**Feds target medical-marijuana dispensaries in California**

**By Donna Leinwand Leger, USA TODAY**

10/10/2011

Federal prosecutors are cracking down on hundreds of California medical-marijuana dispensaries that they say are fronts for drug dealing.

[](http://i.usatoday.net/news/_photos/2011/10/07/Feds-target-California-pot-shops-MCF3VR2-x-large.jpg)EnlargeClose

By Rich Pedroncelli, AP

U.S. Attorney Andre Birotte Jr. holds up an enlarged copy of a marijuana magazine cover that cites California as the most profitable state for marijuana sales in Sacramento, Calif., Oct. 7.

The aggressive and wide-ranging action targets commercial operations that are growing and supplying large quantities of marijuana, and dispensaries and stores located near schools and parks, prosecutors said.

"The California marijuana industry is not about providing medicine to the sick," said Laura Duffy, the U.S. attorney in [San Diego](http://content.usatoday.com/topics/topic/Places,+Geography/Towns,+Cities,+Counties/San+Diego). "It's a pervasive for-profit industry that violates federal law."

Marijuana is legal for medical use in California, 15 other states and Washington, D.C., but is subject to strict regulation. The state laws conflict with federal law, which does not recognize any legal use for marijuana. It is unclear whether similar crackdowns will follow in other states.

"While we wouldn't speculate on what action we might or might not take with respect to any particular matter, the department has made clear that large-scale industrial marijuana cultivation centers are subject to potential federal enforcement action," [Justice Department](http://content.usatoday.com/topics/topic/Organizations/Government+Bodies/United+States+Department+of+Justice) spokeswoman [Jessica Smith](http://content.usatoday.com/topics/topic/Jessica+Smith) said.

In June, a Justice Department memo to U.S. attorneys said dispensaries and licensed growers could be prosecuted for violating federal drug and money-laundering laws. A previous policy memo had indicated that the Justice Department considered such prosecutions a low priority in states with medical marijuana laws.

"The Obama administration, in what seems to be a concerted effort across the state, is betraying the promise it originally made to leave patients and their caregivers alone," said Stephen Gutwillig, California director of the [Drug Policy Alliance](http://content.usatoday.com/topics/topic/Drug+Policy+Alliance). "We think this is an outrageous expression of bad faith, bad policy and bad politics."

Thom Mrozek, spokesman for the U.S. attorney in [Los Angeles](http://content.usatoday.com/topics/topic/Places,+Geography/Towns,+Cities,+Counties/Los+Angeles), said the crackdown is aimed at stores that "are selling marijuana at a profit, which is also in violation of California law."

U.S. Attorney Andre Birotte Jr. in Los Angeles lodged criminal drug-trafficking charges against a [North Hollywood](http://content.usatoday.com/topics/topic/North+Hollywood) marijuana store that allegedly made $15 million in profits in eight months. In an indictment unsealed this week, prosecutors say six people who operated the store distributed 600 to 700 pounds of marijuana a month and shipped it illegally to two other states. Federal prosecutors in Los Angeles also filed three civil lawsuits involving two buildings and a strip mall. The lawsuit against an [Orange County](http://content.usatoday.com/topics/topic/Orange+County) strip mall alleges that eight of the 11 suites on the second floor sold marijuana. Prosecutors warned owners and landlords of 38 other stores that they had two weeks to stop marijuana sales or face prosecution.

"For-profit, commercial marijuana operations are illegal not only under federal law, but also under California law," Birotte said.

In San Diego, U.S. Attorney Duffy said her office sent hundreds of letters to marijuana stores warning them to stop selling marijuana within 45 days or face prosecution. She said the four U.S. attorneys in California coordinated a federal enforcement action in response to requests for help from local police. Prosecutors also charged six people with selling marijuana to minors, money laundering and other charges related to their operation of two stores near colleges that sold high-grade marijuana and marijuana-laden candy, cookies, bubble gum, ice cream and barbecue sauce. Prosecutors say the stores catered to college and high school students.

Increased federal intervention is likely to unify marijuana growers and sellers in a drive to change federal policy, National Cannabis Industry Association spokeswoman Melissa Milam said.

"We're not going anywhere. We're mothers, we're patients, we're family members of patients," she said. "We want to pay taxes, we want to be able to make deposits at our bank, we want to be a business."

State Sen. [Mark Leno](http://content.usatoday.com/topics/topic/Mark+Leno), a Democrat who has worked to safeguard and regulate medical marijuana in California, said, "I don't understand the politics of it, and certainly if we haven't learned anything over the past century, it's that prohibition does not work."

Some cities have already sought to shut down dispensaries that they say are violating zoning ordinances and breaking state law. The city of San Diego says its zoning laws forbid medical marijuana dispensaries, yet more than 160 operate there. Last month, the city attorney sued to close 12 dispensaries operating within 600 feet of schools.

"We have an untenable situation right now and a lot of policy conflicts," City Attorney Jan Goldsmith said. "This situation cries out for ultimate policy direction from the state and federal levels that local communities can rely upon."

<http://www.usatoday.com/news/nation/story/2011-10-07/marijuana-medical-california/50691598/1>