

Views: An Open Letter to Governor Dean

Dear Gov. Dean, You and I have been sniping at each other in the pages of the gay press for months about medical marijuana. It's time to stop fighting and have an open, honest, public discussion of an issue that is literally a matter of life and death for thousands of people with AIDS.

Three respected Philadelphia AIDS organizations – Philadelphia FIGHT, AIDS Treatment News, and ACT UP Philadelphia – have agreed to sponsor such a forum anytime this fall or winter that can be scheduled conveniently. All you have to do is say yes.

Governor Dean, you used to be a hero of mine. I even wrote a puff piece about you last year for San Francisco *Frontiers*. But you are the only 2004 presidential candidate who has successfully killed a medical marijuana bill, and that makes you a threat to the lives of people I love.

For my friends with AIDS like Mary Lucey, medical marijuana is essential. It is the only thing that enables Mary to take the harsh anti-HIV drugs that keep her alive. Without it, the nausea is so bad she literally can't keep her pills down.

This past spring the Vermont House passed H. 645, which – like the existing medical marijuana laws in Alaska, California, Colorado, Hawaii, Maine, Nevada, Oregon, and Washington – would have protected from arrest people with AIDS and other serious illnesses using medical marijuana with their doctors' recommendations. The *Rutland Herald* described you as a "staunch opponent" of the bill, which never reached the Senate floor, thanks to your lobbying.

The LGBT and HIV/AIDS communities – including the Gay and Lesbian Medical Association, the National Gay and Lesbian Task Force, the New York and Philadelphia chapters of ACT UP, and openly gay San Francisco Supervisor Mark Leno, among others – begged you to change your mind. You refused.

Opposing medical marijuana is, of course, your right. But your statements to the gay press have been misleading, inconsistent, and sometimes plain false. In April you told the *Bay Area Reporter* that "essentially [H. 645] legalizes marijuana," allowing patients to possess three pounds.

Actually, H. 645 would have been the strictest medical marijuana law in the country. It precisely defined eligible medical conditions and limited patients to three ounces – not pounds – of

**bruce
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usable marijuana. It barred use of medical marijuana in any workplace, school, public park, or beach, and it even required patients growing their own to do so in a "secure indoor facility."

In July you gave *Between the Lines* this explanation for your opposition: "I don't think you should make public policy decisions in the legislature having to do with what medicines work and what medicines don't. ... I'll make a commitment to make sure marijuana is looked at

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by the FDA and force them to do the right research that they need to do. I think any drug for anybody should go through the FDA process."

But surely you know that H. 645 and the eight existing medical marijuana laws have nothing to do with FDA approval. They simply say that under state law, people using medical marijuana with their doctors' recommendations don't face arrest and jail. As a physician, you know that the FDA doesn't arrest people for using unapproved drugs – and that longstanding FDA policy permits Americans to use and even import unapproved drugs for their personal use.

Supervisor Leno explained that to you in his April 8 letter.

As for pushing the FDA to do more research, you must be aware that the FDA doesn't do drug research, but simply reviews

studies submitted by companies seeking approval for new treatments. Are you really that unfamiliar with how drug approval works?

Everyone wants more research, but as the Gay and Lesbian Medical Association explained in its April 19 letter to you: "AIDS and cancer patients do not have the time to wait the years such research will take. These patients should not face jail if they and their doctor determine marijuana to be important to their health."

Then, in the June 21 issue of *Frontiers*, you said, "I don't believe we should be throwing people in jail for smoking pot." I agree. But Vermont law authorizes jail terms for possession of even tiny amounts: up to six months for the first offense and two years for the second. You worked to kill a bill that would have provided a narrow, carefully

tailored exception to that law for people with AIDS and other horrible illnesses using marijuana medically.

Governor Dean, I really want to believe you are my community's friend and that you're just misinformed. So let's have an open, honest, public discussion – not a debate, but a discussion. No sound bites, no posturing, just an honest exchange of information in front of an audience of PWAs and the people who love and care for them.

The sponsors are ready and the pieces are in place. All you have to do is say yes.

Sincerely,
Bruce Mirken

Bruce Mirken is the communications director for the Marijuana Policy Project, www.mpp.org.

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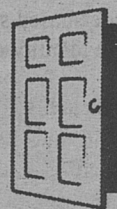
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