



ALABAMA HOUSE OF REPRESENTATIVES

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Written Testimony in Support of HB 2244 Before the House Judiciary Committee

March 12, 2019

An unusual path has led me to become an advocate for medical cannabis. I don't believe that I chose it, but it chose me. Before my election to the Alabama House of Representatives in 2002, I'd served 25 years with the Alabama Department of Public Safety, 8 years as a state trooper and 17 years as an Agent with the Alabama Bureau of Investigation. Until October 2013, I didn't support the use of cannabis in any form for any reason. As a schedule 1 narcotic, I believed that medical research had proven it to have no medicinal value. I would later learn that to be utterly wrong. Politicians and political posturing had incited fear that resulted in an overreaction to a real problem with a one-sided discussion and very little, if any, research. As a career investigator, the dangers of marijuana use are apparent to me and I remain opposed to the legalization of it for recreational purposes; however, since receiving an email during the early morning hours of October 13, 2013 I've discovered evidence that has compelled me to dramatically reverse my position on medical cannabis. The email was a plea from a desperate grandmother behalf of her suffering grandbaby:

From: sgibbs58

Sent: 10/13/2013 1:49 AM

To: mikeball

Subject: Health Issues

Representative Ball,

I am asking for your support for Alabama Medical Marijuana. First, let me state that I do not smoke pot nor does anyone in my family. We are Christians and don't even drink.

My concern is for my 14-month-old granddaughter who is an epileptic. There have been many studies to show that MMJ helps seizures tremendously. The type of marijuana we need has little to no THC so there is not much 'get high' properties to it at all. We need the other part of the plant called CBD.

Right now our baby is just 'getting by' but there has been a lot of research where the CBD oil is legal and it has helped so many patients. **20 states now have legal medical marijuana** but after having my family live here for generations we just hate to move and try to start over in another state.

There are many people in Alabama with Epileptic children and most like me would go to the ends of the earth to stop the seizures so their lives can be normal. In our case our granddaughter was born with a gene deletion that has never been recorded in history so that does not give our doctor much to go on in respect to what we can expect in the future. We give her the best of care and opted for a neurologist at Le Bonheur Hospital in Memphis since he has such a great reputation with neurology and epilepsy. She has no other health problems and is smart as a whip but some days she may have up to 100 seizures.

Please consider what I am asking and just imagine if this were your child or grandchild. Low to no THC marijuana has got to be so much better than the Valium she has to take now to stop her convulsions. Please help us if you can!!!

For more info----<http://en.wikipedia.org/wiki/Cannabidiol>

Thank you,
Sherry Gibbs aka. Meemaw
Madison, Alabama

Also, this is who we are fighting for :) She didn't get to enjoy her first birthday because she was asleep from Valium. (This was the only birthday photo we were able to make.)



Although it is shameful to admit, I almost deleted the email after reading the first sentence, "I am asking your support for Alabama Medical Marijuana". At the time, it was a complete non-starter for me; however, as I read the rest of the email, it was apparent that this email was written in love and this was not some sort of ruse from a "pot-head" wanting dope. This was a suffering human being, a grandmother whose love and worries for her grandbaby had kept her awake and compelled her to

desperately send an email to me at 1:49 AM. To dismiss such a plea without at least looking into it would be cruel. As an investigator, it wouldn't be difficult for me to fashion a reasonable response to this grandmother that would let her down easy from what I thought was a false hope. I have been professionally-trained and have many years of success in a profession that revolves around debunking false statements in search of the truth (I'm talking about my previous career with the Alabama Bureau of Investigation, not my current position; although it is a handy skill for a legislator to possess).

During my investigation over the weeks after receiving the email, I found many strong political reasons not to do it; but was shocked to learn that there had been scant medical research into the CBD oil in the United States, although that was not the case in Israel. While political thinking tends to cause us to selectively view evidence in a manner that supports our respective opinions, I was an investigator long before I entered politics and have yet to shake the habit of allowing the evidence to shape my opinion, instead of the other way around.

I introduced "Carly's Law" during the 2014 legislative session based on the irrefutable idea that the state should not prosecute those who attempt to relieve suffering using CBD oil with no apparent value as a recreational drug and without psychoactive properties. The original Carly's Law provided an affirmative defense for people who I couldn't imagine a police officer or District Attorney with a developed moral compass would want to prosecute, anyway. When we have the means to relieve the suffering of a fellow human, particularly an innocent child, a law that prevents us from doing so is inherently immoral. Although I found very little research in the United States in 2014 to support the claims, a large volume of anecdotal evidence was available that overwhelmingly pointed toward the efficacy of the oil in the treatment of seizures.

