



# LAW ENFORCEMENT AGAINST PROHIBITION

121 Mystic Avenue, Medford, Massachusetts 02155 - Tele: 781.393.6985 Fax: 781.393.2964 info@leap.cc www.leap.cc

## BOARD OF DIRECTORS

**Jack A. Cole**  
Executive Director – Medford, MA

**Peter Christ**  
Vice Director – Syracuse, NY

**James Gierach**  
Secretary – Chicago, IL

**Tony Ryan**  
Treasurer – Tucson, AZ

**James Anthony**  
Oakland, CA

**Stanford “Neill” Franklin**  
Baltimore, MD

**Maria Lucia Karam**  
Rio de Janeiro, Brazil

**Terry Nelson**  
Dallas, TX

**Jerry Paradis**  
British Columbia, Canada

## ADVISORY BOARD

**Senator Larry Campbell**  
Former Mayor of Vancouver, Canada  
and Royal Canadian Mounted Police

**Libby Davies**  
Member of Canadian Parliament  
British Columbia, Canada

**General Gustavo de Greiff**  
Former Attorney General of  
Colombia, South America

**Judge Warren W. Eginton**  
US District Court, CT

**Governor Gary E. Johnson**  
Former Governor of New Mexico

**Judge John L. Kane**  
US District Court, CO

**Sheriff Bill Masters**  
Sheriff, San Miguel County, CO

**Chief Joseph McNamara**  
Retired Chief, San Jose PD, CA

**Chief Norm Stamper**  
Retired Chief, Seattle PD, WA

**Eric Sterling, Esq.**  
President, Criminal Justice Policy  
Foundation, Washington, DC

**Judge Robert Sweet**  
US District Court, NY

**Mr. Hans van Duijn**  
Retired Chair of Nederlandse Politie  
Bond, Netherlands

**Chief Francis Wilkinson**  
Former Chief Constable, Gwent, South  
Wales, UK

## Testimony on HB 2330: Cannabis Compassionate Care Act Informational Presentation Kansas Health and Human Services Committee

**Tuesday, January 24, 2010, 1:30pm, Rm 784, Docking Office State Building**

**Submitted By:**

**Brian Leininger**

**Former Assistant District Attorney, Kansas City, KS  
on behalf of Law Enforcement Against Prohibition  
(www.CopsSayLegalizeDrugs.com)**

Committee members, thank you for allowing me to testify at this informational presentation concerning the Cannabis Compassionate Care Act.

My name is Brian Leininger. I am a resident of Kansas. Over the course of my career, I spent fourteen years in Kansas fighting the war on drugs, first as an Assistant District Attorney in inner-city Kansas City, then as General Legal Counsel to the Kansas Highway Patrol, and then as a part-time City Prosecutor for a suburb of Kansas City. My time spent prosecuting drug users and combing the highways for drug shipments, much of which I see as a major misallocation of resources, **led me to be here representing Law Enforcement Against Prohibition**, an organization of current and former members of the law enforcement in criminal justice communities nationwide who are speaking out about the failures of our existing national drug policies. I am here today representing over 16,000 members and supporters of LEAP.

As a former officer, I know that the voice of police is crucial in the dialogue about drug policy. But in the case of medical marijuana, physicians, caregivers, and patients are the ones who should be making decisions about medical care. It is inappropriate for the police to substitute our judgment for that of physicians and those in need of the care of physicians.

One area where law enforcement *is* qualified to speak regarding medical marijuana is in the area of public safety. Seriously ill patients need to have access to adequate amounts of marijuana, pursuant to their doctor's recommendation, so that they do not need to search for that medicine in the streets, risking their safety and benefiting illicit drug dealers. Patients who cannot cultivate their own medicine need state-regulated, nonprofit facilities as a secure and safe place to access medicine. Forcing patients to go into the streets to buy marijuana benefits the criminal element and threatens patient safety.

When I worked as a prosecutor, I witnessed the inordinate amount of time police spend chasing down marijuana users and executing search warrants to recover a few grams of marijuana. Protecting patients from arrest not only keeps the patients safe but keeps the public safe by freeing up officers' time and resources, as well as prison space, for attention to violent crime.

We urge you to pass HB 2330, protecting seriously ill patients from the harsh penalties and prison time they would otherwise face just for accessing medicine recommended by their doctor.