

1 And yeah. Okay. Like that. The
2 effects between marijuana and aspirin, man,
3 marijuana has never caused a death, and aspirin has
4 caused over 500 deaths a year. And you might have
5 a little bit of problems with memory and learning
6 using marijuana, but I'm sure if you took enough
7 aspirin, you'll have that same problem.

8 And as you can see on the list over
9 here, it -- compared to each other, it looks to me
10 like the marijuana would be a safer alternative
11 than it would to just be popping a bunch of pills.
12 I mean I totally do not like popping pills, and --
13 and since I've moved back to Iowa, I don't have any
14 choice but to pop pills, which I don't do it
15 anyway. So I just suffer the consequences, deal
16 with it, and just go about my life, I guess.

17 Okay. I was reading somewhere on some
18 of my news I read every day how this Gil
19 Kerlikowske was telling somebody in Iowa about the
20 concerns that medical marijuana dispensaries in
21 California have. And I'm thinking, okay. Well,
22 California, there's, like, ten times more people
23 there than there is in Iowa, and so of course it
24 would be harder to regulate and keep in control
25 than it would be here in Iowa. I don't know.

1 The fact that they -- they just let
2 everybody and anybody open up a dispensary, that
3 was -- that was pretty cool because I helped open
4 up a dispensary in Sacramento. That was -- that
5 was pretty cool. But I don't know. I don't know
6 what to say.

7 Okay. And criminal activity, you
8 know, it shouldn't happen if there was regulated
9 marijuana dispensaries because you would have to
10 have your identification to get into the store, and
11 I'm pretty sure you're not going to be able to
12 bring a gun or anything in there if you've got your
13 ID in there. And rather than just selling it off

14 the street corner and getting into children's
15 hands, you would actually have to be licensed to go
16 into a store and buy it. And which I would think
17 it would be safer for the children since it's
18 regulated like that.

19 And I don't know what else to say.
20 I'm sure that wasn't ten minutes, but I'm just
21 going to go with that, I guess, because I actually
22 forgot my notes.

23 Okay. Well, here's some. Okay.
24 Marinol, yeah. I was supposed to say something
25 about Marinol too. Okay. With using marijuana, it

1 stops dizziness and vomiting that are specific to
2 chemotherapy. It helps with regaining the
3 patients' weight through increase of appetite and
4 reducing stress or states of nausea and vomit.

5 I've got another friend who's actually
6 dead now. She was in California. She never used
7 marijuana. She had -- she had lung cancer, and she
8 ended up taking chemotherapy and getting sick,
9 losing weight, losing hair, and then she ended up
10 with having a stroke and getting tumors in her
11 brain, and that wouldn't have happened if she would
12 have been able to smoke marijuana. And I don't
13 know. Kind of wish that she would have been able
14 to do that earlier. And okay.

15 Well, I think yeah. This is what I
16 actually have, some kind of gastrointestinal
17 disorder. I don't know who's calling me here.
18 Yeah. My job. Yeah. So, like, gastrointestinal
19 disorders affect one in five Americans, and smoking
20 marijuana -- and actually, I do like to make
21 brownies and cookies and -- and using a vaporizer
22 to help with using -- I don't know -- carcinogenic
23 smoke, and it actually helps decrease the swelling
24 in my bowels which decreases the pain. And I'm
25 just going to let it go at that.

1 Oh, yeah. Okay. There's some
2 symptoms of cramping and abdominal pain and
3 inflammation of the lungs -- or lining of the large
4 and/or small intestines and chronic diarrhea and
5 rectal bleeding and weight loss. When I was in
6 California, all that seemed to just slow down, and
7 I didn't really have too much of a problem. I
8 could go to work and everything, which I can do
9 that anyway.

10 Cannabis is not physically addictive
11 like tobacco or alcohol or any other
12 over-the-counter drugs like Vicodin. I know a
13 bunch of people that -- in California they just --

14 they're pill poppers, man, and I don't know what
15 the hell that's about. And I don't know. It's
16 safer. I don't know.

17 Marijuana has never caused any deaths,
18 and I could see where if -- what is it, Marinol is,
19 like, what, a Schedule III; right? And that's just
20 pure straight-up THC, and then it's missing out on
21 all the other -- the chemicals that are in
22 marijuana that is -- they've got cannabinoids, and
23 there's a CB1 and a CB2, some kind of receptor
24 thing, and I think there was, what, Delta 9 is what
25 the -- yeah.

1 I'm going to go. Thank you very much
2 for having me.

3 BOARD MEMBER FREY: Thanks. We have a
4 Scott Kremer that is scheduled for 6:10. Is he
5 here?

6 SCOTT KREMER: That's me.

7 BOARD MEMBER FREY: Okay. Great.
8 Thank. You can come and get your -- the gentleman
9 that was --

10 SCOTT KREMER: Oh. He has to get
11 something?

12 BOARD MEMBER FREY: Yeah. He's got
13 a -- I didn't know if he wanted his microphone or
14 not or his recorder.

15 (Off-the-record discussion.)

