

State of California

Department of Corrections and Rehabilitation

Memorandum

Date

November 28, 2005

To

Regional Parole Administrators
District Administrators
Unit Supervisors

POLICY NO.: 05-21

Subject:

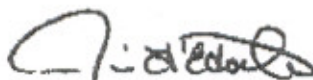
MEDICAL MARIJUANA, SENATE BILL 420

In 1996, the voters of California passed Proposition 215, the Compassionate Use Act. This proposition made the medical use of marijuana legal in California. However, this proposition failed to provide an effective way for law enforcement personnel to properly identify patients who legally met the requirements of this proposition to possess marijuana.

In 2004, former Governor, Gray Davis signed into law Senate Bill 420, Medical Marijuana, which required the California Department of Health Services to establish and maintain a statewide medical marijuana identification card and registry program for qualified patients and their caregivers. Currently, the following counties are participants of the Medical Marijuana Program and issuing medical marijuana identification cards for qualified patients and caregivers: Del Norte, Trinity, Shasta, Amador, Marin, and Mendocino.

Effective immediately, the drug testing policy is amended to reflect Proposition 215 and Senate Bill 420. Parolees who qualify to obtain a medical marijuana identification card to possess a prescribed amount of marijuana for medical purposes shall ensure that their assigned Parole Agent receives a copy of the identification card for placement in the parolee's field file prior to the parolee obtaining possession of the marijuana. The parolee shall continue to comply with his or her conditions of parole, and will not be subject to substance testing for marijuana while under the parole custody and supervision of the California Department of Corrections and Rehabilitation. Parolees who fail their drug test for substances other than the prescribed medical marijuana shall be processed in accordance with current policies and procedures.

Please ensure this policy memorandum is disseminated immediately to staff. The Policy and Procedures Unit staff will incorporate this policy into the Department Operations Manual, Chapter 8, Adult Parole Operations. If you have any questions regarding this policy memorandum, please contact Darby Lannom, Parole Agent III, Policy and Procedures Unit, Division of Adult Parole Operations, at (916) 445-4757.



JIM L'ETOILE

Director

Division of Adult Parole Operations