

TESTIMONY OF PATRICK K. NIGHTINGALE, ESQ  
BEFORE THE PENNSYLVANIA SENATE  
COMMITTEE ON LAW AND JUSTICE  
ON SB 1182 THE GOVERNOR RAYMOND SHAFER COMPASSIONATE USE OF  
MEDICAL CANNABIS ACT

Good morning Chairman McIlhinney and Ferlo and members of the Committee. My name is Patrick Nightingale and I am from Allegheny County, Pennsylvania.

I am submitting this testimony to urge the Committee to pass the Governor Raymond Shafer Compassionate Use of Medical Cannabis act.

I am the Executive Director of Pittsburgh NORML and I am on the Board of Directors for Pennsylvanians for Medical Marijuana. Professionally, I am a criminal defense attorney practicing in both state and federal court. Prior to practicing criminal defense I spent six years as a prosecutor with the Allegheny County District Attorney's Office.

We are here to urge passage of Senate Bill 1182, which would allow Pennsylvania to join 22 other medicinal states and the District of Columbia in providing qualifying patients with legal access to cannabis. California was the first state allow medicinal cannabis in 1996, but California was not the first Governmental entity that made medicinal cannabis available to patients. The United States Government created a pilot program known as the "Compassionate Investigational New Drug Study". The program was created after a lawsuit by glaucoma patient Robert Randall. Mr. Randall successfully asserted a medicinal necessity defense to charges of cultivation, and then sued the federal government for access to medicinal marijuana. The result was a settlement that created the Study.

At its height the Study provided medicinal marijuana to thirty qualifying patients. It was initially only available to patients afflicted by marijuana-responsive disorders and orphan drugs, the concept was expanded to include HIV-positive patients in the mid-1980s. President Bush, however, wanted to "get tough on crime" and ended the program in 1992. It was the closure of the Study during the height of the AIDS crisis that led directly to the medicinal cannabis movement in California.

A lot has changed since the days of the Study. Today tens of millions of American citizens have access to medicinal cannabis. Cannabis has been the subject of dozens of clinical studies, hundreds if not thousands of published papers, and countless anecdotal stories. Medicinal strains today are subject to rigorous chemical analysis, and the concept of "smoking your medicine" has been replaced by oils, concentrates and carcinogen free vaporization as preferred delivery methods.

Today four individuals continue to receive medicinal cannabis through the pilot program having been grandfathered in. You are about to hear from one of those patients, Irv Rosenfeld. When I first heard Mr. Rosenfeld speak I was simply stunned to learn that

despite its Schedule I classification the federal government continued to supply Mr. Rosenfeld with a monthly supply of medicinal cannabis grown at the University of Mississippi. While we could discuss at length the obvious hypocrisy, a far more valuable conversation can take place after hearing our next speaker.

Please allow me to introduce Irv Rosenfeld.

Sincerely,

6.9.14

/s/ Patrick K. Nightingale, Esquire  
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