

LOS ANGELES MEDICAL WEED WARS

HOW THE POTHEADS OUTWITTED ANTONIO VILLARAIGOSA AND THE LOS ANGELES CITY COUNCIL

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Editor's note: Just hours after Mayor Villaraigosa was alerted to the investigative findings below, which were published online on November 23 at laweekly.com the mayor ended years of silence on L.A.'s medical pot controversy and announced his opposition to illegal sales of weed, stating that dispensaries defying the law "should be closed down." This story is updated from the original online, to reflect reaction by Villaraigosa and others to the L.A. Weekly's findings. See more complete notes at end of story.

Fourteen months ago, in a Los Angeles City Hall passageway just outside the Council Chamber, Yami Bolanos and her crew of medical marijuana dispensary advocates prepared for a day of lobbying. They hoped the City Council would finally begin drafting a basic ordinance to regulate the city's wildly proliferating storefront weed businesses. Instead, she found the council members distracted and largely uninterested.

"Almost a year had passed, and we hadn't heard anything about an ordinance," recalls Bolanos, the feisty 54-year-old operator of a Westside medical marijuana dispensary called PureLife Alternative Wellness Center. As luck would have it, she noticed City Attorney Rocky Delgadillo in the hallway, followed quickly by Mayor Antonio Villaraigosa — two officials capable of halting the buck-passing and pushing a set of workable medical pot rules so the seriously ill could easily obtain pot. The pot advocates were worried about medical weed profiteers who were spreading into L.A. neighborhoods, purposely opening next to public schools — and giving their movement a black eye.

When Bolanos introduced herself to Delgadillo as a pot advocate and asked him about his work on a medical marijuana ordinance, the city attorney lost his smile. He blurted out, "We're working on it," Bolanos recalls. He was referring to his push to prevent outright sales of medical pot and instead set up a collective system based on nonprofit sharing of weed.

Delgadillo believed his tough plan would stop the profiteers, gangsters and criminals who, LAPD has found, are moving into the city's medical pot industry in the absence of local rules. But Delgadillo's work was going nowhere. He was locked in a bitter pissing match with Eastside Councilman Ed Reyes, who had bottled the L.A. medical pot ordinance up in an obscure planning and land-use committee for years because Reyes wanted more lenient rules that allowed pot to be sold outright.

Delgadillo's stricter plan was backed by LAPD Chief Bill Bratton, who in 2006 reported that medical pot sellers in L.A. were involved in "wanton and flagrant misuse" of medical weed that "demeans the spirit and intent" of the Compassionate Use Act and were out to "exploit the youth" — and should be stopped in favor of those really helping the sick.

As Delgadillo spoke, Bolanos noticed Villaraigosa coming her way. Here was the one guy with enough juice to end the bickering over pot that had spread to almost every major department in City Hall, from Building and Safety to Planning to LAPD. The mayor strode toward Bolanos with a bevy of aides, a photographer to record his day and former boxing champion Oscar De La Hoya all there to celebrate Latino Heritage Day.

Villaraigosa had long known the problem was brewing — the Police Commission, which reports directly to the mayor, received Bratton's 2006 report, and warned that weed dispensaries had exploded in number from four in 2005 to 98 in 2006, leading the City Council to adopt a moratorium in 2007.

Pointing to City Attorney Delgadillo, Bolanos demanded of the mayor, "When are you going to get this guy to do his job?" When Villaraigosa assured her that he supports medical marijuana, she offered a dismissive retort. The mayor responded by asking for a hug. As De La Hoya laughed, Bolanos declared, "You don't deserve a hug!"

Today Los Angeles stands as the nation's pot capital, a mecca for buying and selling the drug under the guise of the medicinal use initiative California voters approved 13 years ago.

The conditions are testament to a breakdown in basic governance unseen in any other major California city. Los Angeles officials cannot explain why they allowed the situation to get out of hand. They cannot even say how many pot storefronts are operating inside their city and who is supplying the drugs to those retailers, whether organized crime, gangs, illegal California growers or other sources.

The *Weekly* found proof that Mayor Villaraigosa has carefully and deliberately avoided the issue. At the same time, reporters found that the City Council has been guided by a politically influential medical pot seller — a man who wasn't vetted to determine whether his pot sources and profits are illicit or legitimate. Leading council members listen to him while failing to consult neighborhood councils, the business community, school officials and others with serious concerns about the explosion of pot outlets.

City leaders believe that 186 outlets still exist that opened in a rush before the city placed a moratorium on further pot dispensaries in 2007. But then, 800 applicants took advantage of an embarrassing city loophole during the moratorium to try to open hundreds more stores by claiming a fiscal "hardship" — exactly how many opened using the hardship loophole has been a subject of conjecture.

