

latimes.com

L.A. steps up crackdown on pot shops

City sues three collectives and moves to evict 18 others from their stores, saying they have violated state laws. The actions stem from undercover police operations at the dispensaries.

By John Hoeffel

February 18, 2010

Los Angeles city prosecutors Thursday escalated their efforts to shut down medical marijuana dispensaries, suing three collectives and moving to evict 18 others from their stores.

The actions, which stem from undercover police operations at the dispensaries, follow City Atty. Carmen Trutanich's pledge to take aggressive steps to reverse the rapid spread of pot shops. Hundreds have opened while the City Council debated an ordinance to regulate them. The council passed the law last month, but it has not taken effect.

The lawsuits against Organica, which straddles Culver City and Los Angeles, and two Holistic Caregivers outlets in South Los Angeles allege that they have repeatedly violated state laws and seek injunctions to force them to stop selling marijuana.

And, opening a new front, the city attorney's office sent letters to 18 landlords saying that dispensaries on their property are breaking the law and should be evicted.

"Law enforcement targeted them and then brought the evidence to us," said Assistant City Atty. Asha Greenberg, who has spearheaded the legal action against dispensaries.

On Thursday, police and federal agents raided Organica. The dispensary's operator, Jeff Joseph, was arrested, but no charges have been filed.

The three lawsuits are similar to one the city attorney's office filed against an Eagle Rock dispensary called Hemp Factory V. Last month, a Superior Court judge sided with Trutanich and agreed that state law does not allow collectives to sell marijuana, a decision believed to be the first in the state to question a practice that is now widespread.

The judge ordered Hemp Factory to stop selling marijuana. Greenberg declined to say whether it has complied. "We'll deal with them as soon as I get a little time," she said.

Organica and Holistic Caregivers have been targets of law enforcement for several years.

The Holistic Caregivers stores, on Crenshaw Boulevard and South Vermont Avenue, are among

a number owned by Virgil Grant. One in Compton was identified as the dispensary that sold marijuana to a driver allegedly under the influence in 2007 when his truck hit a vehicle that a California Highway Patrol officer had pulled over. The accident killed the stopped vehicle's driver and paralyzed the officer.

Federal, state and local officials conducted undercover buys and raids at Grant's stores. Grant pleaded guilty last year to possession with the intent to distribute a controlled substance.

The Drug Enforcement Administration launched an investigation of Organica, which is on Washington Boulevard, in March 2008 and raided the dispensary four months later. The store was raided again in August.

In October, when he threatened to prosecute dispensaries for selling marijuana, Los Angeles County Dist. Atty. Steve Cooley singled out Organica.

Joseph closed his dispensary after the second raid, saying that he wanted to wait for the city's ordinance so he would know how to operate legally. He reopened in December, he said, to try to comply with that ordinance.

Under that law, dispensaries registered with the city in 2007 and still in business will be allowed to stay open. Organica was one of the 186 registered stores.

In a call from jail, Joseph sounded despondent. "This is stupid. This should not be happening," he said. "I have no idea what to do. I really was in a situation where I had to stay in compliance."

In addition to the lawsuits, the city attorney's office also notified 18 landlords and dispensary owners that state law allows it to evict the stores, if the landlords do not do so. "It allows us to step into the landlord's shoes," Greenberg said.

She declined to identify the locations or release a copy of the letter, but said all the stores were the target of police operations. "These are all cases investigated by LAPD based on community complaints," she said.

The letters give the property owners 30 days to tell the city attorney's office what action they have taken.