

TAKE A STAND FOR SENSIBLE DRUG LAWS!

November 9, 2006

- **Election Results Marijuana Initiatives**
- **Growing Marijuana: One Man gets 5 Years, another Probation**
- **Wakarusa Case Dropped: "Problematic Search" Sited**
- **Wakarusa Cameras: Read the Government Security News Account**
- **Next Meeting Scheduled for Dec. 2nd.**

The Drug Policy Forum of Kansas is a 501(c)(3) organization. Donations are tax-deductible.

Drug Policy & Election 2006

Three out of three state-wide marijuana initiatives lose, and 10 out of 10 local marijuana-related initiatives win.

Cities considering making marijuana the lowest priority for law-enforcement included Eureka Springs, [Arkansas](#), Missoula, [Montana](#), [Santa Barbara](#), [Santa Cruz](#) and [Santa Monica](#), California. **All of these local initiatives passed.**

State-wide initiatives in Colorado, Nevada, and South Dakota, did not pass.

Former **Kansan**, [Mike Glover](#), did not win his race to the 70th District seat in the California Assembly.

Read all the [results](#) of drug-law reform elections across the country.

Growing Marijuana: The Difference between Federal and State Court

Two KU students in their twenties are arrested for growing marijuana in separate cases. Each case is reported as "major" drug operation. Both men had help from their roommates, which is considered a "conspiracy."

One man's case is sent to the federal government for prosecution. The other is tried in Douglas County District court. The first receives a five-year mandatory minimum sentence, the other 18 months probation. Neither man had a previous criminal history. In both cases the men plead guilty to the crime.

The student who received 5 years was allowed to graduate from KU with his master's degree before being sentenced. The other man is free to finish college. Read the stories, and decide for yourself if one case deserved [prison](#), while the other man walked [free](#).

The sentences for growing marijuana are so harsh at the federal level even the tough-on-crime Kansas Legislature doesn't enact such stiff penalties.

The organization [Families Against Mandatory Minimums](#) is a national nonpartisan, nonprofit organization founded in 1991 in response to inflexible and excessive penalties required by mandatory sentencing laws. FAMM promotes sentencing policies that give judges the discretion to distinguish between defendants and sentence them according to their role in the offense, seriousness of the offense and potential for rehabilitation.

The Kansas FAMM chapter is run by Peter Ninemire in Wichita. [Contact him](#) to join their mailing list.

State prosecutors ought to prosecute **all** cases in district court; this is what the voters elected them to do!

Drug Case Dropped Because Search Was Illegal

More fallout from the Wakarusa Music Festival police dragnet. The Douglas County District Attorney had to drop a case against a Massachusetts man arrested for dealing drugs on the festival grounds. Kevin, DeSisto, 35, was arrested in a Winnebago along with several

friends after they listened to law enforcement officers outside discuss whether or not they should go get a search warrant to enter the trailer.

DeSisto considered paying the steep fine the DA offered him just so he would never have to come back to Kansas. In all he said 5 people were arrested in the trailer for small amounts of LSD and marijuana. In a discussion with DPFKS at his first appearance DeSisto said, "We heard them outside the trailer talking about whether or not they should come in. When they did, they kept shouting at us...where are the drugs? They thought they were going to find a big stash, but it just wasn't there. They were very very angry."

Citing problems with the fact that the Sheriffs and KBI agents waited 60 hours after they said they first observed illegal activity at the mobile home, the Asst. DA dropped the charges.

In another case, Patrick J. Stanley, 25, of Delbarton, W.Va., who was arrested for possession with intent to sell LSD and psilocybin mushrooms had his case dropped to misdemeanor possession charges. "The evidence, after the charging, was not sufficient for the charges," Dist. Atty. Charles Branson said in the Lawrence Journal-World. Stanley spent 21 days in the Douglas County jail before his case was heard. The DA recommended a \$200 fine but the local judge waived it.

MORE CIVIL RIGHTS EXPLOITED

You would think with all the high-tech gear, the police wouldn't have had such a hard time making the charges stick against drug dealers they arrested.

Read the Government Security News article, "[Surveillance at concert makes drug dealers sing](#)" on Wakarusa surveillance cameras. The article claims the cameras were, "So good, in fact, that many of the arrested dealers plead guilty when confronted with the

surveillance tapes, saving the local criminal justice system many dollars in court expenses."

Requests by various organizations to view the tapes have been met with confusion on the part of law enforcement. It appears no one knows exactly where the tapes are now.

To date, the local paper has not reported one person who was convicted of drug dealing at the festival. They have reported many cases that have been dropped.

KNOW YOUR RIGHTS

Busted: Surviving Police Encounters narrated by Ira Glasser retired ACLU Director is now available on the Internet a [YouTube](#). DPFKS KNOW YOUR RIGHTS [brochures](#) are available in pdf format on our web site, and will be distributed free to the public at our events. If you would like copies of the brochure for your organization, [contact us](#).

Volunteers Needed for Campus Outreach, Database maintenance and Event Planning. Please write if you would like to be a part of our on-going activities.

Next volunteer meeting: Saturday, December 2, 2006, 1pm at the DPFKS offices, 941 Kentucky Street, first floor, Lawrence Kansas.

Contribute to Drug Policy Reform Education in Kansas

We believe our community can be safer and healthier through effective drug education, investing in treatment for offenders, and prosecuting in a drug court setting.

Won't you help us promote innovative drug policies by sending your tax-deductible [donation](#) today?

Become a member

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To unsubscribe, reply to this message with the word unsubscribe and we will take you off our mailing list. Our mailing address is DPFKS, 941 Kentucky, Lawrence, KS 66044.