During a two-month investigation *L.A. Weekly* crisscrossed the city — traveling 950 miles and making approximately 1,400 phone calls — to do the job that L.A.’s government has not done: locate and count the open pot stores and delivery services that got around the 2007 city ban. The *Weekly* has found more than 400 open “hardship” pot outlets, with a few dozen more unverifiable, and another 142 left of the 186 that opened before the 2007 moratorium, for a total of more than 540 pot dispensaries and delivery services citywide.

Moreover, the pot shops are not concentrated near hospitals or sicker, poorer, older populations. Only five could be found in Ed Reyes’ Eastside District 1 and just 10 in Bernard Parks’ District 8 in South LA. Instead, the pot sellers concentrate in wealthier areas including Westwood and the West Valley, tourist areas such as Venice and Melrose and nightlife districts such as Hollywood. Paul Koretz’s Westside District 5 has 73, Bill Rosendahl’s beachfront District 11 has 54 and Eric Garcetti’s Hollywood District 13 has 63.

Records obtained by the *Weekly* also show that Mayor Villaraigosa has aggressively isolated himself from the growing controversy. For the past several months, even as L.A.’s pot dispensaries became global news, he did not receive from or send any e-mails to his closest ally, recently departed LAPD Chief Bratton, regarding marijuana outlets and the rising crime in and around them. In fact, for about four years the mayor has not sent to or received from Bratton any documents or reports at all on medical pot — a fact that causes former Department of Neighborhood Empowerment General Manager Greg Nelson, who worked in City Hall during the Bradley, Riordan, Hahn, and Villaraigosa administrations, to state: “I’m floored by this. It’s evidence to me that the mayor didn’t understand the magnitude of the problem. It’s sort of like having a faulty water heater and not recognizing it — and it exploding.”

When asked by the *Weekly* to identify the mayor’s leading medical marijuana staff member on his 200-person staff, his office refused. Spokeswoman Sarah Hamilton e-mailed: “The Mayor’s Office declines to comment on this.”

More evidence of Villaraigosa’s absence on the issue comes from the City Council. Garcetti’s office could not identify a point person for medical pot on Villaraigosa’s staff. “I’ve never seen anybody from the mayor’s office come to any of those council meetings or press conferences,” Garcetti says.

Garcetti is distancing himself from the issue, explaining that he “was not the lead on this stuff.” And a top Garcetti staff member, Julie Wong adds that it was Eastside Councilman Ed Reyes who took the lead on creating regulations to end the pot dispensary proliferation, noting, “We want to give credit where credit is due.”

Today, with one dispensary operator who snagged a choice tourist location near Hollywood Boulevard and Highland Avenue bragging of having 19,000 “patients,” Los Angeles is used as an example of why not to let the medical pot movement into other states, and the situation has handed ammunition to opponents of medical pot everywhere. Paul Chabot, a former drug addict

now with Coalition for a Drug-Free California, says, “We use the L.A. model consistently, and cities wake up and say, ‘I don’t want to be like L.A.’ ... It takes a very bad city to protect the rest of California.”

The most important man in City Hall regarding medical marijuana policy is not the chief of police, mayor, council president or city attorney. It’s Don Duncan, the mild-mannered co-founder of Americans for Safe Access, who runs a busy pot collective in West Hollywood on Santa Monica Boulevard that serves thousands of people he insists are all “patients.”

Duncan’s pot outlet, Los Angeles Patients & Caregivers Group, is cited by his fans as a model of the Compassionate Use Act — it offers a “rewards-points card” for loyal customers and a “supersecret concentrate sale” every Tuesday and Saturday.

Critics see his store as an illegal, moneymaking, cash machine that buys weed from black-marketeters, as do scores of dispensaries in L.A. About 70 percent of the visitors entering dispensaries observed by the *Weekly* in November were young men — corroborating DA Cooley’s claim that the real market for all this activity is everyday users, not people suffering serious disease.

Duncan and his supporters wield tremendous influence over what has unfolded to date, and what the City Council may do in the future — far more than the departed Bratton and Delgado, or new City Attorney Carmen Trutanich or the silent Villaraigosa.

City Council members praise Duncan effusively. Ed Reyes calls him “very sincere,” and other council members and their staffs call him “great” and “knowledgeable” — but not one of the 15 council members has any idea if Duncan’s West Hollywood dispensary is following California law prohibiting profits, or if Duncan’s dispensary is, on the sly, quietly earning millions in illegal cash.

