

# El Cerrito Police Department

## Memorandum

January 11, 2007

**To:** Scott C. Kirkland Chief of Police  
**From:** Commander M. Regan  
**Subject:** Recent Information Regarding Marijuana and Dispensaries

As we have discussed, I have continued to follow current events as they relate to Marijuana and Dispensary related issues. I have assembled some of the information I have collected into four categories, immerging trends, secondary effects, ordinance related stories and medical issues. A majority of the entries are excerpts from news articles obtained from the internet.

### **Immerging Trends:**

Reports from Californian, National and Canadian sources suggest that there will be a significant increase in "in-door grows" as a means of producing marijuana. These type of grows are becoming popular in that they are more difficult to detect than out door grows and the controlled environment allows up to four growing "seasons" per year dramatically increasing the output per square foot utilized and therefore increasing the profit potential. As demonstrated in these articles and our own experience, these grows can take place anywhere and the growers will no doubt take steps to protect their investment by arming themselves and possibly using booby traps. There is intelligence to suggest that the larger in-door grows are connected to organized crime factions. As these operations are set up in communities, these communities can expect the associated crimes that accompany this type of endeavor; murder, robbery, arson, extortion etc. Another factor we know from experience is the money made from the sales of illicit drugs are often used for other criminal enterprises.

### **Grow-op bust a snapshot of market**

*High-rise seizure of \$6-million in pot reflects Canada's major-source status, police officials say* **TIMOTHY APPLEBY AND NICOLE O'REILLY**

In all, 18 soil-filled apartments in the same Jane Street high-rise were found to have been transformed into indoor gardens, bursting with an estimated \$6-million worth of plants. Current police intelligence suggests there are up to 10,000 marijuana grow-ops in the Greater Toronto Area...As for that \$6-million figure -- based on expectations of a \$1,000 yield for each of the 6,000-plus plants seized, "that's not out of line at all," Supt. Allen said. And if shipped across the U.S. border -- as are hundreds of tonnes of Canadian marijuana each year, most commonly concealed in trucks -- the profit could be two or three times as much. That price differential -- a half kilogram of high-grade marijuana worth upward of \$1,600 in Canada is worth at least \$3,000 (U.S.)....

Also unsurprising, in light of arrest patterns on both sides of the border, is that two of the three men charged in Thursday's raids are of Vietnamese origin. The other man is listed as the building's superintendent.....it has long been recognized by police that a sizable chunk of Canada's lucrative marijuana industry, whether hydroponic or soil-based, as with this particular crop, is run by criminal entrepreneurs of Vietnamese origin. There is no monopoly within the pot industry. The Hells Angels, who are almost entirely white, have been profiting from it for years, particularly in British Columbia, where the business first took root. A U.S. Department of Justice report on the cross-border narcotics industry released this month nonetheless concluded that "high-potency marijuana production, smuggling and distribution by Canada-based DTOs [drug-trafficking organizations] primarily of Vietnamese ethnicity, is increasing." As well, Canada-based Asian crime syndicates are now the predominant distributors of the drug ecstasy (MDMA), the report states.....As with many of the roughly 250 grow-ops shut down in Toronto last year, the police who raided the Jane Street high-rise said yesterday they suspect the haul was destined for export..... Videotape of two of the raided apartments, shown to reporters, provided a glimpse of how things worked. In one apartment the kitchen contained the young plants, while the two bedrooms were for the next two stages of growth. In the apartment next door, the marijuana was dried, with holes drilled through walls to run the watering system and provide ventilation. Strategically placed pictures and furniture served as props, in the event that somebody glanced through an open door, Detective Dave Malcolm said, noting that the threat of fires, mould and discarded fertilizer posed a real threat to the building's 700 residents. "The people that are doing this, they really don't care," he said. Indeed, a marijuana grow-op caused a fire in April, though it was unclear whether it was connected to this multi-pronged operation, which police suspect was running for about a year..... Owner Harry Birman.....reckoned the episode will likely cost him about \$25,000 in repairs and lost rent.

