

SUPPORT PeKe, MERCY Water-bearer!

Peater "Peke" Kramyer, Oregon medical cannabis patient, was sentenced for DUI / MJ, Driving Under the Influence - Marijuana on December 6th, 2005.

See below for details on that hearing. OMMP cardholder Peke ("p-kay") was convicted of driving under the influence under a process that basically declares all patients a menace to society and sends a chilling message to the rest of the community. Further, PeKe attracted attention and got in trouble for the heinous crime of carrying water for MERCY garden systems to help the sick and dying.

Writing PeKe. Send notes and letters of support to:

**Peater Kramyer
c/o Polk County Jail
884 S.E. Jefferson St.
Dallas, Oregon 97338**



Calling PeKe. No direct call in, you have to mail him your phone number – must be a land line, no cell numbers – AND schedule a time for him to call. It will be like long distance where you accept the call.

Visiting PeKe. To visit you must be on "the list". To get on the list, you must mail or drop off your identifying info addressed to PeKe. Your information must include:

- **Your Full Name.**
- **Address.**
- **Birth Date.**
- **Social Security Number.**
- **ODL (Oregon Drivers License) Number –or- Oregon State ID#.**
If you have Drivers License or ID from another state, that will suffice.

PeKe gives the info to the jail, they give it to the folks who do background (criminal) checks, they get back to the jail with ok –or- no and jail communicates to PeKe. Visiting Hours will be announced soon as we know. The jail address is:

**Polk County Jail
850 Main St.
Dallas, Oregon 97338**

Patients, Be Aware Your Rights to Drive!

If you are a cannabis patient who drives this sentencing hearing is of interest to you.

The STORY

See below for more details on this case and action items being planned. PLEASE stay tuned for opportunities to call, write or visit and otherwise support this citizen in his hour of need and stand up for medical cannabis patient rights in general.

At ISSUE

* **Blatant bias.** At one level, this was about just another powerless, regular Joe against an arrogantly elitist and corrupt system. His socio/political/religious status relative to the judge had more to do with it than any point of law or "justice" that may be served. His public defender was no help here, either. Not a member of the judges country club, we guess.

* **Ignorance.** The victim admitted to being "on pot" and thus was impaired, because, well, it's "pot" - as the court kept stressing. Prosecution - and judge - also went after cannabis as medicine, while they were at it.

* **Probable Cause, etc.** The victim was a known member of a local medical cannabis resource sharing community. He was followed, stopped, charged - actually prosecuted (won that one) - and generally harrassed a number of times by area law enforcement on the way to this conviction. He was convicted solely on the questionable testimony of an officer with which he had history, who knew he was and what he was doing - delivering water to a garden system for the sick and dying.

None of these points were allowed. Natch.

Medical Marijuana Patient Sentenced to Jail - DUI / MJ

"You are a fraud" says judge Fred Avera

by Ed Glick

At 8:30 AM on December 6, 2005, medical marijuana patient Peater Kramyer was scolded by judge Fred Avera of Polk County, and then sentenced to 60 days in Polk County jail for DUI / MJ, Driving Under the Influence - Marijuana. Peater was also ordered to pay court costs, and fined \$1000.

The sentencing hearing commenced with a defense statement that the defendant had no prior criminal history, is a gainfully employed member of society, and recommended that he be sentenced to probation.

The prosecuting attorney stated that he didn't think that Peater would not benefit from probation because he would continue using cannabis. Apparently he believes that "it is his right to do so" said the prosecuting attorney.

Peater made a short statement that marijuana is his religious sacrament and he has a medical right to use cannabis, and stated he is employed and needs his car to drive to employment.

The judge relayed that he was mandated by law to fine him between \$1000 and 6000 in fines, and asked Peater if he would be willing to comply with an order to not use cannabis. Peater replied he would not be able to comply with that order. The judge said: "I agree ..."

Next the Judge asked Peater to produce documents from his physician that show his medical use of marijuana. Peater produced some chart notes that had few if any references to medical marijuana use. (The physician did not document either the discussion about cannabis therapy with Peater, or clearly articulate a reason for signing his card.) The judge than described Dr. Leveque as a Fraud who has been "recognized as such by the medical licensing Board."

The judge stated: "You are a danger to yourself and everyone on the road." "I don't generally endorse medical marijuana, but it is the law of the land." "You take advantage of the law, like Dr. Leveque you are a fraud."

After saying he didn't see any point in probation he sentenced Peater to 60 days in Polk County jail, a \$1000 fine, and various assessments including court costs, and suspended his drivers license for one year.

He did not suspend Peaters medical marijuana card, however.