16 SCOTT KREMER: Hi.

17 BOARD MEMBER FREY: Hi.

18 SCOTT KREMER: I brought a few
19 exhibits here so --

20 BOARD MEMBER FREY: Okay.

21 SCOTT KREMER: I just want to hand
22 these to you and talk about them.

23 BOARD MEMBER FREY: Great.

24 SCOTT KREMER: Good evening. I want
25 to thank you for having these hearings.

1 careers and became a paralegal. I was the case
2 manager for a San Francisco firm that represented
3 injured workers, mostly longshoremen who had been
4 injured on the docks.

5 I also spent six years working for
6 criminal defense attorneys. I was deeply involved
7 helping them with marijuana cases, and I became
8 something of an expert at marijuana defense. In
9 fact, prominent defense attorneys called me for
10 recommendations for expert witnesses in obscure
11 scientific disciplines.

12 In 1995 I attended the hearing in the
13 Kyllo case out of Oregon which was ultimately
14 decided in Kyllo's favor by the U.S. Supreme Court
15 in 2001. I recommended that Kyllo's lawyer hire a
16 certain infrared expert for that case. I would
17 like to take credit for that now because Kyllo's
18 lawyer blamed me when he was losing the case in
19 lower courts.

20 So I want to thank you for holding
21 this hearing because it strikes me as a very
22 reasonable approach to the medical marijuana
23 problem. I'm sure you're aware of the process by
24 which the federal scheduling of marijuana was
25 challenged in the 1980s by a group of activists.

1 BOARD MEMBER FREY: Excuse me, Scott.

2 SCOTT KREMER: Yeah. .

3 BOARD MEMBER FREY: Could you
4 please -- just for the record you can state just
5 your first name or state your full name.

6 SCOTT KREMER: I will. That's coming.

7 BOARD MEMBER FREY: Okay. Awesome.
8 Thank you.

9 SCOTT KREMER: So I want to thank you,
10 but before I elaborate on that, permit me to
11 introduce myself. My name is Scott Kremer. I'm
12 58 years old. I was born not far from here in
13 Atlantic, Iowa, and raised on a farm in Cass
14 County.

15 I graduated from the University of
16 Iowa in 1977 with a degree in English and a
17 teaching certificate. I moved to California in
18 1979 and lived there until just two years ago when
19 I returned to live on my home farm. I'm living
20 there with my father who is now 92 years old. I
21 have been working as a substitute schoolteacher
22 since I returned home.

23 I didn't teach while I was in
24 California. Instead I worked as a carpenter, then
25 a building contractor, but finally I changed

1 The activists will forever quote the administrative
2 law judge's statement regarding marijuana at the
3 conclusion of those hearings. No doubt you've
4 heard it several times by now and have many copies
5 in the paperwork that has been submitted to you.

6 The interesting thing to me, however,
7 is the difference between that process and this
8 one, the difference being who is being given
9 jurisdiction to make a recommendation regarding
10 marijuana? In the federal hearings, it was the
11 Drug Enforcement Agency, the DEA, who made the
12 decision. The DEA is an elite group of drug
13 police.

14 To me asking the DEA to rule on
15 marijuana is like asking the fox to guard the
16 henhouse. The fox has a professional interest in
17 eating or arresting the hens, not helping them deal
18 with physical ailments. The hens don't typically
19 go to the fox and ask for medical advice. The fox
20 is not a veterinarian.

21 So it is no surprise that the DEA
22 ignored both the carefully presented evidence and
23 the strong recommendation of their administrative
24 law judge. They kept marijuana scheduled as a
25 dangerous drug with no potential medical value and

1 relegated it to the same category as heroin or LSD.

2 So it's really nice to see marijuana's
3 potential medical value being considered by the
4 Iowa Board of Pharmacy, not the Iowa Bureau of
5 Criminal Investigation. I think it's a testament
6 to some good old level-headed thinking by Iowans to
7 put pharmacists in charge of drug recommendations
8 instead of police. Police are functional experts
9 at maintaining public order and safety, not
10 biochemistry and medical matters. It seems to me
11 that the police should be following your guidance,
12 not vice versa. But at the federal level, it
13 hasn't worked out that way.

14 I voted for Proposition 215 in
15 California, the nation's first medical marijuana
16 law. I did not, however, work on medical marijuana
17 defenses, although I consulted with some of the
18 leading proponents of medical marijuana. I also
19 have several personal friends who have medical
20 marijuana recommendations from their doctors. I do
21 not have such a recommendation, nor have I ever
22 sought one.

23 I brought some photographs from the
24 website of one of the leading medical marijuana
25 dispensaries, the Harborside Health Center in

1 Oakland, California. I've never been to this
2 establishment since it requires a medical
3 recommendation to get in.

4 The photos are a good representation
5 of what the medical marijuana movement can become
6 if it is legal. I'm including a two-page printout
7 with text and photos describing Harborside's
8 laboratory analysis project. It seems to me that
9 this is the minimal standard that all marijuana
10 dispensaries should aspire to. Obviously, this
11 level of professionalism was impossible prior to
12 laws allowing enough freedom for it to develop.

