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