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L.A. County charges medical marijuana distributor with 24 felonies

Bail is set at \$520,000 for Jeff Joseph, owner of a popular Venice-area dispensary. His attorney says the prosecution is politically motivated and disputes the D.A.'s claim that state law bans sales.

By John Hoeffel

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More than four months ago, Los Angeles County Dist. Atty. Steve Cooley warned that state law does not allow dispensaries to sell medical marijuana and zeroed in on Organica, a popular Venice-area outlet, as one possible target.

On Monday, Cooley delivered on that promise.

Jeff Joseph, Organica's operator, was charged with 24 felonies, including selling, transporting and possessing marijuana, and a court commissioner set bail at \$520,000, more than five times the amount his lawyer requested. Joseph pleaded not guilty.

Calling the bail "outrageous," attorney Eric Shevin said the prosecution was "politically driven" in response to community pressure to shut down hundreds of dispensaries that have spread throughout Los Angeles. "So they use a very high-profile individual, unfortunately in this case, Mr. Joseph, to basically stand up for everybody," he said.

Joseph Esposito, who heads the district attorney's major narcotics division, said Organica's operator was not singled out. "There have been dozens of cases that the office has filed," he said. "We're going to evaluate every case differently."

Joseph's case, which was intensely investigated by police and federal agents, has the potential to test whether state law permits dispensaries to sell marijuana.

Cooley and Los Angeles City Atty. Carmen Trutanich insist that state law allows collectives to grow marijuana and recoup their costs but not sell it over the counter, a practice that is widespread. Both have sought to pursue cases that could force the courts to settle the debate.

Trutanich won an early round in a lawsuit against an Eagle Rock dispensary. A Superior Court judge ordered it to halt sales.

[Last week](#) the city attorney filed a similar lawsuit against Joseph and Organica.

In court Monday, prosecutor John Harlan said Organica was "an illegal drug-dealing operation" that sometimes made more than \$100,000 profit in a month.

"He is an ongoing threat to the community," Harlan said.

Shevin acknowledged that the facts in the case are "essentially undisputed," but challenged the district attorney's position that medical marijuana sales are illegal. "It's just in contradiction to the law in this area," he said.

Joseph has been a target of law enforcement for two years. Undercover investigators have made repeated buys and his dispensary has been raided three times, most recently on Thursday, when he was arrested.

He closed his dispensary after the second raid, but said he reopened to try to comply with the city's medical marijuana ordinance. That law, which has not taken effect, will allow dispensaries that registered with the city in 2007, as Organica did, to remain open if they are still in operation.

"They felt that Jeff snubbed the nose of the district attorney," Shevin said.

After Los Angeles County Superior Court Commissioner Donald Kennedy set bail, Shevin held an impromptu news conference surrounded by Joseph's supporters and his tearful mother and sister.

"Medical marijuana, when you are an authorized dispensary, should be a mitigating factor that reduces the seriousness of the crime," he said, "not used to aggravate bail and improperly stack bail for the only purpose of leaving Mr. Joseph in custody and trying to muscle a plea from him."

Joseph's sister, Vikki, said he did not have the money for bail. Supporters said they would raise it.

"How about George Soros?" Shevin suggested.

Soros, a billionaire investor, was one of the main financial backers of the medical marijuana initiative.