

STATE OF COLORADO

DEPARTMENT OF REVENUE
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John W. Hickenlooper
Governor

Barbara J. Brohl
Executive Director

December 22, 2011

Ms. Michele Leonhart
DEA Administrator
DRUG ENFORCEMENT ADMINISTRATION
U.S. Department of Justice
8701 Morrissette Drive
Springfield, VA 22152

Re: Request for Rescheduling of Medical Marijuana

Dear Ms. Leonhart:

Pursuant to the Colorado Medical Marijuana Code, Title 12, Article 43.3-202 statutory directive, I request you consider rescheduling, for pharmaceutical purposes, medical marijuana from a schedule I controlled substance to a schedule II controlled substance, in recognition of its potential medicinal value.¹

This request is made in accordance with Colorado law. In 2000, Colorado voters approved an amendment to the state constitution that allowed the medical use of marijuana for persons suffering from debilitating medical conditions. State lawmakers in 2010 provided the framework for a regulatory structure to operate medical-marijuana businesses while providing patients safe access to reliable sources of medical marijuana.

The Colorado model of regulation provides a rigorous background check of criminal and financial histories of those who engage in the business of selling medical marijuana. At the same time, local jurisdictions are allowed to impose their own stricter regulations or to ban medical marijuana businesses from operating within their boundaries.

Medical marijuana is now allowed for limited medical purposes in sixteen states and the District of Columbia. As long as there is a divergence in state and federal law, there is a lack of certainty necessary to provide safe access for patients with serious medical conditions.

¹ C.R.S. 12-43.3-202(1)(g) mandates that the state licensing authority shall: "In recognition of the potential medicinal value of medical marijuana, make a request by January 1, 2012, to the federal drug enforcement administration to consider rescheduling, for pharmaceutical purposes, medical marijuana from a schedule I controlled substance to a schedule II controlled substance."

As the state's licensing authority, it is my responsibility to enforce state laws regulating and controlling the licensing of the cultivation, manufacture, distribution and sale of medical marijuana in this state. As a result and in compliance with Colorado law, I respectfully request your consideration of the medicinal value of medical marijuana and the rescheduling of medical marijuana from schedule I to schedule II.

Sincerely,



Barbara J. Brohl

Cc: Governor John W. Hickenlooper