Los Angeles Sheriff Lee Baca recently sang the praises of Duncan’s dispensary and others in West Hollywood in a recent *Los Angeles Times* article. But the *Weekly* has learned that Baca’s lieutenant in charge of enforcing the rules in West Hollywood has never even stepped inside the four West Hollywood stores, including Duncan’s — and has no idea how much cash Duncan is taking in, or even where he gets his pot. West Hollywood city officials admit they have never fiscally audited the dispensaries in their town. Simply, West Hollywood has no clue if its dispensaries are buying pot from gangs, organized crime and illegal grows — or someplace else.

As West Hollywood Councilman John Duran says, “We knew from the beginning that they were operating for a profit. The greater evil was to send AIDS patients back to drug dealers and back alleys.” In fact, the West Hollywood “model” of regulation, praised days ago by city councilmen Rosendahl, Dennis Zine and Paul Koretz, is a rudimentary system of rules that require closing on

time, using an unarmed security guard and not attracting loiterers. The city is not even attempting to prevent profits.

But Duran concedes a darker truth, saying, “We know that the collectives are not able to get all their marijuana from California, and some are coming from drug cartels, and the pesticides are highly toxic to AIDS patients. We did advise the dispensary that they should find marijuana that won’t be harmful to patients.” Beyond that, although having only four outlets to worry about, they simply “don’t have the expertise to figure out” where all that high-end \$25-per-gram pot is coming from, Duran says.

Yet Duncan managed to become part of a Los Angeles City Hall “Working Group,” which has direct access to representatives from the City Attorney’s Office, Planning Department, Building and Safety Department, City Clerk’s Office and LAPD brass.

The Working Group’s job was to hammer out L.A.’s medical marijuana approach, although the advocates were not required to submit to city Ethics Commission rules. Other key stakeholders in the pot wars, however, were never invited to weigh in, including neighborhood councils, school officials, parent groups and the business community.

Duncan and his fellow pot advocates were riding high during those Working Group sessions in 2007. With no concerned neighborhood groups, school principals or business leaders there to contradict them, the group worked to create a draft ordinance, a copy of which the *Weekly* has obtained. The draft is based on the 2006 Los Angeles County medical marijuana ordinance, for which Duncan was a consultant. It is jammed with revisions pushed by the pot advocates — from demanding only a 500-foot buffer zone around schools to allowing “smoking of medical cannabis” inside pot shops. The never-released draft ordinance assumes sales can be made outright.

Yet in December 2007, Delgadillo took over the drafting of the ordinance and the Working Group was shut down. Duncan tells the *Weekly*, “It was pretty abrupt, and that was disappointing.”

As Delgadillo worked on much tougher language to ban sales, the city leadership all but washed its hands of the issue. By the end of last year, nonpermitted and unvetted pot dispensaries had their grip on dozens of business districts, and in some areas began to approach the concentration levels of Starbucks and Subway stores.

One disturbing finding by the *Weekly* is that Villaraigosa and the City Council — 16 elected officials who each earn higher salaries than federal judges or members of the US Congress and who employ vast personal staffs of nearly 500 people combined — have not done their basic homework. Even today, not one has personally examined San Francisco, Oakland or other cities

to understand the pitfalls and to create a sensible system. Garcetti, for example, recalls contacting just one council member in another town in the past four years. Reyes admits he's never contacted any city officials in California — yet it was his job to understand what was unfolding elsewhere.

Instead, Reyes let medical weed advocates give him a tutorial on what other cities were up to. “Medical marijuana advocates gave us examples from San Francisco and Oakland,” he says.

Reyes insists he faced extremely complex political and internal problems caused by pot advocates like Duncan, Delgadillo's hard line against outright sales, and unhelpful city department chiefs who, in the absence of guidance from Villaraigosa, wanted to avoid the worsening debacle. Had city officials contacted San Francisco, they would have soon realized that it's a recipe for disaster to allow internal political conditions that prevent a big city from adopting regulations.

San Francisco County Supervisor Ross Mirkarimi tells the *Weekly*, “No senior public official, not public health, not the police, not the district attorney, not the mayor, not the city attorney wanted to touch this.” But the default position of “nonregulating was a free-for-all, complete chaos” in San Francisco, says Mirkarimi. So Mirkarimi, who strongly advocated for medical marijuana, worked with true stakeholders to create an 88-page ordinance within a year. After that, San Francisco launched a big shutdown of dispensaries buying from shady sources or reaping profits, wiping out half of San Francisco's 46 pot outlets, which now number 23.

In Los Angeles, it appears that the personal fact-finding mission only went as far as reading the *Los Angeles Times*. After the newspaper reported in June that a mind-boggling 600 pot dispensaries had defied the City Council's ban, using the weird loophole of claiming fiscal “hardship” to open a pot shop, Garcetti suddenly sprang into action.

