



Eastern Region Office  
PO Box 40008  
Philadelphia, PA 19106  
215.592.1513 T  
215.592.1343 F

Central Region Office  
PO Box 11761  
Harrisburg, PA 17108  
717.238.2258 T  
717.236.6895 F

Western Region Office  
313 Atwood Street  
Pittsburgh, PA 15213  
412.681.7736 T  
412.681.8707 F

**TESTIMONY SUBMITTED BY  
ANDY HOOVER, LEGISLATIVE DIRECTOR  
AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA  
TO  
HOUSE HEALTH AND HUMAN SERVICES COMMITTEE  
HOUSE BILL 1393  
STATE CAPITOL, HARRISBURG  
DECEMBER 2, 2009**

Good afternoon, Chairman Oliver and members of the committee. Thank you for the opportunity to be here today to testify on House Bill 1393, authorizing individuals with debilitating medical conditions the use of marijuana for medicinal purposes.

Founded in 1920, the ACLU is one of the nation's oldest civil rights organizations and currently boasts half a million members nationwide. ACLU activity in Pennsylvania dates to the 1930s. I am here today on behalf of the 16,000 members of the ACLU of Pennsylvania.

The ACLU of Pennsylvania supports House Bill 1393. The evidence is increasingly clear that marijuana has positive benefits for patients suffering from numerous chronic and life threatening ailments. Marijuana aids those suffering from cancer and chemotherapy, HIV/AIDS, hepatitis C, chronic pain, nausea, spasticity, glaucoma, multiple sclerosis, spinal injury, and movement disorders. In many instances, the medicinal use of marijuana enables patients to reduce or avoid the use of far more potent and dangerous pharmaceutical drugs. Medical marijuana is also an appetite stimulant for those afflicted with HIV, AIDS, and dementia and for those being treated for cancer with chemotherapy. These patients often have low appetites due to the treatment they're receiving. According to a 2007 study from Columbia University, HIV/AIDS patients who smoked marijuana increased their food intake and were more likely to maintain their anti-retroviral drug regimen.

The medical and legal communities increasingly recognize the benefits of medical marijuana. Thus, many organizations support permitting the use of marijuana as medicine, including the Institute of Medicine, the American College of Physicians, American Academy of Family Physicians, American Bar Association, American Public Health Association, Kaiser Permanente, Lymphoma Foundation of America, National Association of Attorneys General, National Nurses Society on Addictions, and New England Journal of Medicine.

Across the United States, an overwhelming percentage of voters now support permitting medical marijuana treatment. A 2005 Gallup poll showed that nearly 8 in 10 Americans support legalizing medical marijuana. A 2004 AARP poll of Americans 45 and older showed that 72 percent of respondents support this initiative. The AARP poll finding also showed support in the Northeast at 79 percent and support among Americans 70 and older at 72 percent.<sup>1</sup>

This increased public support for permitting seriously ill individuals to use marijuana for medicinal purposes has played out through new state laws. In the last 13 years, 14 states have passed laws ensuring that people suffering from medical conditions can access the drug. It is a diverse group of states that includes Alaska, Arizona, California, Montana, and Maine. Ten of the 14 states passed their laws through ballot initiatives, and those ballot questions passed with overwhelming support. In Nevada and Arizona, 65 percent of voters favored the initiative. Other states that passed their ballot questions with more than 60 percent support included Michigan (63%), Montana (62%), and Maine (61%).<sup>2</sup>

The groundswell of national support for medical marijuana treatment has also been recognized by the Obama Administration. On October 19, 2009, the U.S. Department of Justice issued a memorandum to U.S. Attorneys in medical marijuana states, effectively ending federal prosecution of medical marijuana participants who are compliant with their state laws. Pennsylvania could be the first state to pass its own medical marijuana law without the risk of federal interference.

---

<sup>1</sup> Retrieved November 30, 2009, from <http://medicalmarijuana.procon.org/viewadditionalresource.asp?resourceID=000193>.

<sup>2</sup> The 14 states with medical marijuana laws are Alaska, Arizona, California, Colorado, Hawaii, Michigan, Montana, Maine, Nevada, New Mexico, Oregon, Rhode Island, Vermont, and Washington. Hawaii, New Mexico, Rhode Island, and Vermont passed laws through the legislative process.

It is increasingly clear that the proposal in HB 1393 is a mainstream issue. House Bill 1393 provides a humane and respectful means expanding options for treating Pennsylvanians suffering from cancer, HIV/AIDS and other serious and debilitating illnesses.

Chairman Oliver, thank you for the opportunity to testify today and for holding this hearing.