

**MARIN COUNTY SHERIFF'S OFFICE  
GENERAL ORDER**

**CHAPTER 5 - PATROL**  
GO-05-11  
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**DATE**  
11/14/06

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**MEDICAL MARIJUANA IDENTIFICATION CARD PROGRAM**

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**POLICY**

It shall be the policy of the Marin County Sheriff's Office to follow the mandates set forth in the "Compassionate Use Act of 1996," which allows for the personal possession of certain amounts of marijuana for the treatment of enumerated medical conditions. It shall also be the policy of the Marin County Sheriff's Office to follow the mandates of California Senate Bill 420 of the 2003-2005 Legislative Session, which defines the amount of marijuana a person may possess under the Compassionate Use Act, and California Health and Safety Code Sections 11362.7 et al, which mandates the creation of a statewide medical marijuana identification card and registry program for qualified patients and their caregivers.

**DEFINITIONS**

**MEDICAL MARIJUANA PROGRAM** is a program created in 2004 by the California Department of Health Services to establish and maintain a statewide medical marijuana identification card registry program for qualified patients and their caregivers.

**MEDICAL MARIJUANA IDENTIFICATION CARD** is an identification card issued by the California Department of Health Services' Medical Marijuana Program to qualified patients and their caregivers. The Medical Marijuana Identification Card (MMIC) is used by the State of California to establish the legitimacy of those patients and caregivers to law enforcement officers who may come into contact with them as a result of their possession or cultivation of marijuana in amounts authorized by Senate Bill 420.

**ALLOWABLE AMOUNT OF MARIJUANA** is an amount of marijuana established by California Senate Bill 420. That bill authorized qualified patients and their caregivers to possess, transport, deliver and/or cultivate up to eight (8) ounces of dried, mature, processed flowers of the female cannabis plant AND not more than six (6) mature or twelve (12) immature plants per qualified patient.

**PROCEDURE**

California Health and Safety Code Section 11362.7, et al, provides that qualified patients and their caregivers can apply for a Medical Marijuana Identification Card (MMIC) from the California Department of Health Services' Medical Marijuana Program as proof of their qualifying status under Proposition 215, the Compassionate Use Act of 1996.

When contacting a subject who is in possession of a MMIC and an amount of marijuana that does not exceed the standards established by Senate Bill 420, Communications Center staff members shall be asked to either telephone the 24-hour Department of Health Services hotline listed on the face of the MMIC or access the DHS via the Internet URL listed on the MMIC and provide DHS the unique user identification number also listed on the face of that card. The operator or Internet site will confirm if the card is "valid" or "invalid."

Persons possessing a valid MMIC and possessing, transporting, delivering or cultivating no more than the allowable amount of marijuana established by Senate Bill 420, shall not be subject to arrest unless there is reasonable cause to believe the MMIC has been falsified, the card was obtained by fraud, the person possessing the card is involved in illegal sales or distribution of marijuana or if they are cultivating plants with excessive yields.

Each validly issued MMIC will contain a photograph of the cardholder, a unique user identification number established by the California Department of Health Services, an expiration date, the name and telephone number of the county agency that approved the application and a 24-hour, toll free telephone number and web based Internet URL that enables state and local law enforcement officers immediate access to verify the validity of the card. The MMIC will also include the California Department of Health Services logo and a State of California holographic image.

Any Marin County medical marijuana card previously issued by the Marin County Department of Vital Statistics, shall expire on September 30, 2006. From that date forward, only MMIC's issued by the State of California shall constitute valid proof of a person's status as a qualified patient or caregiver.

Participation in the statewide MMIC program is optional. Those persons choosing not to take advantage of the MMIC program may suffer inconvenience but will not be denied the legal defense provide to them by Proposition 215, the Compassionate Use Act of 1996.

**RELATED STANDARDS:**

California Propostion 215, the Compassionate Use Act  
California Stenate Bill 420 of the 2003-2004 Legislative Session  
California Health and Safety Code Sections 11362.7, et al

**AFFECTED DIVISIONS:**

All

**DATE OF REVISIONS:**

None

By order of:

**ROBERT T. DOYLE**  
**SHERIFF**