

## Medical Marijuana Patient Prison Term Could Cost Taxpayers More Than \$1.2 Million

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NEW YORK -- American taxpayers could spend upwards of \$1.2 million over the next decade imprisoning Jerry Duval, a Michigan medical marijuana patient who was convicted of distributing the drug.

Duval has a kidney and pancreas transplant, as well as glaucoma and neuropathy. His family grew marijuana on his Michigan farm in part to treat his ailments. But when the Department of Justice prosecuted him in federal court, Duval was barred from presenting evidence of his compliance with Michigan's medical marijuana law. He will report to prison on June 11.

The Federal Bureau of Prisons initially told Duval he would have to serve out his 10-year sentence in a prison that lacked specialized medical facilities but then relented after an outcry from marijuana reform advocates. He will now serve his time at the Federal Medical Center in Devens, Mass. -- the same facility where Boston bombing suspect Dzhokhar Tsarnaev is being held because of injuries he sustained during his apprehension.

According to Bureau of Prisons estimates, on average the annual cost of a stay in a federal medical center prison works out to \$51,420. After support costs are included, the total comes to about \$157.74 per day per prisoner.

But Duval believes he is no ordinary prisoner, even for a medical center prison. In a request to the Bureau of Prisons' compassionate release program he made in a letter on Tuesday, he estimated that preserving his kidneys and pancreas alone costs more than \$100,000 annually. All told, he writes, keeping him out of prison would save the federal taxpayer \$1.2 million over 10 years.

In his letter, Duval notes that President Barack Obama signaled his openness to letting state medical marijuana laws stand free of federal interference as a candidate in 2008 (before flip-flopping in office), and that a majority of Americans now support legalizing pot.

Duval also writes that federal law says sentencing is meant to "promote respect for the law, and to provide just punishment for the offense."

"I humbly ask you whether locking up a disabled medical marijuana patient for ten years -- a sentence longer than some child rapists and murderers receive -- achieves the statutory mandate," he writes.