Source:

[Http://www.theglobeandmail.com/servlet/story/LAC.20061125.GROW25/TPStory/TPNational/Ontario/](http://www.theglobeandmail.com/servlet/story/LAC.20061125.GROW25/TPStory/TPNational/Ontario/)

### **Brentwood police discover multi-house marijuana farm**

BRENTWOOD - Two men were arrested Friday after Brentwood police found a "sophisticated" marijuana-growing operation spread across three homes....are suspected of growing up to \$500,000 worth of marijuana in specially renovated houses they rented....Police were called to the house on Pebble Beach Drive midday Friday after the homeowner became suspicious when he arrived to appraise the building. The house had been cleaned out by the time police arrived, Silva said, but investigators found soil, growing lights and a handful of marijuana leaves on the property.

Authorities served search warrants on the other two houses and found bagged marijuana and about 120 2-foot-tall plants. The growers had installed loud fans and insulated the doors to contain the smell, Silva said.

Source:

[Http://www.mercurynews.com/mld/mercurynews/news/breaking\\_news/16304454.htm](http://www.mercurynews.com/mld/mercurynews/news/breaking_news/16304454.htm)

### **Oakland cops raid three houses in pot bust**

Police say more than \$1 million of marijuana seized and two arrested in family-run operation By Harry Harris, STAFF WRITER Article Last Updated: 12/16/2006  
OAKLAND — At least \$1 million worth of marijuana, including almost 1,300 thriving plants, was found at three houses used in a family-run cultivation and distribution operation, police said Friday.....Gang Unit Officer Doug Keely said police received information that Hin Hoang was a major marijuana dealer throughout Oakland who always carried a gun and grew the marijuana at three houses.... Each house had sophisticated growing operations, including timers, lighting, heaters, plant food, irrigation and ventilation systems, Keely said. Keely confirmed Hin Hoang was wanted by San Francisco authorities on a no-bail warrant for failing to appear in court on concealed weapon and marijuana charges. He also is on probation for a gun conviction, police said. He was spotted about noon Thursday driving away from the Coolidge Avenue house in a Lexus and was stopped by Gang Unit Officer Gino Guerrero. Keely said Hoang had about \$1,000 worth of crystal methamphetamine on him, and a sawed-off shotgun was found in the car. After the car stop, Gang Unit officers joined by Targeted Enforcement Task Force officers raided the three houses. A total of 1,298 plants, ranging from less than a foot high to several feet tall were found at the three houses, as well as more than 20 pounds of dried marijuana ready for sale. Keely said the Coolidge and Dolores houses, which Hin Hoang rented under other names, were used strictly to grow marijuana, and the family had built an addition to the Foothill house for the weed..... Besides the marijuana at the Foothill house, police also found \$40,000 in cash, transaction records that included nicknames of clients, and an assault rifle and bulletproof vest in Hin Hoang's bedroom. Hin's mother and father were at the Foothill house and admitted involvement in the operation, Keely said. The mother said the family "needed the money" the marijuana generated. Police confiscated the father's 2006 Mercedes E320. Besides his parents' involvement, Keely said Hin Hoang employed others to tend to the crops, paying them at least \$100 a day.

Source: [http://www.insidebayarea.com/localnews/ci\\_4852099](http://www.insidebayarea.com/localnews/ci_4852099)

### **Trio faces amplified drug charges manufacturing charges filed for trio in pot case**

SAN RAMON: Trial fuels debate between medical marijuana advocates and law enforcement officials By Bruce Gerstman CONTRA COSTA TIMES

