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Identification Card, Medical Marijuana
Medical Marijuana
Proposition 215

New: 08/13/02
Revised: 02/20/04
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MEDICAL MARIJUANA

I. PURPOSE

- A. To establish policy and procedure in compliance with the Compassionate Use Act of 1996 (11362.5 H&S), or Proposition 215 as it is commonly known.

II. POLICY

- A. Corrections personnel shall accept medicinal marijuana into the Mendocino County Jail per the guidelines set forth by the State of California Health and Safety Code, Section 11362.5. The medical marijuana must not exceed two pounds and shall be sealed in a plastic bag for storage in the arrestee's property. At no time will growing marijuana plants be taken into the jail facility.
- B. Although Health & Safety Section 11362.5 et. seq. allows for the use of medical marijuana in a jail facility under certain circumstances, Mendocino County will not allow use of medical marijuana in any custody facility or at any time or place a suspect is in custody.

III. DEFINITION

- A. **Medical Marijuana:** Marijuana that is obtained and used for medical purposes, and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.
- B. **Processed marijuana:** Leaves, flowers, stems and/or seeds of the cannabis plant, which are dried and chopped into small amounts. Marijuana can also be found as Sinsemilla, the potent flowering tops of the female marijuana plant.
- C. **Prop 215 Identification Card:** An identification card issued by the Mendocino County Sheriff's Office bearing a photograph of the person, with relevant information and an expiration date. Each patient card is issued a permit number. The letter "P" will precede the patient number.

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IV. PROCEDURE

- A. During the Intake-Reception process, the arrestee shall provide information that the marijuana is authorized for medicinal purposes through a physician's recommendation or a Prop 215 Identification Card.
1. In the event that a physician's recommendation or Prop 215 Identification Card cannot be provided, Corrections personnel shall not accept the marijuana until the arresting officer has verified a valid recommendation.
- B. Following the verification that the marijuana is used for medicinal purposes:
1. The medical marijuana will be weighed, each inmate, so qualified, will be allowed two pounds of processed marijuana to be stored in the inmate's property.
 - a. If the combined amount of marijuana in possession of the inmate exceeds the two pounds, the excess amount will be returned to the arresting/transporting officer.
 2. The medical marijuana weight will then be recorded and placed in the provided plastic bag.
 - a. A hand written receipt shall be completed with the inmate's name, the inmate's I.D. number, weight of the marijuana and the signature on the plastic bag.
 - b. Corrections personnel will seal the plastic bag with the Impulse Sealer, which will ensure a watertight and airtight seal.
 3. Corrections personnel shall include the weight of the medical marijuana on the property record.
 4. The inmate will be given a copy of the property record as outlined in Policy and Procedure 1601.40 - Receipt of Personal Property and Clothing.
 5. The marijuana will be stored in a designated container in the property room. The above information will be logged on a property log, which is kept in the container with the marijuana.

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- C. Upon the inmate's release from custody, the medical marijuana will be returned to that inmate.

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