13 With the help of committed activists,
14 police, and other officials dedicated to enforcing
15 the law, California has slowly worked out many of
16 the kinks following the 1996 passage of its medical
17 marijuana law. The full text of California's
18 Proposition 215 has only 359 words. It has often
19 been criticized for being too loosely worded, which
20 means it didn't get enough guidance.

21 The full text of the proposed law
22 currently submitted to the Iowa Senate has
23 10,649 words and ran to 26 single-spaced pages when
24 I printed it. The problems the California law
25 didn't solve have been discovered and dealt with in

1 advance by the proposed Iowa statute.

2 For many years I've heard various
3 estimates of the value of illegal marijuana crops.
4 These estimates come from both police and marijuana
5 legalization advocates and even in some instances
6 from agricultural agents, county agricultural
7 agents. Frequently the estimates rank marijuana at
8 or near being the highest dollar agricultural crop
9 in the nation. Estimates are difficult to make,
10 but in any case, the value is certainly high.

11 All that money is floating around out
12 there unseen, unregulated, untaxed. If you look
13 around at Iowa farms and consider that even a
14 fraction of the value of all the farm products and
15 services we can see, all the tractors, silos,
16 trucks, farms, houses, and bank accounts, is also
17 floating around out there in a hidden economy of
18 marijuana assets maybe not in Iowa but somewhere in
19 the country, then you get some idea just how big
20 the marijuana business is.

21 No doubt you know that marijuana or
22 cannabis sativa was an accepted drug in the U.S.
23 pharmacopeia until a wave of scare stories led to
24 it being hastily banned by Congress in 1937. This
25 was over the objection of the American Medical

1 Association.

2 Now, except for the recent creation of
3 legal medical marijuana markets, all of the vast
4 underground marijuana economy is operating without
5 any reasonable controls or legal safeguards. Since
6 the 1960s, marijuana use has burgeoned while the
7 drug has remained completely illegal. Nothing
8 suggests that criminal penalties for all marijuana
9 users will stop this market.

10 Certainly it has also been established
11 that many people, rightly or wrongly, will persist
12 in using marijuana for medical benefits they
13 believe it confers, regardless of the law. We can
14 either continue considering these people criminals
15 or exercise the option to bring them under legal
16 control. They can obey the law and still have
17 their marijuana, but the law can specify how many
18 of them get it, what they give it for, how the drug
19 is produced, who produces it, who sells it, how
20 much is taxed, when it is sold, where it is sold,
21 how pure it is, et cetera, et cetera.

22 It's rather ironic, don't you think,
23 that marijuana advocates are coming to you and
24 literally begging to be placed under legal
25 regulation, literally begging to give the State

1 power over their lives. It seems like everyone
2 else in the world has tried to get government out
3 of their hair, always complaining about government
4 regulation, taxes, Big Brother, and such.

5 But here we have a group of people who
6 are begging for government regulation. Yet the
7 only regulation the government wants to give them
8 is jail at great expense to the taxpayer while a
9 huge black market thrives wholly untaxed.

10 Jail hasn't worked. Let's try finding
11 a middle ground between jail and no law whatsoever.
12 Let's move forward not just to allow doctors to
13 recommend it but to make it possible for doctors
14 and pharmacists at the University of Iowa and
15 scientists at other schools to study the uses and
16 benefits. Surely tax money from the sale of
17 medical marijuana could be earmarked for such
18 purposes, possibly even producing patents on new
19 medicines extracted or synthesized from the variety
20 of cannabinoids in the plant.

21 Let's bring cannabis back into the
22 pharmacopeia where it was once a medicine for many
23 generations. Thank you for your time.

24 BOARD MEMBER FREY: Thank you.

25 BOARD MEMBER MAIER: Thank you.

C E R T I F I C A T E

I, SueAnn Jones, Certified Shorthand
Reporter and Notary Public in and for the State of
Iowa, do hereby certify that the foregoing is a
true and accurate computer-aided transcription of
the public meeting as taken stenographically by and
before me at the time and place indicated on the
title page;

That I am neither a relative nor employee
nor attorney nor counsel of any of the parties to
this action, and that I am not financially
interested in the action.

Dated this 20th day of November, 2009.

SUEANN JONES, CSR, RPR

1 SCOTT KREMER: If you have any
2 questions, I'll be happy to hang around.

3 BOARD MEMBER FREY: Okay.

4 BOARD MEMBER MAIER: Thank you.

5 BOARD MEMBER FREY: Thanks.

6 TERRY WITKOWSKI: Is there anyone else
7 who has not spoken who would like to speak? Okay.

8 (Short recess.)

9 TERRY WITKOWSKI: Thank you all for
10 coming. This hearing is now officially closed.

11 (Public Meeting concluded at
12 7:00 p.m.)
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