A fire and explosion in a suburban San Ramon garage in February exposed a lesser-known form of marijuana and ignited a debate about its safety. Prosecutors say three men were mixing butane with crushed marijuana leaves to extract what is known as honey oil, a concentrated form of cannabis, which was going to be used in a medical marijuana dispensary. In what county prosecutors call a first for a marijuana case, the District Attorney's Office has filed charges against the three men for manufacturing a controlled substance -- a charge usually associated with methamphetamine and rock cocaine. A conviction on the charge carries a penalty more than double that of cultivation charges. "If you're going to say this is medicine, then the public has a right to know how it's made," said deputy district attorney Dana Filkowski. The District Attorney's decision brings out a dispute between law enforcement officials who say the manufacturing process might harm sick people and medical marijuana advocates who say butane use poses no health risk and patients know about the process.....

They are charged with manufacturing a controlled substance, cultivating marijuana, possessing marijuana for sale, conspiracy and poisoning. The trio appeared last week in Contra Costa Superior Court in Walnut Creek where a judge reduced their bail from \$1.2 million to \$620,000 each. They have pleaded not guilty. Their attorneys did not return calls to the Times. Filkowski said they were making oil for Ken Estes, owner of a Richmond medical marijuana dispensary, who was arrested last month when police pulled his truck over on a routine traffic stop and found 27 pounds of marijuana inside. Honey oil is produced by extracting THC from marijuana leaves. Butane is added to crushed marijuana to separate the chemical from the leaves. Users consume the oil in food or smear it on cigarettes or marijuana joints.....Filkowski said the men were working with dozens of canisters of butane, which could have been ignited by even a small spark. She said the idea behind the manufacturing charge, which carries a sentence of up to seven years in state prison, is that the men used the butane to transform one material into another with different properties. "It turns the marijuana into another substance," she said... A half-dozen doctors who prescribe medicinal cannabis contacted by the Times said they were aware of the oil, but did not know how safe it is. Sausalito-based physician and psychiatrist Eugene Schoenfeld said butane might pose a threat of explosion to the makers, but not to the patient. "I don't think there would be enough butane in the hash oil to affect people," he said. "I don't think the butane is much of a danger to the consumer." Dydek said people who consume the oil are not at risk. "(The butane) would tend to dissipate. It doesn't tend to hang around very long," Dydek said. "The toxicity of butane is not very great. "I think there would be more problems with people manufacturing it," he said.

Source: CONTRA COSTA TIMES

### **High-tech 'pot factories' popping up in suburban homes in California**

By DON THOMPSON Associated Press Writer

ELK GROVE, California- Leon Nunn stepped out his front door one recent afternoon only to be waved back by a squadron of drug agents using a battering ram on a neighbor's home. The \$500,000 home in the quiet subdivision was stuffed with high-grade marijuana, plants covering nearly every square foot. The bust is one example of a phenomenon that has come to light recently in subdivisions around Sacramento, the capital of California. Marijuana growers with suspected ties to Asian organized crime have been buying suburban homes many in newer developments because of the anonymity the drug dealers believe the neighborhoods afford.

They close the blinds and get to work gutting the inside, converting otherwise nondescript tract homes into the latest battleground in the state's campaign against marijuana cartels.....The Nunns installed security lights and cameras and said some of their neighbors are talking of moving away..... More than three dozen homes have been found to be hiding marijuana groves in just the past seven weeks, most in Sacramento, Elk Grove and Stockton. Like the others, the home on Elk Grove's Mainline Drive had been converted to what law enforcement officials call a hothouse, with 1,000-watt lights for growing and irrigation networks feeding high-tech hydroponic growing systems. Walls and ceilings were smashed to allow for complex ventilation and air filtration systems that vented the telltale odor through the attic.