In the following June 8, 2009, e-mail obtained by the *Weekly*, Garcetti aide Wong writes to Jessica Tarman, Councilman Zine's spokeswoman, who was organizing a press conference about the *Times*' explosive findings.

Wong: “It might be helpful to have something so that we help shape the story (e.g., ‘Council to Consider Stricter Rules for Medical Marijuana Dispensaries’ rather than ‘City has no rules for pot sales’).”

Tarman: “I like that, good idea.”

Tarman sent out a media advisory to journalists that read: “Council to Consider Stricter Rules for Medicinal Marijuana Dispensaries.” A talking-point sheet, written by Tarman, states that Garcetti will “share the impact these dispensaries have in his district and convey the determination of the

Council to solve these problems,” and Reyes will “address the steps that PLUM [Planning and Land Use Management committee] is taking to draft a permanent ordinance and the process for consideration of remaining hardships exemptions.”

Although the City Council began denying “hardship” claims by new pot dispensaries after the figure had skyrocketed to more than 800, no one on the council conducted a real investigation of the impact. Several days ago, after the council and Villaraigosa returned from a National League of Cities meeting in San Antonio, the *Times* ran its story about Duncan and West Hollywood’s “model” — a theme Duncan tried to persuade the *Weekly* to pursue a few days earlier, timed to coincide with a big combined meeting of two City Council committees that pledged to finally act on regulating pot.

At the combined meeting of PLUM and the Public Safety committees, jammed with pot store operators and advocates, several council members suddenly voiced a strong preference — for copying West Hollywood.

Over the years, council members have looked to Reyes for guidance on the issue. E-mails obtained by the *Weekly* show that Reyes, in turn, looks to Duncan. In e-mails sent by Reyes’ staff to Duncan, Reyes asks the pot advocate for face-to-face meetings, for his take on the city attorney’s draft ordinance and for a list of Duncan’s “deal breakers.” Reyes now admits he never seriously checked Duncan out, yet argues that Duncan “gave insight and data we wouldn’t have had otherwise.”

Duncan’s influence in Los Angeles baffles Scott Imler co-author of Proposition 215, the 1996 ballot measure that approved medical marijuana use. “I wrote to Reyes early on,” recalls Imler, who once ran a pot collective that he says closely observed the nonprofit model enshrined in California law for medical marijuana. Imler wanted to help Reyes understand California law but never heard back.

“Next thing I saw was him being led blindly by Duncan,” Imler says. “You are letting this guy make money hand over fist, and write all the rules for himself.”

Imler is deeply suspicious of Duncan, saying the pot advocate is making a joke — and profit — out of Prop. 215. “Our intent was not to spawn an industry, and that is what has happened in the aftermath,” Imler says. “Prop. 215 was written for patients to get help. The problem is 99 percent of the outfits out there are not following state law.”

Attorney General Jerry Brown made clear a year ago that state law does not allow profits. L.A. leaders, aside from city attorneys Delgadillo and Trutanich, have ignored his legal opinion.

Then last Friday, at a Los Angeles press conference, Brown went further, telling reporters,

“Unfortunately in some communities, Los Angeles in particular, there’s a lot of exploitation and just getting into the drug business and dope business and they’re not really in the medical business.”

Imler says Duncan’s model was not about collective members growing their own, but about collective operators paying pot sellers — Duncan calls them “patient cultivators” — then charging patients an exorbitant fee. The operators of collectives “don’t think twice about selling the stuff for \$80 a bag,” Imler says. “And we call this progress? We see Don Duncan arguing about his right to do this. City Council members are just walking hand-in-hand with him.”

In fact, Duncan, who moved to L.A. from the Bay Area after opening a collective in Berkeley in 1999, is clearly an unpaid lobbyist with fiscal self-interest deeply intertwined with his desire to sell medical marijuana. But since he’s a volunteer and board member of Americans for Safe Access, he gets around L.A.’s weak Ethics Commission rules, which require a person to register as a lobbyist only if paid for at least 30 hours of lobbying over three months.

As a self-described volunteer, Duncan pushes buttons behind the scenes with politicians up and down California — and few people, if any, have asked to see his books. Duncan says he regularly talks with politicians making medical pot rules in San Diego, Long Beach and, of course, L.A.

It’s the kind of access almost no member of the public is granted. Interestingly, Duncan found his first political patron at L.A. City Hall in a former LAPD cop — Councilman Zine, who considers himself the point man on this issue. The two are so tight, in fact, that in an e-mail obtained by the *Weekly*, Zine’s office asked Duncan for “any changes” he’d like to make to a media advisory a staff member was planning to send out. Zine then offered Duncan a reserved City Hall parking space for the press conference.

