

Jeremy Thiesfeldt

STATE REPRESENTATIVE • 52nd ASSEMBLY DISTRICT

Referral 2nd offense means:

the offense is still open with conviction or prosecution being sought to date.

For 2013, it's too early to know the charging status.

Some of these defendants have multiple first offense violations.

Date	Quantity	Status	Located in a Motor vehicle
08-05-11	2.0 grams	Referral 2nd offense	yes
09-28-11	.4 grams	Referral 2nd offense	yes
11-07-11	2.0 grams	Referral 2nd offense	no
11-15-11	1.0 grams	Referral 2nd offense	yes
11-19-11	6 OZ	Referral 2nd offense	no
01-16-12	3.5 grams	Referral - 4th offense	no
01-17-12	unknown	Referral 2nd offense	unknown
01-27-12	unknown	Referral 2nd offense	unknown
01-29-12	1.2 grams	Prosec as 1st (2nd)	unknown
02-04-12	1.3 grams	Referral 2nd offense	yes
03-03-12	unknown	Referral 2nd offense	yes
03-13-12	.10 grams	Prosec as 1st (3rd)	no
03-14-12	.10 grams	Referral 2nd offense	no
03-25-12	.10 grams	Referral 2nd offense	yes
04-02-12	7.0 grams	Referral 2nd offense	no
05-03-12	trace	Referral 2nd offense	no
11-19-12	6.0 grams	Referral 2nd offense	no
11-19-12	.95 grams	Referral 2nd offense	no
12-05-12	3.5	Referral 2nd offense	no
12-08-12	stems	Referral 2nd offense	no

Serving the communities of Fond du Lac, Oakfield, Byron, Empire, Taycheedah, and the western half of Calumet township



State Senator
Rick Gudex

District 18

May 21, 2013

To: The Assembly Committee on Urban and Local Affairs
From: Sen. Rick Gudex
Re: AB 164, regarding local jurisdiction and prosecution of drug offenses

Mr. Chairman, members of the committee, thank you for holding this hearing today.

In the normal course of events, a person who commits the same crime a second or third time will face greater charges than he or she faced the first time. The reasons for this are obvious: the person did not learn his lesson the first time, so stronger measures are called for. Also, a person who will continue to commit a crime even after being caught and punished is much more likely to move on to greater crimes in the future.

That also holds true of bigger vs. smaller crimes. Someone who steals \$10 is subject to a smaller potential punishment than someone who steals \$10,000. That just makes sense.

However, there is at least one area of law in Wisconsin where that is not always the case – a bigger crime can be punished more lightly, and repeat offenders can get off more easily than first-time offenders. This bill seeks to change that.

Under Wisconsin law, local governments – municipal courts – are the ones who prosecute first-time possession of 25 grams or less of marijuana or a synthetic cannabinoid. Repeat offenses, or any offense for possession of over 25 grams – are the jurisdiction of the District Attorney.

Because the DA can choose not to prosecute (due to workload, resources, etc.), this potentially creates a situation in which a first offense has a greater penalty than a second or subsequent offense. This could end up with a person being convicted of possession of 24 grams of marijuana, but then receiving no punishment for possession of 50 grams.

Whatever one may think about our current drug laws, this makes no sense at all.

This bill will allow a local government to enact an ordinance, by which they can prosecute a second or further offense, or prosecute possession of greater than 25g. They will only be able to prosecute if the DA declines to prosecute.

Thank you again. Please feel free to contact my office with any questions or comments.

OPINIONS

MISSING THE BOAT

Wisconsin Says, "Don't Come Here"

By Gary Storck

WISCONSIN'S FAILURE to recognize the changing times by passing a medical cannabis law or even decriminalizing possession of small amounts of cannabis has led to a growing exodus from the state.

How did we get into this mess? Why is there such a big gap between legalization in Washington State and Colorado, and Wisconsin's draconian pot laws, laws that kill tourism and send our citizens out of state to treat their illnesses?

With many first time offenders catching a felony for a few grams depending on where in the state they are caught, the prospect of life in a state where it is completely legal or even legal for medical use looks much better than continuing to lose ground legislatively and gain a permanent record personally. In Wisconsin, a second offense for marijuana, even if minor, lands you a felony.

In a state that ranks 44th in job growth, why would college graduates or highly skilled veterans with varying health issues want to stick around in a place that will not even consider minor cannabis law changes, much less legalizing it and the industry jobs that would result? What is gained by staying and risking a felony for a few joints?

The failure to change outdated pot

his condition with fewer side effects than the other medications currently available."

Please visit [IMMLY](http://IMMLY.org), a grass roots patient and care provider-based organization created to provide information and advance public education regarding the therapeutic use of cannabis to the general public and the medical community in the U.S. Midwest and worldwide via the web. The site is immlly.org.

IMMLY strongly supports and encourages the free exchange of information and research regarding the medicinal use of cannabis.

Those suffering from serious and painful medical conditions must have access to every option available to relieve their suffering.

A LEGACY OF ERRORS

LONG KNOWN as a progressive state, Wisconsin has been anything but progressive when it comes to cannabis. While the 1970's and early 1980's saw numerous attempts at statewide decriminalization, none made it to a floor vote in the legislature. Wisconsin did enact the "Therapeutic Cannabis Research Act" (TCRA) in 1982, signed into law by Republican Gov. Lee Sherman Dreyfus, but without a means of supply the law became symbolic.

