

Subject: (Memo) from U.S. Attorney Melinda Haag
From: "Gordon Epperly" <enter7740@14th-amendment.com>
Sent: 1/15/2015 9:31:02 PM
To: BoroughAssembly@juneau.org; wmmas@muni.org
CC: "Alaska Legislature" <gov.alllegislators@alaska.gov>; "Alaska Office of Attorney.General" <attorney.general@alaska.gov>
Attachments: (Memo) - U.S. Attorney Melinda Haag (02-01-11).pdf

REMEMBER
If you forward this, please remove email addresses before you send it on, and use the BCC area when sending to several people at once.
Be Kind to Your Email Friends



An Open Letter

Honorable Members of the City and Borough Assembly

I hand delivered a message to the City Attorney and to the Office of the Manager to forward to the Members of the City and Borough of Juneau Assembly. It was a letter of warning that any Public Official that adopts "Ordinances," "Regulations," and issues forth "Permits," "Licenses," or any other "Document" purporting to authorize the "Cultivation," "Distribution," and "Sale" of "Marijuana" may subject themselves to a federal criminal action of "aiding" and "abating" for committing criminal acts against the laws of "The United States of America." Since the hand out of that message, I have located a "Memo" of a U.S. Attorney that is speaking for the "U.S. Justice Department" explaining the "Policies" of the Department. As "U.S. Attorney, Melinda Haag" is speaking for the "U.S. Justice Department," her "Memo" must be the "Policy" of "U.S. Attorney, Karen L. Loeffler" for the "District of Alaska."

The "Haag Memo" was written on Feb. 1, 2011 from United States Attorney

Melinda Haag (Northern District of California) to John A. Russo, Esq., Oakland City Attorney, in response to an Oakland City Council request for guidance regarding medical marijuana and federal law. The memo was written with consultation and approval from U.S. Attorney General Eric Holder.

The "Haag Memo" clarifies the "Ogden Memo," which was written by former Deputy Attorney General David W. Ogden on Oct. 19, 2009 for the Department of Justice. The "Ogden Memo" seemed to indicate that the new Obama administration would restrict federal prosecution of medical marijuana providers in states that had medical marijuana laws. This was heralded by many as giving them the green light to pursue medical marijuana activities, as long as they were in compliance with state law.

The "Haag Memo" clears up that misconception with some very unambiguous statements. The memo says clearly that the feds will not look the other way on medical marijuana. The "Haag Memo" states very clearly that the feds will continue to investigate, arrest and prosecute medical marijuana dispensaries in every state "regardless of state laws."

In addition, the memo calls prosecuting medical marijuana dispensaries a "core priority" for the feds.

According to the memo, medical marijuana commercial activity is still considered by the Department of Justice to be "a violation of federal law regardless of state laws permitting such activities."

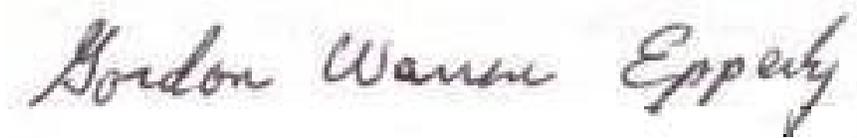
The memo may be the cause of the increase in federal raids at medical marijuana dispensaries. Only 4 days after the memo was issued, the DEA raided 4 dispensaries in Oakland. The DEA raided more dispensaries in California and Montana. They arrested dozens of people, and seized the assets and bank accounts of several dispensaries.

The "Haag Memo" is attached to this message as a PDF File. This message will be forwarded to the Members of the Alaska State Legislature and to the Alaska Attorney General.

This message with the "Haag Memo" will also be made available for public viewing on the Internet at:

<http://www.usa-the-republic.com/marijuana.html>

Respectfully Submitted

A handwritten signature in black ink that reads "Gordon Warren Epperly". The signature is written in a cursive style and is centered on the page.

Gordon Warren Epperly
P.O. Box 34358
Juneau, Alaska 99803
Tel: (907) 789-5659

Proof of Mailing
U.S. Attorney, Karen L. Loeffler
District of Alaska

Tracking Number: 70070710000329748788



Updated Delivery Day: Wednesday, January 14, 2015

Product & Tracking Information

Postal Product:
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DATE & TIME	STATUS OF ITEM	LOCATION
January 14, 2015 , 11:57 am	Delivered	ANCHORAGE, AK 99501
Your item was delivered at 11:57 am on January 14, 2015 in ANCHORAGE, AK 99501.		
January 14, 2015 , 7:40 am	Arrived at Unit	ANCHORAGE, AK 99501
January 14, 2015 , 4:40 am	Departed USPS Facility	ANCHORAGE, AK 99530
January 13, 2015 , 8:42 pm	Arrived at USPS Origin Facility	ANCHORAGE, AK 99530
January 12, 2015 , 5:05 pm	Departed Post Office	JUNEAU, AK 99801
January 12, 2015 , 2:01 pm	Acceptance	JUNEAU, AK 99801