Once Duncan won Zine over, he focused on the PLUM committee, particularly chairman Reyes. “You talk to the council members on whose agenda this is,” Duncan tells the *Weekly*. “If your issue is going to the PLUM committee, then you, of course, start talking to the people on the PLUM committee. That’s how that goes. It’s pretty typical politics.”

From the start, according to one City Council staff member, Duncan focused heavily on his top issue: allowing over-the-counter sales. Even when Delgadillo and later Trutanich, both with Attorney General Brown’s guidelines in mind, steadfastly refused to allow sales in their several versions of the ordinance, Duncan insisted on sales. Zine tells the *Weekly* that “no sales” was a condition Delgadillo was imposing that wasn’t “workable with the Americans for Safe Access” — Duncan’s group.

Where was the Los Angeles public in this debate?

Shut out — entirely. No neighborhood councils, business leaders, parents, school officials, none

of these obvious stakeholders were invited to the inner chambers where Duncan increasingly ran the show.

“We were powerless, literally powerless,” even to get simple answers about the proliferation of pot stores in Eagle Rock, says Bob Arranaga of the Eagle Rock Neighborhood Council “That’s when we collectively went to [Councilman Jose] Huizar and said we needed to get something done.”

Huizar’s staff informed Arranaga’s group that there was a 2007 ban on all new pot stores— as if no proliferation was under way. “It was the blind leading the blind,” says Arranaga. “They said the Planning Department was working on it, and that we would be getting information.” But what little information they got was nothing like the kind of information Duncan was getting, in his constant e-mail updates from the staffs of Reyes and Zine.

Duncan has only good things to say about City Hall. Garcetti’s office has been “very helpful.” Zine is “really great.” Duncan has been “talking a lot” with Reyes and his staff.

During this time, both Villaraigosa and Garcetti were distracted by the 2008 presidential race. Villaraigosa campaigned vigorously for Hillary Clinton. Garcetti was one of the earliest West Coast politicians to endorse Barack Obama, and was hoping for a job. Bratton dreamed of becoming head of Homeland Security. And Councilman Jack Weiss a former assistant U.S. Attorney who could have pushed the gridlocked PLUM committee to act, was gearing up for his ultimately failed campaign to replace Delgadillo as city attorney.

City government ground to a halt on medical marijuana in 2008, letting hundreds of pot stores open without permits, inspections or a single zoning hearing. Says an exasperated Arranaga, “I don’t even know how to explain the abysmal attempt to do something and not do something at the same time. Everybody claims they were doing something. But nobody was getting something done.”

Garcetti argues that he never pressed PLUM to send regulations to the City Council for a vote because Garcetti himself doesn’t “chair or serve on” the PLUM committee — although as council president, he appoints PLUM members.

“There were people pretty vigorously discussing” medical marijuana, says Garcetti, whose district is seen as such a pot shop paradise that last month the medical weed magazine LA JEMM held a day-long “Harvest Festival” a block from the councilman’s district office on Hollywood Boulevard. The festival featured jam bands, more than 50 vendors and a “medication tent.”

Many dispensaries opened after exploiting a loophole in the city’s 2007 moratorium, a fiscal “hardship exemption.”

Hundreds of pot sellers used it to open unlicensed stores, and some lied that they were selling herbal remedies or retail goods to fraudulently obtain business licenses, according to the city's Office of Finance. D.A. Cooley says of the hardship exception: "I still don't get it."

By this year, Villaraigosa's department heads had effectively abandoned the issue. City Planner Gail Goldberg was silent on the land-use questions unfolding around the dispensaries. And Andrew Adelman, general manager of Building and Safety, wasn't eager to send his crews to illegal pot shops unless they got a code-violation complaint first.

In early January, an 18-point scheme to regulate medicinal pot was sent to the city council by Delgadillo, who suggested placing virtually all oversight on the shoulders of the Los Angeles City Clerk. The duties included determining the volume of weed being sold, policing the age of the pot buyers and enforcing security.

In reaction, a stunned Karen Kalfayan the interim City Clerk, noted in a memo to PLUM that since the clerk in L.A. "is not an enforcement agency," it was unthinkable that her office should be given such a task.

That became all too clear the next day, when LAPD Chief Charlie Beck (then deputy chief) appeared before Reyes, Weiss and Huizar at their 70-minute PLUM meeting — the longest discussion on medical marijuana by the committee in four years. "There are over 400 current storefronts in the city of Los Angeles in their unregulated state." Beck reported. "They are the hub of crime. We've had several homicides occur. A lot of nighttime break-ins and robberies. A lot of money involved. And that's the issue. The issue is the money."

