

1 [Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to
2 Medical Cannabis Dispensaries]

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4 **Resolution reaffirming that the City and County of San Francisco is a sanctuary for**
5 **medical cannabis, an integral component of which are property owners who, pursuant**
6 **to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s)**
7 **that provide needed services to qualified medical cannabis patients and their**
8 **caregivers, and that the City vehemently condemns the Drug Enforcement Agency**
9 **(DEA) for issuing sensational letters to these property owners threatening asset**
10 **forfeiture and imprisonment.**

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13 WHEREAS, House Judiciary Chairman John Conyers, Jr. has issued a pointed
14 statement regarding the DEA's ratcheting up its draconian tactic of threatening City and
15 County of San Francisco property owners with asset forfeiture and imprisonment for
16 leasing to lawfully operating MCDs that provide medical cannabis to patients qualified
17 under laws of the State of California; and,

18 WHEREAS, the City and County of San Francisco has incorporated many
19 safeguards against profiteering and patient exploitation into its medical cannabis
20 regulations and policies and on November 6, 2007 passed a resolution endorsing
21 compassionate care for non- and low-income patients; and,

22 WHEREAS, in 1997 the Board of Supervisors authorized the City and County of
23 San Francisco to pay for defending physicians in federal criminal and administrative
24 proceedings after recommending the use medical cannabis to qualified patients; and,
25

**Supervisors Chris Daly, Jake McGoldrick, Ross Mirkirimi, Ammanno, Peskin
BOARD OF SUPERVISORS

1 WHEREAS, the DEA has repeatedly subverted and undermined California's, and
2 many other states', laws governing medical cannabis by increasingly acting on its
3 irrational policy and hysteria regarding medical cannabis specifically, and the so-called
4 War on Drugs in general; and,

5 WHEREAS, this DEA heightened activity and policy directly violates the will of
6 the vast majority of the State of California on a matter directly related to health and
7 safety, an issue whose discretion is left to the State under the Constitution of the United
8 States; and,

9 WHEREAS, the State of California's Board of Equalization collects sales tax
10 from permitted MCDs; now, therefore be it

11 RESOLVED, That Board of Supervisors condemns the DEA's misguided and
12 sensationally threatening harassment of property owners by issuing letters to property
13 owners threatening asset forfeiture and imprisonment for leasing to lawfully operating
14 MCDs; and, be it

15 FURTHER RESOLVED, That Board of Supervisors should employ every
16 reasonable measure to secure and reaffirm the City and County of San Francisco's status
17 as a medical cannabis sanctuary status by supporting lawfully operating MCDs, and
18 property owners who lease to them, if and when the DEA acts on their threats; and, be it

19 FURTHER RESOLVED, That Board of Supervisors signs onto Chairman John
20 Conyers, Jr.'s statement condemning the DEA's threatening letters to property owners
21 and we fully support his convening of hearings into the DEA's alarming tactics to
22 undermine California state law; and, be it

23 FURTHER RESOLVED, That property owners who lease to lawfully operating
24 MCDs, and the MCDs themselves, should be supported by the City Attorney in any
25 criminal prosecution or property forfeiture action not unlike in 1997 when the City

1 authorized assistance in defending physicians recommending medical cannabis to
2 qualified patients from possible zealous DEA prosecution; and be it

3 FURTHER RESOLVED, That the San Francisco Board of Supervisors call on
4 Congress to investigate the DEA's conduct and to amend federal law to respect the
5 power of state to legalize medical cannabis, and, be it

6 FUTHER RESOLVED, That the Board of Supervisors requests that Mayor Gavin
7 Newsom, San Francisco's State legislators, Attorney General Jerry Brown, and
8 Governor Arnold Schwarzenegger join with Oakland Mayor and former Congressman
9 Ron Dellums in denouncing the DEA tactics surrounding property right of landlords
10 who rent to MCDs.



City and County of San Francisco

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

Tails

Resolution

File Number: 080198

Date Passed:

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

February 12, 2008 Board of Supervisors — CONTINUED

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

Absent: 2 - McGoldrick, Sandoval

February 26, 2008 Board of Supervisors — ADOPTED

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Chu, Elsbernd

Absent: 1 - Alioto-Pier

Excused: 1 - Dufty

File No. 080198

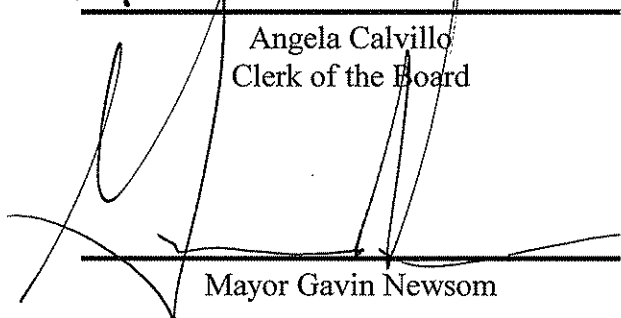
I hereby certify that the foregoing Resolution was ADOPTED on February 26, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Date Approved


Mayor Gavin Newsom