

JAMES BURTON

GLAUCOMA PATIENT - MEDICAL MARIJUANA REFUGEE ONE-YEAR SENTENCE, LOSS OF FAMILY FARM



James working at the Institute of Medical Marijuana, which provides cannabis for Dutch pharmacies.

James Burton, a Vietnam veteran and master electrical technician, was faced with a stark choice after he was diagnosed with a congenital form of glaucoma. He discovered that he could either smoke marijuana and save his vision, or he could continue to take the conventional pharmaceuticals his doctors prescribed and slowly go blind. He chose marijuana and began growing his own medicine on his Kentucky farm.

Local law enforcement discovered his garden, and he was arrested and charged with cultivation with intent to sell. At his trial,

ophthalmologist Dr. John Merritt testified that cannabis was the only medicine that could keep James from going blind. The jury believed that he was growing cannabis for his own use and convicted him of simple possession of marijuana. He was sentenced to one year in the maximum security Marion Prison.

While incarcerated, James was deprived of marijuana, the only medicine he found that helped him see. As his sight was worsening over that year, he had to fight to keep prison doctors from performing a very risky surgical procedure.

When James was released, he and his wife, Linda, were homeless. Despite the jury's finding that he was growing marijuana solely for his own use, the judge had ordered his house and 90-acre farm confiscated without allowing James to testify in his own behalf to save it. Once out of prison, James faced his same choice between marijuana and blindness, but he was determined never again to let the government imprison him for treating his illness. He and Linda said good-bye to their families and left the country. Today, they live in the Netherlands, where James has a marijuana prescription from a doctor, allowing him to receive his cannabis from pharmacies there. His glaucoma is at last under control.

"To send a man trying to save his vision to prison, and steal the home and land that he and his wife had worked decades for, should have the authors of the Constitution spinning in their graves," said his attorney.

James is now helping other patients obtain cannabis for their medical needs. He is a founder and manager of the Institute of Medical Marijuana, a non-profit organization that supplies the Dutch Health Ministry with cannabis to be legally distributed through their pharmacies by prescription, paid for by the Dutch government.

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"Doctors are not the enemy in the "war" on drugs; ignorance and hypocrisy are.... Research should go on and while it does patients with life-threatening illness should have access.... There is certainly sufficient evidence to reclassify marijuana as Schedule II drug.... As long as a therapy is safe and has not been proved ineffective, seriously ill patients (and their physicians) should have access to whatever they need to fight for their lives"

**George J. Annas, JD, MPH
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