Peater was led out of the court room by deputies on his way to his 60 day jail term at taxpayers expense.

Wednesday, December 7 at 04:20 AM:

thx to Ed for being there, taking notes and publishing them. The specs on Peke's Case involving DUI / MJ, Driving Under the Influence – Marijuana:

Current status:

(1) in jail for 60 days (2 Mo.); appx Dec. 6, 2005 - Feb. 6, 2006

Action(s):

(a) Phone, Write and Visit. We'll get location and visiting hours along with any notes on procedure and policy. Also we'll try to find out what items are needed / can-have.

(b) Appeals and such. Any action to get him out of jail now would likely take too long and co\$t money. So immediate relief is NOT probable. Especially since ...

and **(2)** He also received \$1000 fine (Eds NOTE: just frosts us to see a poor man kicked when he's down)

Action(s):

(c) Fundraise. Notices (flyers) and Events.

Also want to educate the medical cannabis community, this judge, and public at large (potential jurors) - among others - on the issue.

- PLUS -

We also need to fill the gaps in our "thin green line" that were being held by Peke, soldier that he is -

* **ECTV.** We need to take care of his Show work; Appearances (hey, SOMEBODY has to drive down and DO IT), Camera work, arranging time on Salem TV and shuttling tapes between the TV stations.

* **Garden system.** Working in and for. Tasks like getting water for a system were the existing source had gone bad and was killing the plants. As well as in-garden work, trimming, etc.

* **Opening up the Center so people can stop by.** Just being there to answer basic questions or hand out medicine - when available.

* **and pretty much whatever needed doing.** Soooo, HELP NEEDED.

Action: Recruit Volunteers.

We'll update y'all on Peke's status and contact info as we know.

Items of Note -

- Cannabis as Medicine was questioned.
- As it applies to Peke, why does he need it? Dr. Leveque's opinion was ridiculed and questionable as he is no longer licensed in Oregon. Also how much medicating does victim do and how often.
- Prosecution was also questioning the need for cannabis -vs- other medications.
- Bottom line for the state, Peke was impaired because he was "on pot" and the accuracy or level (UI -v- Blood test) and level were never part of the discussion.

... so, if you or someone you know ends up in the same situation ...

* **The prosecution may try the "Pot NOT medicine" attack.** Be prepared to re-testify for/on OMMA all over again; i.e. - prove that cannabis is medicine. Plenty of research available via bibliographies available thru The OMMA (1998) Webpage > www.omma1998.org < and Contigo-Conmigo > www.or-coast.net/contigo <.

* **The prosecution may try the "you don't NEED it, you're just an addict trying to 'get over' " attack.** Have documentation from your current, licensed physician as to how cannabis is applied in your case. History and treatment information, frequency and dosage. Eugene's Compassion Center >

www.compassioncenter.net < can help you with this process. Particularly note attempts to utilize "mainstream" medicines -v- cannabis for when they try the "others would be better" spin.

NOTE: Unfortunately - until WE successfully clear Dr. Leveque of the BME charges - his opinion appears to be losing value and may even be a liability in some cases.

*** Have documentation on Cannabis and Impairment, particularly Driving.**
See Rick Bayers article in Alternatives Magazine > www.alternativesmagazine.com/35/bayer.html < among others. Again, we should build up a body of knowledge on this and make it available to (and FIND-able by. Offline /printed means!) the General Public.

Some other Action item ideas -

- **What Do WE Know?** Victim networks by Scenario / Charge. Pool resources, Spiritual Support, etc. What has happened before? We should build knowledge-base on this situation.

- **Publish and promote.** Other Vics, Resources? Document responses; note Tools for looking up case histories, research testimony, attorney and expert witness assets.

- **Prevention.** Know your rights and share the wealth, distribute "Busted" video's all around. (flexyourrights.org) Peke became the target of an investigation due to his involvement with MERCY. For activists and volunteers on the front lines, be prepared for them to try these things on you. Don't give them any excuses, be legal and in compliance.

- **Change.** Consider some proactive legislation to define and resolve the issue. Discussion will educate and help in some cases, even if it doesn't pass or get very far. This brings up the interesting questions of what exact substance, method and levels would be viable AND acceptable to all sides. Hm ...

Contact us with your ideas, etc. Luck to you and yours. See ya on the front-lines. Let you know next battle-time and place in Peke's saga as soon as we know.