A web of extension cords and makeshift electric panels illegally tapped into the outside grid to avoid detection and save thousands of dollars in power bills. Hundreds of thousands of dollars were spent to convert each of the homes to grow millions of dollars worth of marijuana. Most of the targeted homes were purchased for between \$400,000 and \$600,000.... "They're going into these cookie-cutter communities and making cookie-cutter marijuana factories," said Gordon Taylor, who heads the U.S. Drug Enforcement Administration region that runs from Bakersfield to the Oregon border. "All of a sudden, (the neighbors) have an organized crime marijuana factory right next to them. It's alarming." Some neighbors said they were too frightened to be quoted..... For all the sophistication of the operations, many neighbors said they were suspicious because the owners neglected to mow or water their lawns. "We suspected it, when you spend \$500,000 on a home and let it go to pot, so to speak," said Marilyn Smith, who lives across from another Elk Grove home that was converted to a marijuana factory.....The phenomenon began in British Columbia, Canada, where Vietnamese organized crime outfits gutted houses to grow potent "B.C. Bud" that can sell for \$5,000 or more a pound (450 grams) in the United States, said Corporal Pierre Lemaitre of the Royal Canadian Mounted Police. Growers headed south to avoid increased border protections after the 2001 terrorist attacks. "It's definitely a concerted effort by Asian organized crime groups in Canada to move part of their operation down to the United States," said Rodney Benson, the DEA's special agent in charge of Washington, Oregon, Alaska and Idaho. The Central Valley homes are linked to San Francisco's Chinatown and have "all the markings of Asian organized crime," said the DEA's Taylor. Five San Francisco residents were charged with federal marijuana crimes last month in connection with some of the busts in Elk Grove. Police in Elk Grove and Stockton have arrested several other people in recent days. The Internal Revenue Service also is tracing the homes' owners. Until now, West Coast law enforcement agencies have been more concerned about large-scale outdoor marijuana gardens, which often are planted on public forests or park land by violent Mexican drug cartels.....The Drug Enforcement Agency reported a 50 percent increase in indoor farms last year, Taylor said. Those operations have several advantages: They can't be spotted by an airplane or hunter, and the plants also can be grown year-round.

Source: <http://www.policeone.com/drug-interdiction-narcotics/articles/1179674/>

### **Los Angeles Home Turns into Burning Joint**

Updated: January 2nd, 2007 01:05 PM PDT

RON MYERS

Los Angeles Fire Department

On Monday, January 1, 2007 at 2:42 AM, sixteen Companies of Los Angeles Firefighters, four LAFD Rescue Ambulances, two Arson Units, one Urban Search and Rescue Unit, one Rehab Unit, one Hazardous Materials Team, two EMS Battalion Captains, three Battalion Chief Officer Command Teams, one Division Chief Officer Command Team, all under the direction of Battalion Chief Robert Rose responded to a Greater Alarm Structure Fire.....It took 110 Firefighters one-half hour to gain control of the fire and ensure that no residents were trapped within the house....During firefighting operations it was noted that the only furniture contained within the home was a table, couch, and two beds.

The entire home was filled with Marijuana plants, in various stages of growth and production....Firefighters remained on scene for over 12 hours assisting LAPD with the investigation and scene management..... The cause of the fire is listed as electrical and the loss is estimated at \$330,000.

Source: <http://www.officer.com/article/article.jsp?siteSection=1&id=34230>

### **Marijuana-filled home up in smoke**

EL SOBRANTE: Authorities find evidence of more than 1,000 plants, say about two-thirds were destroyed in blaze By Karl Fischer CONTRA COSTA TIMES  
Firefighters extinguishing a house fire in the El Sobrante hills over the weekend discovered a large cache of marijuana plants growing inside, state authorities said Monday. Agents from the West Contra Costa Narcotics Enforcement Team recovered about 380 plants from inside the house....."We believe that represents about one-third of the operation," Ladeck said. "The rest appeared to have been destroyed in the fire." ..... While putting out the two-alarm blaze, however, firefighters did discover an elaborate indoor marijuana farm. More than 700 plants burned, authorities said. The cause of the fire remains under investigation, Hopkins said, and estimates of the damage were not available. The neighborhood is in an expensive section of West County ....Authorities have made no arrests in the case but continue to investigate, Ladeck said. Reach Karl Fischer at 510-262-2728 or [kfischer@cctimes.com](mailto:kfischer@cctimes.com).

