



## EQUAL JUSTICE UNDER LAW

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### FOR IMMEDIATE RELEASE

October 17, 2017

#### **DOJ Agrees:**

#### **US Not Authorized to Prosecute Medical Marijuana Users in States Where It is Legal**

*Spokane, Washington* – On Monday, the United States Department of Justice filed a brief confirming that the family in the so-called Kettle Falls Five medical marijuana case was in strict compliance with state law. Therefore, the DOJ has also confirmed that they were not authorized to spend money on the prosecution of the defendants because, starting in December 2014, Congress denied funding for such prosecutions in states where medical marijuana is lawful.

Phil Telfeyan, Executive Director of Equal Justice Under Law the Washington, D.C.-based nonprofit law firm representing the family, said: “This family grew medical marijuana for their own health needs. For over five years, the federal government wasted taxpayer money prosecuting a family that had fully complied with state laws. The feds have finally admitted that the family never should have been prosecuted in the first place, but there is no way they can get those five years of their lives back.”

“This filing,” Telfeyan continued, “is a victory for the family and lawful medical marijuana users all across the country. Our government should not use federal money to prosecute people abiding by state laws. This filing will have far-reaching effects that should help end the federal prosecution of marijuana users in states where it’s legal.”

The federal government prosecuted the Kettle Falls Five family for growing marijuana, even though all family members held state-sanctioned medical authorizations in Washington State. The family was acquitted on four of the five charges and only convicted on a lesser-included charge with no mandatory sentence. However, the judge sentenced the family members to jail, and Equal Justice Under Law appealed that sentence.

In response to this DOJ’s filing, Equal Justice Under Law will be filing a motion to dismiss.

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Equal Justice Under Law is a legal nonprofit providing *pro bono* legal services to those most in need. The organization is dedicated to achieving equality in our justice system by litigating for change in the most pressing areas of wealth-based discrimination. Since its founding in 2014, Equal Justice Under Law has filed thirty lawsuits in fourteen states and the District of Columbia targeted at ending unequal practices in our justice system.