Like neighborhood activist who took charge in Pico-Union, Miracle Mile and the Melrose District, Michael Larson began doing work that would normally be undertaken by a municipal government: counting, investigating and monitoring activities at the 20 unregulated pot dispensaries that were attracting crime in his Eagle Rock area.

Since June 2008, Larsen, a well-known neighborhood figure, had been alerting the office of his council representative, Huizar, to pot storefronts in Eagle Rock's district of cafés and small businesses on busy Colorado Boulevard touting names like Green Goddess and House of Kush — and selling pot almost exclusively to young men.

Recession-ravaged landlords were renting out empty stores to "scary dudes" without so much as a zoning hearing, and Larsen, head of the Eagle Rock Neighborhood Council's public-safety committee, was furious: "You can't open up a mom-and-pop yogurt shop without going through a year of hoops."

A battle-scarred expert on the mysteries of the Los Angeles City Hall bureaucracy, even Larsen was stunned by the ignorance he found among City Council members. “They had a vague sense of a [state] proposition passing and somehow this is state law and they can’t do anything about it.”

One day, a neighbor watched as new “patients” entered House of Kush — located next to a popular bar — about every 60 seconds, then sometimes resold the newly bought bounty outside. “I called our [LAPD] senior lead officer, and he said, from [Bratton] down, they were told ‘hands off’ because of the legal problems,” meaning the city had not adopted a way of restricting the dispensaries.

When he finally convinced the Department of Building and Safety to investigate, city workers “went to House of Kush and looked to see if there were improperly installed walls or building-code violations. ... The report came back saying ‘no violation noted.’ There are people smoking pot all over the place and they come back with no violations noted. It is so Alice in Wonderland—crazy.”

Larsen sought out Reyes, who had bottled up the regulations for years, never sending a plan to the City Council for a vote. When Larsen finally wangled a meeting with Reyes, he found himself facing a few city employees — and four marijuana activists, including Duncan.

“It was clearly lopsided,” Larsen says. After that, Larsen tried for three months to reach his council representative, Huizar, a former school board member who Larsen assumed would be on top of things. But Huizar — who has a personal staff of 26 people — ducked all of Larsen’s calls.

So Larsen came up with a little subterfuge of his own: He and another neighbor found out where Huizar was going to be appearing in public, and in April, “we ambushed him — at an Easter event. We walked up to him with a paper showing all the medical marijuana dispensaries in our community. We said, ‘What are you doing about it?’ He feigned shock.” More recently, Huizar’s office “asked me to please find out what is going on with them. I am happy to do it, to keep the thing moving. But it is just crazy, that it’s our responsibility to be on top of this stuff.”

When the pot wars broke out, James O’ Sullivan, Scott McNeely and Kevin Glynn didn’t know Larsen, but 12 miles southwest of Eagle Rock, in the historic Miracle Mile neighborhood of Old World-style apartments and homes, they were watching as seven dispensaries soon grew to 18 — and a young man got shot and killed on his first day as a security guard protecting the La Brea Collective dispensary at 812 South La Brea.

Glynn was driving home from his job as a teacher at Los Angeles High School when he saw the grim crowd gathered at the scene of the murder of Noe Campos. A few days later an upset Glynn attended the Miracle Mile Residents Association regular meeting at the El Rey Theatre on

Wilshirer. His Miracle Mile neighbors were in an uproar, and Council Tom LaBonge and Wilshire Division Captain Eric David tried to explain the city's viewpoint. "People confronted [LaBonge] and they asked, 'What the hell is going on?'" says Glynn. "LaBonge said essentially he was in favor of medical marijuana and it needed more study."

At the meeting, according to Glynn, LaBonge said that pot shops were "a problem the City Council would look into and take care of."

That was October 2008. Nothing happened. So McNeely and O'Sullivan took matters into their own hands, with McNeely physically scouring the community to identify every pot dispensary, and the pair tracking the expansion of clinics on their neighborhood council web site. Using tactics they might have borrowed from Don Duncan, the pair used Twitter and found other ways to read the updates sent out by pot advocates about LAPD raids, media coverage and other tactical info.

"This isn't about helping sick people," says McNeely, who was, until recently, avidly in favor of medical pot. "This is about a very organized group of people making a lot of money a day. I got an e-mail this morning about a 'raid' in Woodland Hills. They warned the pot store that [Los Angeles Times columnist] Steve Lopez was coming."

One bulletin provides some of the flavor: "LAPD is raiding NNCC in Reseda right now. We have confirmation from very reliable sources and we need everybody in the area to go over there and protest right now! Nature's Natural Collective Care (NNCC) 6951 Reseda Boulevard."

