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Group pushes back against medical marijuana law

A loosely affiliated group of dispensary operators and patients are gathering signatures for a referendum to block the Los Angeles City Council's ordinance.

By John Hoeffel

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Seeking to overturn the city's medical marijuana ordinance even before it takes effect, a loose-knit coalition of Los Angeles collectives is quietly gathering signatures to force a referendum on the law.

The scrappy, largely volunteer effort faces a Monday deadline to turn in 27,425 valid signatures.

"We're getting down to the wire here," said Dan Halbert, who runs Rainforest Collective in Mar Vista and has coordinated the campaign. "It's going to be close."

Halbert's dispensary on Venice Boulevard, which opened last year, is one of hundreds that would have to close under the ordinance. That law, which will probably not be in effect until May, caps the number at 70. But it also makes an exception to allow about 128 dispensaries that registered in 2007, when the City Council adopted a moratorium, to stay open.

"They are just kind of arbitrarily drawing a line in the sand," said Halbert, who argues that the competitive business environment would eventually reduce the number on its own, leaving only the best-run collectives.

To City Council members, Halbert is just one of hundreds of opportunists out to make a quick buck. His store was among those targeted last summer by a chagrined council after neighborhood activists repeatedly complained that marijuana outlets were rapidly opening across the city despite the moratorium.

An entrepreneur who owned an adventure travel business in Phoenix, Halbert moved to Los Angeles to open his dispensary after three trips to investigate the city's vibrant weed industry. He said he never would have started the business if the city had been enforcing its ban. Now he has become a political activist trying to save his livelihood and torpedo an ordinance that the City Council has labored over for almost two years.

"Once you get \$100,000 charged on credit cards, you really don't have any choice," he said. "You have a choice of bankruptcy or trying every legal avenue that you have to get your rights."

The last time a referendum qualified for the ballot, the City Council backed down on the targeted

ordinance.

In that instance, businesses sought to overturn a law that extended the city's living wage ordinance to workers at LAX-area hotels. Rather than face a costly campaign to defend it, the City Council decided to rescind the law in 2007, negotiate with the hotels and adopt a compromise.

Halbert said his aim is to persuade the City Council to drop its ordinance and follow the approach that San Diego has taken, appointing a broad-based task force to study the issue and make recommendations.

City Councilman Ed Reyes, who spearheaded the effort to write an ordinance, said he believes voters would support the law. "If the voting people in the city interpret their effort as trying to make this much more relaxed and much more amenable to more dispensaries in this city, they are not going to go for it," he said. "I think the majority of people want control. I think the majority of people want predictability of what's allowed."

Halbert, with allies who include Michael De Marco, president of the Sunny Day Collective in Chatsworth, has tried to weld the city's dispensary operators into a political force. But they are an independent, competitive group, wary of doing anything that might draw the attention of narcotics officers or city enforcement agents.

"The most startling thing was just how these operators were just so slow to come to help," said De Marco, who has worked for weeks to organize the petition drive in his area. "These collective operators, man, they like to stay in the shadows and not be seen, and I can really understand that."

Halbert's store, a former blueprint shop that now looks like a scene from "The Jungle Book," has become an unlikely campaign headquarters. Volunteers summoned by e-mail showed up last week with their laptop computers to check signatures against a voter registration database. They had crossed off many signatures that were either illegible or could not be matched with the Los Angeles voter registration list.

"There's so many knockout factors," Halbert said. "It's really an impossible endeavor."

It was tedious work, but Sean McBride, who just started using medical marijuana last month, was delighted to do it.

"I'm in a weed shop, but I feel like I'm at the Democratic National Committee," said McBride, a stand-up comedian with a degree in political science and a role in a local comedy show called "Love Letters to Mary Jane."

Pamela Richardson also came to volunteer, traveling to her neighborhood pot shop by wheelchair. The former soldier, wearing a camouflage cap and shorts, lost her right leg below the knee in Iraq.

"I needed a place of convenience and this is pretty much the closest place to me, and they do treat you pretty well," she said. "A hundred facilities in L.A. just won't work. If you've got a thousand

facilities in L.A., somebody's keeping them open."

Halbert, who had just 20 days to print the petition and circulate it after the City Clerk approved it, said he would put the effort's chances at about 50-50.

"It's not been easy. It's taken us a while," he said. "We've been doing this for three or four months now, and finally everybody's starting to get together."

As the deadline looms, Halbert has ratcheted up the campaign. He is now paying some signature-gatherers. And he has urged collectives to close Sunday and send their supporters into the streets.

"We're going to black out the lights," he said, "and get out there and do our final push."