

Pot club founders deputized

Council votes unanimously

Drugs
By **DAN WHITE**

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✓ **SANTA CRUZ** — The City Council voted unanimously Tuesday to deputize the co-founders of a medical-marijuana club, symbolically making them officers of the city government.

That doesn't mean Wo/Men's Alliance for Medical Marijuana's Mike and Valerie Corral are actual deputies, have any special powers or will "need to show any stinkin' badges," said City Councilman Tim Fitzmaurice. Instead, their status means the council officially sanctions WAMM's activities.

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The Corrals are still trying to get the seized marijuana plants and some equipment back from the federal government.

At the very least, the deputization shows solidarity with WAMM, council members said.

Armed federal agents arrested the Corrals on Sept. 5 and tore out 167 plants at their Davenport-area marijuana garden. The Corrals, who were released hours after their arrest, said they were told they could be arrested again at any time.

WAMM's founders say most of the group's 200-plus members are seriously or terminally ill.

Council members received national media attention later in September for showing up to a rally on the steps of City Hall, where WAMM members came to get their weekly allotment of medical pot. For their stand, council members were alternately praised as heroes standing up against federal bullies, and ridiculed as flakes who were perpetuating the city's wacky, drugged-out image.

If the WAMM founders end up before the Supreme Court, "we're showing faith in what they are doing," Councilman Tim Fitz-

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WAMM

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maurice said. He said WAMM could turn to the court and say, "Look, this is the faith the community has in us."

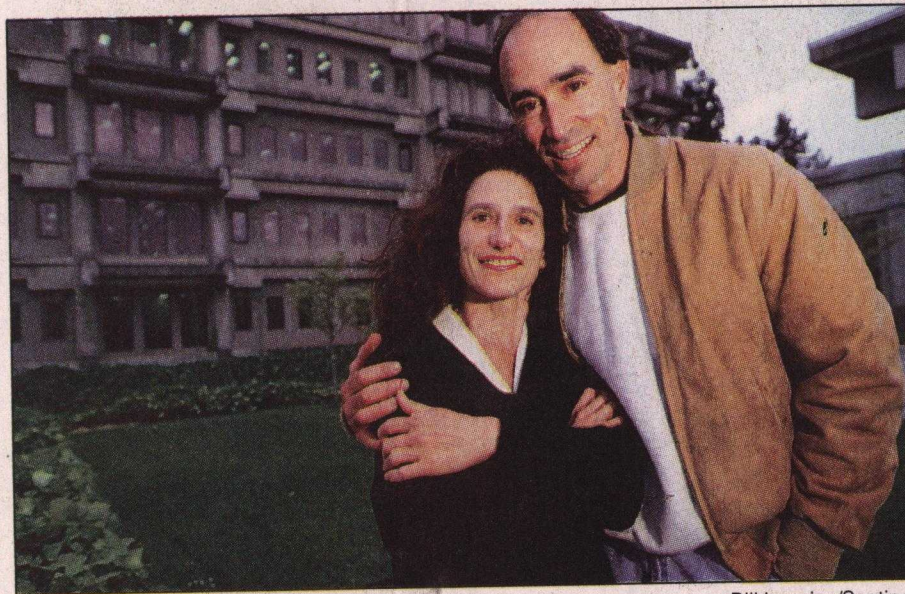
Andrea Tischler of the local Compassion Flower Inn, a bed-and-breakfast devoted to medical marijuana, urged the city to take it a step further and "consider deputizing others to run clubs because over 2,000 patients are in need of their medicine" in Santa Cruz County. She said there's no way WAMM alone can serve the need.

Councilman Mike Rotkin said he's concerned that the national press is making the city's stand on medical marijuana into an everybody-must-get-stoned story.

He said city leaders did not take the deputization status lightly, and that it was extending this status because of WAMM's continued commitment to protecting terminally ill patients. He said that for anyone else to get this deputy status, they'd have to prove they had as much commitment and responsibility as WAMM.

Councilman Mark Primack supported the motion but said he wanted to do something that had more "teeth" to provide guaranteed legal protections for the Corrals. He said he was dismayed by a recent statement by the federal Drug Enforcement Administration that deputization would not change the Corrals' status in the eyes of the government.

"What is a tangible action to create real



Bill Lovejoy/Sentinel

WAMM founders Valerie and Michael Corral have been deputized by the City Council.

protection?" he said.

Rotkin replied that he thought DEA spokesman Richard Meyer was being "very disingenuous" in his statements to the Sentinel earlier this week, and that deputization could offer real protections.

"This could be a way to defend them because they are following the spirit of the local (medical marijuana) ordinance and should not be prosecuted," Rotkin said. "In the end, it's not up to the DEA but the courts to settle this."

Meyer on Tuesday reiterated his state-

ment that "federal law supersedes state or local law, so nobody in the U.S. has authorization to distribute illegal drugs at will. We are a country of laws. Deputization really does nothing as far as federal law is concerned."

The federal government considers medical marijuana contraband and has asserted that its authority overrides state and local laws that make provisions for medical marijuana — touching off an emotional debate about alternative medicine, drug use and local authority.

The Corrals said Tuesday they hoped their new status would give them protection under the same federal law that lets police officers legally carry and sell drugs while engaging in narcotics stings. According to this reading of the law, the Corrals would be "enforcing" state and local laws allowing for medical-marijuana use.

"It's opposite ends of the same continuum," Mike Corral said. "They're out to bust people and we're out to help."

Meyer said he couldn't imagine WAMM meeting the criteria to fall under the provisions of that federal law.

"That makes no sense," he said. "Local deputies handle drugs, process them and lock them up. They don't distribute them to people on the street. If they did that, they would be breaking the law."

Santa Cruz, however, is not the first city to try to use deputization of medical-marijuana club members to increase their protection from federal prosecution. A similar approach was used in Oakland and San Francisco. The strategy has yet to be tested in federal court.

WAMM members say they are still getting marijuana for members. They declined to state the source.

WAMM board member Suzanne Pfeil said the government "tries to characterize a sick and tiny community as drug trafficking, and that it has to protect the (community) from us. We ask you to protect us from them."

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