Source: <http://www.contracostatimes.com/mld/cctimes/news/16167334.htm>

### **SAN BRUNO**

#### **Police blow up pipe bomb found in home**

[Sabin Russell, Chronicle Staff Writer](#) Tuesday, January 2, 2007

San Mateo County explosive experts safely detonated a pipe bomb found at the San Bruno home of a suspect arrested in connection with the discovery of a large indoor marijuana-growing operation 3 miles away.....The pipe bomb was found under Seits' bed in a room where investigators also found a handgun and clips of ammunition, officials said. Neighbors were evacuated, and the San Mateo County Bomb Squad was called to the scene. They detonated the bomb at the home at about 6 a.m., according to official reports. Seits' arrest followed the discovery of an indoor pot farm by San Bruno firefighters who were called to extinguish a fire at a rented house on the 3100 block of Fleetwood Drive.....Narcotics investigators said they found 1,298 marijuana plants inside the house, as well as a small quantity of buds and some big guns: an AK-47 with 100-round magazines and a high-powered rifle with a sniper scope. "It was fortunate the way these weapons were discovered, in an empty home," Capovilla said. "To see that sort of firepower in such a quiet neighborhood, it could have made the day ugly for law enforcement." The street value of the marijuana was estimated at more than \$1 million. E-mail Sabin Russell at [srussell@sfchronicle.com](mailto:srussell@sfchronicle.com).

Source: <http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/01/02/BAGVRNBDJN1.DTL>

## **Indoor Marijuana Gardens**

According to a California D.O.J. Intelligence report dated November 2006 (Vol. 71) the number of indoor Marijuana gardens has increased 49% from 2004 to 2005 with Asian Organized Crime groups dominating the indoor marijuana gardens, while Mexican nationals dominate the outdoor gardens. Homes are being used for the sole purpose of cultivating marijuana. Indoor marijuana gardens are more profitable due to the climate controlled conditions which yield three to four harvests a year and are more easily concealed than outdoor grows. "It is suspected more criminal organizations will become involved with indoor marijuana gardens due to the minimal risks and huge profits."

## **Good year for bud busts most marijuana seized in S.B. County in past 15 years**

**By Melissa Pinion-Whitt, Staff Writer**

Article Launched: 12/26/2006 12:00:00 AM PST

The Sheriff's Department found and removed more than 97,000 plants, the most since 1991. The county also ranked fifth in the state for plants seized with the assistance of a state eradication group.....Law-enforcement officers assigned to marijuana farms say the county's high ranking this year is due to more and more growers discovering the San Bernardino National Forest is ideal for concealing their lucrative enterprises.....The Department of Justice said 2006 was a record-setting year for pot plant seizures, with 1.7 million plants removed mostly from public lands such as state and national parks and forests. That's an increase of about 540,000 plants over 2005. The plants were worth an estimated \$6.7 billion. The department's Campaign Against Marijuana Planting, or CAMP program, conducted 477 raids in 34 counties during the growing season, which typically starts in late July and ends as late as November, depending on the weather.

## **Marijuana seizures in 2006 under the Campaign Against Marijuana Planting**

Total plants seized: 1,675,681

Estimated value: \$6.7 billion

Raids: 477

Arrests: 27

Weapons seized: 29

- |                            |                          |
|----------------------------|--------------------------|
| 1. Lake - 314,603          | 6. Riverside - 84,752    |
| 2. Shasta - 227,488        | 7. Sonoma - 73,460       |
| 3. Mendocino - 135,736     | 8. Trinity - 68,544      |
| 4. Fresno - 102,814        | 9. Humboldt - 59,616     |
| 5. San Bernardino - 91,286 | 10. Santa Clara - 52,416 |

Source: [http://www.dailybulletin.com/news/cj\\_4901173](http://www.dailybulletin.com/news/cj_4901173)

## **Marijuana crop ruins Mt. Diablo's rare plants**

By Denis Cuff CONTRA COSTA TIMES

In their most recent trashing of California's environment, pot growers destroyed rare plants on Mount Diablo land that conservationists are buying to protect fragile wildlife and plants. The growers sneaked onto the 208-acre ranch land in the hills above Concord to hack an opening in a thicket of desert olive, the group Save Mount Diablo said.

