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## Boulder medical marijuana: Licensed to smoke

Limitations remain, even for those with MMJ cards  
 By Whitney Bryen, bryen@coloradodaily.com  
 Posted: 08/24/2010 11:31:17 AM MDT



Taylor Raffensperger inspects a bud as employee Mya Scarles watches at the Greenest Green medical marijuana dispensary in Boulder last month. ( K BROUSSALIAN )

After being ranked sixth in the country on Princeton Review's 2010 "Reefer Madness" list, it's no surprise that pot is present on the University of Colorado campus.

Along with 13 other states and Washington, D.C., Colorado has legalized marijuana for medicinal use. Each state's restrictions differ, and even with a medical marijuana license, there are still limitations on the use and possession of pot.

### Rules of MMJ

**Dispensaries** will be required to go through a licensing process including fees, background checks on owners and strict record-keeping and security requirements.

**At least 70 percent** of a dispensary's supply must be grown in-house. The other 30 percent must come from a licensed "medical marijuana center."

**Medical marijuana** center owners must be Colorado residents.

**Medical marijuana** centers can be banned by a vote of local government or community residence.

**Owners** cannot be recently convicted felons nor have a drug felony.

**A physician** who recommends medical marijuana treatments must fully review a patient's medical history and be available for follow-up care.

### Getting a license

In order to get a license in Colorado, a physician has to perform an exam and review details about a patient's past medical history before recommending marijuana as a medical treatment.

Exams range in cost depending on the physician, though local dispensaries such as Dr. Reefer in Boulder have, in the past, brought in physicians for special events at a lower cost.

Common symptoms for recommending marijuana as a medical treatment are pain, migraines, joint pain and more severe medical problems such as cancer and HIV/AIDS, according to [medicalmarijuana.procon.org](http://medicalmarijuana.procon.org).

### Still prohibited

While the process may seem quite simple, the complications begin once a license is issued.

Possession and use of marijuana is legal for license holders -- however, the stipulations of when, where and how much someone can have get tricky.

The most common misconception is that license holders can use marijuana wherever they like. But that is not the case, said Molly Bosley, spokeswoman for CU's police department.

"A license does not give you the right to smoke in public," Bosley said.

Bosley and city spokeswoman Sarah Huntley said a private residence is the best location for using the drug legally.

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**Dispensaries** cannot provide payment to doctors who give recommendations.

Source: *State of Colorado*

The amount of marijuana that can be possessed is also regulated by a medical marijuana license and is determined by a physician. A license does not allow the unlimited purchase of pot.

A license is not a "get-out-of-jail-free card," Huntley said.

"Lately we've noticed that those who hold a license often think they're exempt from other laws," Huntley said. "You still can't drive under the influence of marijuana, smoke it in public or distribute it to those who don't have a license."

While medical marijuana laws allow license holders to purchase and use pot inside the state, while meeting state restrictions, the license is not valid in states that do not have the same laws. So for incoming students, a license from Colorado does not allow for use of marijuana in their home state.

#### Not on campus

And possibly the most limiting restriction on the use of medical marijuana is enforced through the campus.

"We do not allow marijuana anywhere on campus -- period," CU-Boulder spokesman Bronson Hilliard said.

The drug poses several potential problems when present on university grounds, especially in residence halls, Hilliard said. If students have pot in the dorms, it creates safety risks for all the students living in the residence halls, including making the dorms targets for burglary, fire hazards and the well-being of other students.

Freshmen living on campus can't possess or use marijuana in their private residence, so CU will allow first-year students with medical marijuana cards out of their housing contract in order to live off campus.

#### April 20

CU is known for having a large 4/20 pro-marijuana gathering every April on the Norlin Quad, drawing, in recent years, crowds of up to 10,000 pot smokers.

But with strict campus regulations regarding marijuana use, the rules on 4/20 can get blurry.

"Police presence during 4/20 is designed primarily to promote safety and provide for timely responses to emergency situations if needed," Bosley wrote in an e-mail. "If police witness persons buying, selling or using marijuana on campus on April 20, or any other occasion, citations could be issued."

CU police ticketed 18 students on Norlin Quad during this year's 4/20 celebration, including 16 for narcotics, 1 for trespassing and 1 for alcohol, which may seem minimal with about 8,000 participants this year.

While CU police stand strong on their enforcement of marijuana use on campus, Hilliard explained CU's unwritten policy for handling 4/20.

"We're not going to wade into the crowd at 4:20 p.m. and start ticketing people," Hilliard said. "You have to be pretty flagrant and it's at the officers discretion to ticket."

#### Consequences

When caught in possession of one ounce or less or using marijuana illegally, students could face a petty offense charge, including a fine and further consequences as decided by CU's Office of Student Conduct.

The university will hand out citations as stated by Bosley regarding 4/20, however the offense is minor and Hilliard compares it to a traffic speeding ticket.

With medical marijuana licenses making it difficult for the state to pursue charges against anyone who holds a legal license, possession offenses are a low priority, according to Boulder County District Attorney Stan Garnett.

"Basic possession of marijuana is a low priority for my office," Garnett said. "We will pursue cases that are brought to us, but the consequences are not significant on first offense."



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