A good investigator doesn't have to be an expert in anything. He just needs to know how to separate those who are from those who pretend to be. And there's more to it than just having academic credentials. I've been able to assemble a remarkable group of advisors from the families of children suffering from seizures. For example, the mother of the baby in the photograph is a NASA chemist. But early in the 2014

session, Carly's Law stalled because it was an election year and many of my colleagues feared being labeled as "pro-marijuana". It's hard to imagine that some politicians would allow sick children to continue suffering for such a superficial reason as being afraid that a political opponent would say ugly things about them. Those whose minds operate on a moral and spiritual level more than political recognize that being criticized for helping others is a great honor that brings uniquely creative benefit in unimaginable, although mostly intrinsic ways. What feels bad to us is not always bad for us.

We eventually passed a substitute Carly's Law unanimously during the 2014 session that put a million dollars a year in the Alabama state budget for the University of Alabama in Birmingham to study the efficacy of CBD oil for the treatment of epileptic seizures. The research has clearly confirmed what many others, including my network of affected families, had already known. Despite the success of Carly's Law, it still seemed to me as though I had fallen far short of my moral obligation to relieve as much suffering to as many people as possible. There were many who were unable to qualify for the study and access the CBD oil and continued to needlessly suffer as a result. Among them was Leni Young, pictured here with me holding her as we gave thanks the evening Carly's Law passed the Alabama Senate.



I grieved when Leni's family was forced to leave Alabama and move to Oregon because she failed to qualify for the UAB study. Leni had suffered from debilitating seizures since infancy. The seizures and the drugs that she was forced to take to attempt to control them had zombified that helpless child. Her family had deep roots in the Montgomery, Alabama region, but they were forced to pull up stakes and start a new life in pursuit of relief for Leni, all because of stubborn politicians and bureaucrats.

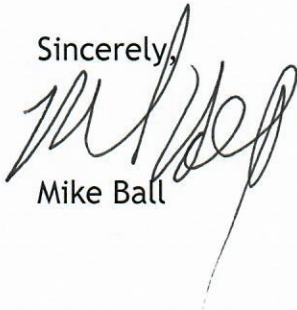
During one of my restless nights, a few weeks after the Young family moved to Oregon, I watched a video Leni's mother had posted of her watching "Frozen" shortly after beginning her regimen of CBD oil. The joy on Leni's face overwhelmed my soul and I realized that Carly's Law had only been a step in a journey, and it was time to take the next step. When we went back into the 2016 legislative session we introduced "Leni's Law" which was very close to the original Carly's Law that provided an affirmative defense to possession of CBD oil under certain circumstances. It passed overwhelmingly and has been successful in providing relief to those suffering from debilitating illnesses who were concerned about being prosecuted by an unjust law. The success of Leni's Law has exceeded my expectations. I am unaware of any enforcement issues that have arisen as a result of its passage, but I have heard from a countless number of people who have benefited from it.

Both Carly's Law and Leni's Law were tiny steps, but they were important steps in providing relief to those who have benefited from the medicinal qualities of cannabis. The greatest obstacle has been the fear and superstition that has surrounded this substance because of the inappropriate political reaction to those who have abused it. Leni's Law didn't resolve the issue of regulation, treatment protocols or availability of medical cannabis in Alabama, but it makes a strong moral statement that we recognize that those who seek to relieve human suffering should not be prosecuted as criminals. Those of us who have spent many years relentlessly pursuing criminals in the cause of justice must always be careful to not forget that our greatest moral obligation is to protect the innocent who suffer.

I can now say without equivocation that every word in that grandmother's email was true. Her granddaughter Charlotte Dalton's seizures have steadily declined from hundreds per month to almost none. She is now a six-year-old child that has been completely seizure-free for over nine months, the direct result of our efforts to make this oil accessible to law-abiding citizens. Nobody should ever be forced to choose between helping their sick loved ones and obeying the law; but when forced, the choice is obvious. It is the duty of those of us in the legislative branch of government to enact laws that do not force our citizens into such a dilemma.

Throughout this remarkable journey, I have met many others who, like Charlotte, have been profoundly helped by allowing them access to CBD oil. Helping them has taken me on a remarkable journey that has not only helped eased the suffering of the innocent, it has benefited me greatly by increasing my awareness of a creative genius that loves on a level far beyond our understanding. I am absolutely convinced that this creative genius had a specific purpose when it compelled a worried grandmother to send a desperate email in the middle of the night to an ignorant legislator. Since then, It has deftly utilized the power of compassion to change many stubborn hearts and minds... including mine.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Ball', written in a cursive style. The signature is positioned to the right of the word 'Sincerely,' and above the printed name 'Mike Ball'.

Mike Ball