The olive plant, a leftover from long ago when the Bay Area resembled a desert, is found only in two or three places in the county.....Investigators from the Sheriff's Office came out and verified that the site was not booby-trapped before conservationists started the cleanup, said Seth Adams, Save Mount Diablo programs manager..... With tighter border controls since the Sept. 11, 2001, terrorist attacks, drug dealers are finding it easier to grow pot in the United States rather than smuggle it in, state and federal authorities say....But they left a significant wound on a fragile mountain area that supports two other rare plants besides the desert olive, which grows an inedible olive..... "These plants are so rare we want to protect the few that are left," Adams said. "This is a biological hot spot because of the diversity of rare plants and animals." The crew removed traps meant to kill pests that might have damaged the crop. On Mount Diablo, however, the traps could have killed threatened Alameda whipsnakes that like to hide in thickets.....About 75 percent of the marijuana seized during the state's annual Campaign Against Marijuana Planting this year came from parks and public lands, according to Attorney General Bill Lockyer....Growers also left a path of environmental destruction in the Point Reyes National Seashore in Marin County, where 43,000 plants were seized in August and September in nine locations...."These massive plantings are threatening the very mission of our parks: to preserve our natural resources and environment and provide a safe place for visitors," said John Dell'Osso, the Point Reyes chief of interpretation. To irrigate their crops, growers tapped into local streams, leaving less for federally protected coho salmon and steelhead. Pesticide runoff from the pot farms may have poisoned creeks and soil. Park workers also worry that terraces carved into steep slopes are ripe for erosion during winter, possibly polluting creeks and smothering fish spawning areas. The pot farm caretakers were apparently armed, too, because they left behind gun shells.

Reach Denis Cuff at 925-943-8267 or [dcuff@cctimes.com](mailto:dcuff@cctimes.com).

### **Recent Law Enforcement Actions:**

These are incidents involving law enforcement

#### **DEA, IRS, Modesto Police Raid Medical Marijuana Business**

Written for the web by [C. Johnson](#), Internet News Producer

Written for the web by [Elizabeth Bishop](#), Senior Internet News Producer

Agents from the Drug Enforcement Administration, the Internal Revenue Service and the Modesto Police Department raided what they say is one of the biggest medical marijuana dispensaries in Northern California. This morning, officers went to the California Healthcare Collective...to serve seven search warrants.....Between the business and several residences named in the warrants, agents recovered 60 pounds of marijuana, 30 pounds of baked goods laced with marijuana, two pounds of hashish, three loaded guns, \$16,000 in cash, a 2007 Mercedes-Benz and a 2006 Dodge pick-up truck....In the investigation, a DEA spokesman said as many as 400 people a day were going into the Collective. Undercover agents were able to use fake identification and fake physician prescriptions to buy marijuana. They observed individuals coming into the shop, buying marijuana and then selling it in the shop's parking lot. The collective employed security guards making between \$120 and \$150 an hour. There was an ATM and a money-counting machine inside the business.

Quarterly financial statements on record with the city showed the Collective took in \$1.25 million in the first two quarters of 2006. The DEA said they've raided seven such operations calling themselves marijuana dispensaries and today's operation was by far the largest.

