



April 2014 Newsletter Message

Dear Neighbors,

It's time to stop wringing our hands and take real action to curb the proliferation of pot stores around San José.

We so need a sensible system for patients with a genuine need for medical marijuana to treat symptoms of cancer or other legitimate, doctor supervised, medical purposes.

But let's tell the truth: most of the "dispensaries" are just pot shops selling drugs to people who want to get high – and it turns out, a lot of them are children.

Last year, Eastside Union High School District saw a 234% jump in suspensions for marijuana use, possession, or distribution in school; and school officials confiscated marijuana baggies still sealed in wrappers from dispensaries.

And this isn't your daddy's pot. THC content has increased dramatically, and plants are bred to be increasingly more potent – up to 50-90 percent in "ear wax marijuana."

Studies show teens are 4 to 5 times more likely than adults to become addicted, and heavy marijuana use among teens is associated with cognitive decline in about 5% of youth; heaviest users could lose up to 8 IQ points. Teens who use pot are more likely to develop schizophrenia and psychoses than non-users. The side-effects from marijuana include loss of focus and motivation, which impacts both academics and relationships.

And we're seeing ominous new developments along with increased pot use. Children are using electronic cigarettes like "e-cigarettes" to ingest nicotine and marijuana. These devices "vaporize" highly concentrated nicotine or marijuana oil with no smoke and very little odor – making it harder to detect. In fact, it's become a new "game" for some kids to see who can consume the most in public without being caught. These oils have dangerously high concentrations of THC – and the nicotine levels reach lethal levels if swallowed or absorbed through the skin.

And it's not just schools. I've heard from businesses who are pleading for relief from the impact of marijuana stores near them, including increased crime, overwhelming smell of marijuana use, and customer loss. While we've essentially banned cigarette smoking in public, marijuana activists seem to think it is appropriate to take a joint and subject others to second hand marijuana smoke.

Bring Back the Ban

Three years ago, I proposed banning pot shops in San José, just like 19 other bay area cities have done – including Milpitas, Fremont, Morgan Hill, and Sunnyvale. The City Council didn't support my plan then, so I co-authored a memo to put strict limits on how many pot shops would be allowed and where they could go.

Today more than 80 medical marijuana dispensaries are scattered throughout San José – many of them near our schools. And they want to build even more.

The California Supreme Court says that we have the authority to ban marijuana dispensaries. More and more medical professionals are telling us we should.

It's time for the City Council to quit ducking the tough decision and take strong action to ban marijuana dispensaries in San José.

It's time to say No More

Marijuana activists are now circulating a ballot measure that would dramatically expand the number of pot shops in San José and virtually eliminate our ability to control them. What's worse, the ballot measure includes a clause that specifically allows pot use by children.

It's clear that proponents are not defending the compassionate use policy envisioned by Proposition 215 – which was to allow medical use of marijuana to alleviate some medical conditions when other treatments failed. Instead, they are simply trying to expand a lucrative business that sells drugs – oftentimes to children.

We have heard plenty from proponents of the marijuana industry.

Now, as Paul Harvey used to say, we're starting to hear *the rest of the story*.

We're hearing from medical and healthcare experts, the District Attorney, School Boards and Superintendents, our own police department – as well as students and parents. They're all asking us to help them fight the explosive growth of marijuana use by children.

Recently I toured a "model dispensary" which sold a menu of marijuana-infused food plates – without a county health permit and prepared in an un-permitted kitchen. Clients are able to purchase up to two – ounces each visit – that's enough to make 60 joints. Perhaps more troubling, they can smoke or consume marijuana at the dispensary, then get into their car, and drive on our streets.

If this is the "model," then the only answer to protect our city is simply to ban pot shops altogether.

Governor Jerry Brown asked, "How many people can get stoned and still have a great state or nation?" and State Senator Diane Feinstein raises concerns stating, "The risk of people using marijuana and driving is very substantial."

Let me be clear once again: I have no plan to interfere with legitimate, doctor-supervised medical use of marijuana. But the majority of the pot stores are not medical facilities helping ease the suffering of cancer patients. These are stores generating huge profits from people who just want to get stoned.

It's time to act.

Remember, if you need assistance or have any questions, please contact my office at (408) 535-4908 or by e-mail at district8@sanjoseca.gov.

Regards,

A handwritten signature in blue ink that reads "Rose Herrera". The signature is fluid and cursive, with the first name "Rose" and last name "Herrera" clearly distinguishable.

Councilmember Rose Herrera