U.S. Department of Justice

United States Attorney
Northern District of California

Melinda Hong
United States Attorney

11th Floor, Federal Building
450 Golden Gate Avenue, Box 36033
San Francisco, California 94102-3495

(415) 436-7200
FAX: (415) 436-7234

February 1, 2011

John A. Russo, Esq.
Oakland City Attorney
1 Frank Ogawa Plaza, 6th Floor
Oakland, California 94612

Dear Mr. Russo:

I write in response to your letter dated January 14, 2011 seeking guidance from the Attorney General regarding the City of Oakland Medical Cannabis Cultivation Ordinance. The U.S. Department of Justice is familiar with the City's solicitation of applications for permits to operate "industrial cannabis cultivation and manufacturing facilities" pursuant to Oakland Ordinance No. 13033 (Oakland Ordinance). I have consulted with the Attorney General and the Deputy Attorney General about the Oakland Ordinance. This letter is written to ensure there is no confusion regarding the Department of Justice's view of such facilities.

As the Department has stated on many occasions, Congress has determined that marijuana is a controlled substance. Congress placed marijuana in Schedule I of the Controlled Substances Act (CSA) and, as such, growing, distributing, and possessing marijuana in any capacity, other than as part of a federally authorized research program, is a violation of federal law regardless of state laws permitting such activities.

The prosecution of individuals and organizations involved in the trade of any illegal drugs and the disruption of drug trafficking organizations is a core priority of the Department. This core priority includes prosecution of business enterprises that unlawfully market and sell marijuana. Accordingly, while the Department does not focus its limited resources on seriously ill individuals who use marijuana as part of a medically recommended treatment regimen in compliance with state law as stated in the October 2009 Ogden Memorandum, we will enforce the CSA vigorously against individuals and organizations that participate in unlawful manufacturing and distribution activity involving marijuana, even if such activities are permitted under state law. The Department's investigative and prosecutorial resources will continue to be directed toward these objectives.

Consistent with federal law, the Department maintains the authority to pursue criminal or civil actions for any CSA violations whenever the Department determines that such legal action is warranted. This includes, but is not limited to, actions to enforce the criminal provisions of the CSA such as Title 21 Section 841 making it illegal to manufacture, distribute, or possess with intent to distribute any controlled substance including marijuana; Title 21 Section 856 making it

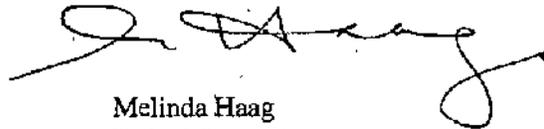
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unlawful to knowingly open, lease, rent, maintain, or use property for the manufacturing, storing, or distribution of controlled substances; and Title 21 Section 846 making it illegal to conspire to commit any of the crimes set forth in the CSA. Federal money laundering and related statutes which prohibit a variety of different types of financial activity involving the movement of drug proceeds may likewise be utilized. The government may also pursue civil injunctions, and the forfeiture of drug proceeds, property traceable to such proceeds, and property used to facilitate drug violations.

The Department is concerned about the Oakland Ordinance's creation of a licensing scheme that permits large-scale industrial marijuana cultivation and manufacturing as it authorizes conduct contrary to federal law and threatens the federal government's efforts to regulate the possession, manufacturing, and trafficking of controlled substances. Accordingly, the Department is carefully considering civil and criminal legal remedies regarding those who seek to set up industrial marijuana growing warehouses in Oakland pursuant to licenses issued by the City of Oakland. Individuals who elect to operate "industrial cannabis cultivation and manufacturing facilities" will be doing so in violation of federal law. Others who knowingly facilitate the actions of the licensees, including property owners, landlords, and financiers should also know that their conduct violates federal law. Potential actions the Department is considering include injunctive actions to prevent cultivation and distribution of marijuana and other associated violations of the CSA; civil fines; criminal prosecution; and the forfeiture of any property used to facilitate a violation of the CSA. As the Attorney General has repeatedly stated, the Department of Justice remains firmly committed to enforcing the CSA in all states.

I hope this letter assists the City of Oakland and potential licensees in making informed decisions regarding the cultivation, manufacture, and distribution of marijuana.

Very truly yours,



Melinda Haag
United States Attorney
Northern District of California

cc: Kamala D. Harris, Attorney General of the State of California
Nancy E. O'Malley, Alameda County District Attorney