O'Sullivan and McNeely direct much of their animosity at City Council members who are pushing to approve cash sales of pot in L.A. O'Sullivan notes that San Pedro Councilwoman Janice Hahn and Westside Councilman Rosendahl both announced that "maybe we can tax this — a way for the city to have an income. They just allowed it to happen." Adds McNeely, "If this marijuana was meant to serve seriously ill patients, how terrible it would be to tax them."

O'Sullivan was more amazed by Westside Councilman Koretz, who is pushing for what might be the most lax rules in California for protecting schools from pot dispensaries — suggesting a buffer of just 300 to 500 feet from schools. Most cities insist on at least 1,000. O'Sullivan was incredulous on hearing Koretz, whose Westside Council District 5 is jammed with pot dispensaries near easy freeway routes, publicly state that without permissive land-use rules in L.A., "we will run into a situation like the child-predator thing — if they can't be near schools, there will be no place to live."

Los Angeles police are approaching the problem in strategically similar ways to neighborhood groups. The city has no plan, so the LAPD, whose bureau chiefs under Bratton had wide latitude to form crime-fighting strategies for their areas, has varying approaches. Among those, the

Valley has launched the most aggressive crackdowns.

The Valley saw intense pot dispensary activity earlier than many parts of the city — heavily fortified storefronts with security cages, panic buttons and inch-thick glass. With that proliferation police have seen a spike in robberies and shootings, yet not even angry Valley Councilman Greig Smith could stop Parthenia Collective Healing, a pot outlet, from opening down the street from his Greig Smith Youth Center. Now cops are tracking increases in illegal “grow” operations and related electricity theft and arrests of gang members working with the Mexican Mafia to provide pot to storefronts.

Under Valley Deputy Chief Michel Moore, the Devonshire Division was the first in Los Angeles to get the go-ahead to test an approach last January for going after illegal clinics. The first bust this year — there have been 15 in the Devonshire Division — was of a Simi Valley resident who left real estate after the market sank. Police discovered him raking in \$8,000 to \$10,000 a day selling weed from his Platinum Club dispensary in Chatsworth. Then, police found an illegal grow inside a Chatsworth car-painting business, and when cops searched the proprietor’s home they found a small fortune in gold ingots and gold and silver bullion.

Police say the profits taken by pot dispensaries are often stratospheric — a charge pot advocates deny. But in the West Valley early this year, where 51 weed dispensaries operate, when the LAPD busted five linked locations they found a treasure trove of receipts showing that the small shops had together taken in \$48,802 in a single day from 353 customers plunking down an average of \$138.

The dispensaries often charge customers double, or better, what they paid to organized crime groups, gangs and California growers for their pot, law enforcement officials say. It’s not unusual for pot clinics to charge \$25 per gram or \$540 per ounce, double what the growers charge them. D.A. Cooley, an intense critic of City Hall’s latest plan to regulate pot by continuing to allow outright sales, says, “L.A. city has screwed this thing up beyond anyone’s wildest imagination.”

Robert Holcomb, the Devonshire Division detective in charge of narcotics enforcement, says that with 100 plants capable of producing about 200 pounds in a hollowed-out suburban Valley home, and with a pound of ganja selling to dispensaries for about \$4,000 to \$5,000, a home-grow can bring in \$800,000. Still, illegal growers are working to push their costs down further, by stealing electricity. Holcomb says the “going rate” for a corrupt electrician to handle the dangerous work is \$5,000. Last week, the discovery of an audacious 850-plant crop in a warehouse just 25 feet from the LAPD’s Topanga station was aided not only by the smell — but by a huge power bill.

And now police are noticing something eerie in Valley homes transformed into grow operations to supply the dispensaries: posters of Al Pacino as Scarface, apparently the patron saint of suburban traffickers. Two gangs have now dubbed their Valley crops “Pacoima OG Kush” and “San Fer Kush.”

The cops worry that the stores are giving a new toehold to organized crime here, citing busts like the one near the Northridge Mall, where a home had been gutted by associates of the vicious 18th Street and Florencia 13 Latino gangs to grow 294 plants for the Mexican Mafia and supply it to medical pot clinics. LAPD doesn't know whether the Mexican cartels now growing acres of pot in the Angeles National Forest and Santa Mountain Recreation Area are moving closer to L.A. to supply the new, over-the-counter pot industry. Big recent jumps in crops found within easy driving distance of L.A. are troubling; 400,000 plants were destroyed in L.A. and Riverside counties during the past year, a fourfold increase over last year.

