

United States v. Oakland Cannabis Buyers' Cooperative, 532 U.S. 483; 121 S Ct 1711; 149 L Ed 2d 722 (2001):

Issue: Does the Controlled Substance Act contain a common law medical necessity defense?

Holding: No, the court held that there were no common law crimes in federal law and the Controlled Substance Act did not recognize a medical necessity exception regardless of their legal status under states' laws.

The United States Supreme Court rejected the common-law medical necessity defense to crimes enacted under the Federal Controlled Substances Act of 1970, regardless of their legal status under the laws of states such as California that recognize a medical use for marihuana.

Justice Thomas wrote for the majority. The Oakland Cannabis Buyers' Cooperative contended that the Controlled Substances Act was susceptible of a medical necessity exception to the ban on distribution and manufacture of marihuana. The Court concluded otherwise.

Since 1812, the Court had held that there were no common-law crimes in federal law. See *United States v. Hudson and Goodwin*. That is, the law required Congress, rather than the federal courts, to define federal crimes. The Court noted that the Controlled Substances Act did not recognize a medical necessity exception. Thus "a medical necessity exception for marihuana is at odds with the terms of the Controlled Substances Act."

When it passed the Controlled Substances Act, Congress made a value judgment that marihuana had "no currently accepted medical use." It was not the province of the Court to usurp this value judgment made by the legislature. Thus, it was wrong for the Ninth Circuit to hold that the Controlled Substances Act did contain a medical necessity defense. It was also wrong for the Ninth Circuit to order the district court to fashion a more limited injunction that would take into account the fact that marihuana was necessary for certain people to obtain relief from symptoms of chronic illnesses.