

## Support ASA's Federal Lawsuits

Americans for Safe Access (ASA), the nation's leading medical cannabis patients' advocacy organization, filed a groundbreaking lawsuit to stop the recent escalation in federal pressure against medical cannabis cultivators, providers, and others. *Americans for Safe Access v. Holder* challenges the Obama Administration's attempt to subvert local and state medical cannabis laws. We argue that the Tenth Amendment forbids the Department of Justice (DOJ) and other federal agencies from using coercive tactics to commandeer the law-making functions of state and local governments.

Our groundbreaking Tenth Amendment lawsuit seeks to stop federal interference and intimidation, which escalated after US Attorneys in California announced a crackdown on October 7, 2011. The scope of the new federal attack is shocking. The Drug Enforcement Administration (DEA) is raiding medical cannabis providers and cultivators. The DOJ is threatening to prosecute landlords and confiscate their property. The Obama Administration is seeking to intimidate elected officials, financial service providers, legal gun owners, and media outlets. **This may be the broadest and most serious threat to medical cannabis yet, and it is crucial that ASA has the resources we need to fight back.**

ASA has already scored important victories in court. Our victory over the California Department of Motor Vehicles in *Johnson v. Valverde* (2008) protected patients from unlawful confiscation of medical cannabis, and our historic win in *City of Garden Grove v. Superior Court of Orange County* (2007) secured the right to have unlawfully-confiscated medicine returned – regardless of federal law. ASA's victory in *County of San Diego v. San Diego NORML, et al.* (2008) established that state medical cannabis laws are not preempted by federal law.

In 2011, ASA filed a lawsuit in federal court challenging the unreasonable delay in the federal response to the nine-year old cannabis rescheduling petition. The DEA promptly responded by denying that cannabis has any medical value and refusing to make it legally available for therapeutic use. ASA has already filed a notice of appeal in this case, and will file the appeal brief challenging the DEA's rescheduling decision soon. This appeal could lead to the first evidentiary hearings on the medical value of cannabis in federal court since 1994.

Fighting for medical cannabis in federal court is a long and expensive struggle. ASA needs the support of our constituency to keep moving forward and finally prevail. We urge patients, medical professionals, lawyers, scientists, medical cannabis professionals, and other concerned citizens to actively support this effort with a one-time or recurring tax-deductible contribution to Americans for Safe Access Foundation. Your support will help us pay for the overhead costs of running a national grassroots organization and fighting these crucial court battles.



**The time to support ASA is now.** We need to put a robust grassroots and “grasstops” campaign behind our federal lawsuits to finally succeed in harmonizing federal law with the laws of the sixteen states and the District of Columbia where medical cannabis is already legal. We have important work to do to defend and fully implement state and local laws. To do all this we need a well-trained and motivated base of support. ASA’s [Online Advocates Training Center](#) and our innovative new [Medical Cannabis Think tank and Policy Shop](#) are key components in creating this base and using their grassroots power in strategic campaigns. We can do all this, but we must have your support.

ASA needs to add capacity right now to rise to this challenge. Your timely support will mean that ASA can stand up to federal pressure right now – while it matters. We know we can make a difference. Our successful advocacy, media, and legal campaigns have already resulted in important court precedents, new sentencing standards, and more compassionate community guidelines. With your support, we can do even more now.

Contact Don Duncan, ASA Co-Founder and Member of the Board of Directors, at [don@safeaccessnow.org](mailto:don@safeaccessnow.org) or (323) 326-6347 to discuss how you can help. You may also make a one-time or recurring donation online at [www.AmericansForSafeAccess.org/donate](http://www.AmericansForSafeAccess.org/donate) or send a check to ASA, 1322 Webster Street, Suite 402, Oakland, CA 94612. To make a tax-deductible contribution to support only our patients’ rights litigation, make your check payable to “ASA Foundation” (Federal EIN 51-0579227).

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Download a copy of ASA’s new lawsuit:

[http://AmericansForSafeAccess.org/downloads/ASA v Holder.pdf](http://AmericansForSafeAccess.org/downloads/ASA_v_Holder.pdf)

Learn more about ASA’s Online Advocate Training Center:

<http://www.AmericansForSafeAccess.org/TrainingCenter>

Learn more about ASA’s Medical Cannabis Think Tank & Policy Shop:

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