Pekes Bulletin Board

Visit: http://mercycenters.org/events/Hearing_Peke.html#post

Friday, December 16 at 07:20 PM:

Yojimbo from eugene wrote:

" You a victim of the Rich White Man's criminal justice system, and I'm proud of you for not compromising. No justice, no peace. Your in good company brother. "

Friday, November 25 at 02:23 PM:

Karen aka Rain from Keizer wrote:

" Hey Pete, I hope all turned out in your favor. Peace, Rain "

Thursday, November 24 at 07:12 AM:

Jim G. from Oregon-ASA wrote:

"If there are any other cases please contact Elliott Caldwell at ASA. ASA is tracking this kind of information for possible class action suits. Remember how they got the CHP to stop stealing patients Medicine? . They are tracking arrests, seizures and court decisions so keep them informed for all of our sake. Jim G "

Wednesday, November 23 at 10:04 AM:

DanK, the Bagman from Eugene Cannabis T.V. wrote:

"It shouldn't matter whether you know, like or respect Peke. The fact is he's being 'railroaded' by 'the system'.

Seeing as how this is primarily a MedMJ list it seems to me that there should be much support for this action.

Thanks,

Dan Koozer

Cannabis Liberation Front

PO Box 10957

Eugene, Oregon 97440-2957

The tale of another water-bearer.

Gunga Din

by Rudyard Kipling

YOU may talk o' gin an' beer
When you're quartered safe out 'ere,
An' you're sent to penny-fights an' Aldershot it;
But if it comes to slaughter
You will do your work on water, 5
An' you'll lick the bloomin' boots of 'im that's got it.
Now in Injia's sunny clime,
Where I used to spend my time
A-servin' of 'Er Majesty the Queen,
Of all them black-faced crew 10
The finest man I knew
Was our regimental *bhisti*, Gunga Din.

It was "Din! Din! Din!
You limping lump o' brick-dust, Gunga Din!
Hi! *slippy hitherao!* 15
Water, get it! *Panee lao!*
You squidgy-nosed old idol, Gunga Din!"

The uniform 'e wore
Was nothin' much before,
An' rather less than 'arf o' that be'ind, 20

For a twisty piece o' rag
An' a goatskin water-bag
Was all the field-equipment 'e could find.
When the sweatin' troop-train lay
In a sidin' through the day, 25
Where the 'eat would make your bloomin' eyebrows crawl,
We shouted "*Harry By!*"
Till our throats were bricky-dry,
Then we wopped 'im 'cause 'e couldn't serve us all.

It was "Din! Din! Din!" 30
You 'eathen, where the mischief 'ave you been?
You put some *juldee* in it,
Or I'll *marrow* you this minute,
If you don't fill up my helmet, Gunga Din!"

'E would dot an' carry one 35
Till the longest day was done,
An' 'e didn't seem to know the use o' fear.
If we charged or broke or cut,
You could bet your bloomin' nut,
'E'd be waitin' fifty paces right flank rear. 40
With 'is *mussick* on 'is back,
'E would skip with our attack,
An' watch us till the bugles made "Retire."
An' for all 'is dirty 'ide,
'E was white, clear white, inside 45
When 'e went to tend the wounded under fire!

It was "Din! Din! Din!"
With the bullets kickin' dust-spots on the green.
When the cartridges ran out,
You could 'ear the front-files shout: 50
"Hi! ammunition-mules an' Gunga Din!"

I sha'n't forgit the night
When I dropped be'ind the fight
With a bullet where my belt-plate should 'a' been. 55
I was chokin' mad with thirst,
An' the man that spied me first
Was our good old grinnin', gruntin' Gunga Din.

'E lifted up my 'ead,
An' 'e plugged me where I bled,
An' 'e guv me 'arf-a-pint o' water—green; 60
It was crawlin' an' it stunk,
But of all the drinks I've drunk,
I'm gratefulest to one from Gunga Din.

It was "Din! Din! Din!" 65
'Ere's a beggar with a bullet through 'is spleen;
'E's chawin' up the ground an' 'e's kickin' all around:
For Gawd's sake, git the water, Gunga Din!"

'E carried me away
To where a *dooli* lay,
An' a bullet come an' drilled the beggar clean. 70
'E put me safe inside,
An' just before 'e died:
"I 'ope you liked your drink," sez Gunga Din.
So I'll meet 'im later on
In the place where 'e is gone— 75
Where it's always double drill and no canteen;
'E'll be squattin' on the coals
Givin' drink to pore damned souls,
An' I'll get a swig in Hell from Gunga Din!

Din! Din! Din! 80
You Lazarushian-leather Gunga Din!
Tho' I've belted you an' flayed you,
By the livin' Gawd that made you,
You're a better man than I am, Gunga Din!

This information courtesy of **MERCY – the Medical Cannabis
Resource Center** * 1675 Fairgrounds Rd., Salem, Oregon, 97303 *
call: 503.363-4588 * or visit: **MercyCenters.org**