In the 1990s, medical cannabis was back but session after session, bills died in committee without a vote. Polling in 2002 established over 80% support statewide, but most lawmakers remained unmoved. In 2008, Democrats gained control of both houses of the legislature for the first time since 1992. With Gov. Jim Doyle, a Democrat who had promised to sign a medical cannabis bill if it reached his desk, hopes were high that Wisconsin would finally join the club with the introduction of the Jacki Ricket Medical Marijuana Act (JRMMA).

Despite the efforts of then-State Rep., now U.S. Congressman Mark Pocan (D-Madison) and State Sen. Jon Erpenbach (D-Waunakee), strong public

and professional support, and an 8 hour standing room only combined health committee hearing on Dec. 15, 2009, the bill died in committee. Not only did every Republican in the legislature refuse to cosponsor or vote for it, the final blow came when Sen. Julie Lassa (D-Stevens Point), joined with Republicans on the health committee to kill the bill.

In the early part of the 2000's, friends began packing up and leaving Wisconsin for states like California and Oregon.

The failure of the JRMMA led to the placement of two local advisory referendums on Nov. 2010 election ballots in Dane County, home to Madison, and the NW Wisconsin city of River Falls. These referendums asked voters if they thought the state legislature should pass a medical cannabis law. While both referendums won overwhelmingly, 68% in River Falls and more than 75% in Dane County, Republicans gained control of both houses and the governor's office. Still, the depth of support was stunning — in the Dane County vote, the referendum outpolled every other issue or candidate in almost every ward in the county.

In the early part of 2000, friends began packing up and leaving Wisconsin for states like California and Oregon. As time passed, more and more people with the ways and means to leave did so, taking their skills and assets to greener pastures.

The failure of the JRMMA in 2010 led to further emigration by medical cannabis patients and families. They sold homes they had lived in for decades,

continued, PG. 16 see BOAT

no other action taken. Rapper Freddie Gibbs tweeted a picture of the inspection certificate he found in his luggage after a flight into Denver. The hand-scrawled note on the form said, "C'mon Son." His marijuana remained untouched.

Other vacation scenarios require a bit more research. For example, Carnival Cruise lines specifically prohibits marijuana on their ships. Because the ship is private property, they have every

possession at the time enu is allowed. All in all, while traveling as a MMJ patient can be more complicated than ordinary vacationing, there is no reason not to get out and enjoy all that this wonderful country has to offer. A little research and planning will take you places, refresh your spirit and load up a memory card or two on your camera. Need some inspiration? See the article on page 4 for upcoming marijuana-friendly events.

BOAT

continued from page 6

liquidated assets and left.

Despite the mandate from voters to pass medical cannabis legislation, the new GOP-majority legislature and Gov. Scott Walker, a Tea Party Republican, had a far different agenda. Legislation attacking public workers and unions led to widespread retirements of state

workers and the brain drain started to become a hemorrhage.

The failure to recall Gov. Walker, gerrymandered legislative districts and passage in 2013 of a mining bill that would threaten NW Wisconsin's tourism industry has further demoralized Wisconsinites, who find themselves with a one party monopoly, funded by vast sums of out of state money, totally bent on remaking the state.

legal access to marijuana.

During the 1990s, ACT published a 56-page collection of recommendations for the Clinton Administration titled, "Marijuana As Medicine: Initial Steps." In 1998, Randall and O'Leary penned "Marijuana Rx: The Patients' Fight for Medicinal Pot." The memoir chronicles Randall's struggle with both glaucoma and the law, as well as his crusade to force

facility in Lansing, Michigan contacted O'Leary for permission to name the facility in memory of her late husband. O'Leary appeared as the keynote speaker at the ribbon-cutting ceremony for the RC Randall Memorial Wellness Center. The Center helps caregivers and patients navigate the state certification process, carrying on its namesake's legacy of helping the ill obtain the medicine they need.

are able to celebrate it with events that last all weekend." On Saturday evening, NORML picks up again after the Monroe Street Fair ends. At 8pm they are holding a fundraising dinner at the Clarion.

For details about these events, visit www.monroestreefair.com and www.minorml.org.

www.theamericancultivator.com

HASH BASH

continued from page 1

the fair now attracts one and a half to two times as many people as the rally.

"Hash Bash is my favorite event in Michigan every year," said Hilary Dulaney, Publisher of The American Cultivator. "The history behind it is the ground, the foundation we stand on today. While the actual Hash Bash only lasts 90 minutes, we

SIGN UP FOR OUR MONTHLY ONLINE ISSUE!

Go to www.theamericancultivator.com and add yourself to our mailing list on the front page. Every month, we'll update you on previous articles and bring you the most up to date MMJ news in the industry.



The American Cultivator

www.theamericancultivator.com

Serving SE Michigan!

Mobile Meds

DELIVERY SERVICE

Delivering High
Quality Medicine
To Southeastern
Michigan



Must Have Michigan Medical Marijuana Card
Accepting New Patients, Available Openings

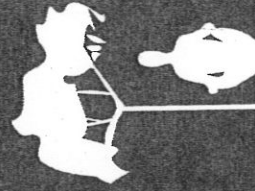
CALL ANYTIME!
313-850-1556

Assisting Metro Area Registered MMP Patients

HYDRO GURU

EXPERIENCED CAREGIVER

Quality Medicine
Compassionate Costs
Edibles, Tinctures, Topicals
and Concentrates



313-401-3719

hydroguru@wowway.com