But residents aren't thinking about the Mexican Mafia or drug cartels. Dave Beauvais, president of the Granada Hills Neighborhood Council, watches kids heading to and from Granada Hills High School and right past the pot shops. "A lot of kids are hanging out there," he says. "It used to be they would hang out at Carl's Jr."

It was just three years ago that the City Council asked Los Angeles voters to water down local term limits, promising Angelenos that if the council members could serve four extra years, L.A. would be rewarded with seasoned leaders with the crucial "institutional memory" to tackle L.A.'s pressing quality-of-life and citywide policy issues.

It hasn't turned out that way. With many of them now serving their third extended terms in office, among all big cities in California, the Los Angeles City Council has proved least able to handle the arrival of medical marijuana.

They have stumbled, hidden and pointed fingers — and have kept L.A.'s highly impacted neighborhoods, business community and schools out of the loop. They and Villaraigosa have flown to other states and foreign countries to inspect airport security systems and rub elbows with other politicians, but not one flew to a California city to see how a well-run municipality handles the medicinal pot issue.

The *Weekly*, in undertaking basic legwork in November that Villaraigosa's city departments should have done, found that L.A.'s 400 nonpermitted pot stores are heavily concentrated in wealthier sectors, tourist zones and nightlife areas. They are not concentrated near hospitals, the old, the poor or the sick — crucial information that a normal city government gathers and uses to make its laws.

Last month, after City Attorney Trutanich delivered the fourth in a long line of stillborn draft ordinances to the City Council, pot advocates stood outside City Hall waving signs and yelling into a bullhorn. They were furious at Trutanich because, like his predecessor Delgadillo, he wants to ban all outright sales of medical weed, arguing that California voters were promised 10 years ago they were approving nonprofit collectives — not pot sales or profits.

Observing the middle-aged hippies, pot shop operators, and a few medical marijuana patients in wheelchairs Oliver Summers, a baldheaded man in a dark suit and tie, started to get angry. A collective operator since 2006, and a patient himself, Summers is fed up with City Hall. But he is also mad at the profiteers and the legalize-marijuana crowd who have hijacked a movement begun by the ill, and who now are starting to sour Angelenos who want to help cancer, AIDS and glaucoma patients.

“I’ve worked my ass off for safe access in Los Angeles,” Summers explained, “and I’m a little bitter because these other people have taken advantage. This isn’t about pot legalization.”

A few days later, Bruce Margolin, the lawyer and director of the National Organization for Reform of Marijuana Laws (NORML), which seeks to legalize pot, held a “letter-writing” party at his West Hollywood office to put pressure on the Los Angeles City Council, demanding that it allow over-the-counter sales.

“It’s a clusterfuck,” says Bolanos, the collective operator and marijuana patient who refused to give Villaraigosa a hug, and who suffers complications from a liver transplant. She, too, is peeved at pot profiteers and an ill-informed City Council that won’t stare them down. For her, Villaraigosa, Reyes, Garcetti and the others are culprits allowing people to “make money off the suffering of other people.”

Last year, she repeatedly tried to alert council members that something was amiss with the proliferation of pot shops. “We were telling them we’re at 200, then we said 300, then we said 400, and it kept going,” Bolanos says. Nothing happened. “‘What are they thinking? What in the hell are they thinking?’ I was saying that every day.”

For Glynn, the Miracle Mile schoolteacher, the final analysis is simple: “They completely screwed the pooch.”

ADDENDUM: Early Tuesday, November 24, Mayor Villaraigosa was alerted to the *Weekly’s* findings, and, shortly after that, told the *Los Angeles Daily News* that he will refuse to sign any City Council plan that fails to ensure that pot dispensaries are following California law. Villaraigosa said, “I think the district attorney and what my attorneys tell me are the same thing. That the sale of marijuana is illegal.” He added, “Anything that comes to me [for signature] must be clear that these are legal operations.”

The mayor’s sudden entry into the hard-fought pot wars threw the Los Angeles City Council into turmoil on Tuesday, heightened by a strange turn when the power died in Council Chambers, plunging scores of people, who were waiting to speak on medical marijuana, into near-darkness. Longtime gadfly Zuma Dogg called Tuesday’s power outage “divine intervention” that potentially stopped the council from adopting a plan hastily cobbled together in the past few

days.

Dispensary operator Frank Sheftel said Villaraigosa's surprise statements Tuesday morning prove that he "licks his finger ... and sees which way the wind is blowing" — taking a stand only because of the *Weekly's* findings. Lydia Grant, an opponent of pot proliferation who is on the Sunland-Tujunja Neighborhood Council said: "The mayor has completely let down the kids by not speaking up on this" until now.