

MEDICINAL MARIJUANA ENFORCEMENT INFORMATION

In November 1996, the People of California spoke, and adopted Proposition 215 as law. While controversial, the original proposition was also somewhat ambiguous. In August 2003, Senate Bill 420 was adopted by the California legislature and signed into law by the Governor, setting minimum amounts of marijuana that can be possessed under California law for medicinal purposes. Codified as section 11362.77 H&S, it allows for any entity to allow for greater amounts, yet amounts under those set limits are protected by California law.

Sierra County Enforcement Standards:

Section 11362 H&S allows for the statewide possession of up to

- Eight ounces of dried and processed marijuana
- No more than six mature marijuana plants
- No more than twelve immature marijuana plants
- For those possessing a recommendation from a physician, or if he/she is a certified caregiver for a person possessing a recommendation from a physician.

After reviewing section 11362 H&S, the sheriff and district attorney of Sierra County have confirmed their intent to take local enforcement action when the following occurs:

- The possessor or cultivator of any marijuana fails to have a recommendation from a physician or proof that they are a certified caregiver for patient with a physician's recommendation
- Any person who possesses more than one pound of marijuana, and/or
- Any person who possesses more than 12 mature and/or 24 immature marijuana plants.

While the effective local enforcement standard is double the statewide standard, once this local enforcement standard is exceeded all seizures will include all marijuana exceeding the minimum statewide standard.

Possession of any marijuana remains subject to possible federal prosecution and anyone possessing it pursuant to California law may still remain subject to federal prosecution.

The People of California passed Proposition 215 as an act of compassion to assist those with debilitating illness with an additional tool. Please use this tool in the spirit it was intended. To do otherwise just puts this piece of public policy in jeopardy for those who need it most.