Source: <http://www.news10.net/storyfull2.aspx?storyid=20305>

## **SANTA CRUZ MAN FACING MARIJUANA DISTRIBUTION CHARGES**

12/13/06 4:40 PST SANTA CRUZ (BCN)

A Santa Cruz man is expected in court Friday to face charges connected with what the Santa Cruz County Sheriff's Office described as one of the biggest marijuana busts of the year, sheriff's Sgt. Steve Carney said today. Last Friday, Santa Cruz County sheriff's deputies seized 100 pounds of high-grade marijuana bud and \$35,000 cash.... That search resulted in the seizure of \$489,225 in cash from a locker that belonged to Hoey, Carney said. In addition to the cash at his residence and in the storage locker, police seized another \$330,000 from his bank account and the Sheriff's Office expects to seize even more money from another account, Carney said. The marijuana was packaged in different bags weighing different amounts suggesting the intent to distribute, Carney said. Deputies also confiscated a money counting machine, a scale and other items they believe are related to distribution of marijuana. *Hoey's defense attorney, Ben Rice, said today his client was distributing only to one of Santa Cruz's two medical marijuana dispensaries and only for medical marijuana patients.* "The only people he provided to were medical marijuana patients," Rice said. "It's a gray area in our law," Rice said. "The problem with current laws in California is there are no guidelines regarding how people are to get their medicine." "My client is the person who provides one of these dispensaries with the bulk of their medicine," Rice said. "It sounds like a lot of marijuana but it's really just a month's supply." Hoey has one previous conviction for cultivation in 1988, eight years before the medical marijuana measure Proposition 215 passed in 1996, Rice said.

## **2 Arrested In Fed Raid On Hayward Med Pot Co-op (BCN)**

[Bay City News Service, December 12, 2006](#)

(BCN) HAYWARD The owner and manager of a medical marijuana dispensary in Hayward were arrested by U.S. drug and tax agents Tuesday on federal marijuana charges.....in addition to arresting the pair, Drug Enforcement Administration and Internal Revenue Service agents seized hundreds of marijuana plants, marijuana cookies and brownies, two inert grenades, cash and several expensive cars.....DEA Special Agent Kenny Lee alleged in an affidavit filed with the complaint that the co-op purports to sell the drug to patients under California's medical marijuana law, but in fact sells it to healthy people. Lee wrote, "I believe that Hayward Local Patients Co-op seeks to disguise the breadth of its criminal activity by claiming that it caters exclusively to people suffering from medical illnesses, when in fact persons without any medical condition can purchase marijuana ... at the retail establishment." ....Even before Tuesday's arrests, the cooperative was under order by Hayward City Manager Jesus Armas to cease operations by Dec. 31.

Armas said that he told Squier on Nov. 3 that the cooperative must close by Dec. 31 because police found substantial amounts of marijuana there this fall in violation of a 2003 operating agreement with the city. Under the pact, the city agreed to suspend enforcement of certain zoning laws against the cooperative so long as the group had no more than 3 pounds at the site at one time. Armas said Hayward police found 30 pounds of marijuana at the cooperative in September and allegedly found more than 200 pounds during a second visit in October. Squier disputed the amount found in October, but agreed it was more than 30 pounds, Armas said.

## **Secondary Effects**

### **AUTHORITIES FIND MARIJUANA, ASSAULT RIFLE AT CASTRO VALLEY HOME**

*11/19/06 10:20 PST*

Police reported finding a pound of marijuana and an assault rifle at a Castro Valley home that was the scene of an attempted armed robbery Friday morning, according to Sgt. M Rores of the Alameda County Sheriff's Office. A woman was struck in the mouth by the butt of a gun wielded by one of three or four men who went into the home in the 4000 block of Seven Hills Road around 9 a.m. Friday. The group of men also hurt a man at the house by striking him on the head with the butt of the gun, according to Rores. The men left the house without taking anything, Rores reported. Police served a search warrant on the house later than day and found the marijuana and the assault rifle, according to Rores. None of the suspects in the attempted robbery have been taken into custody. The man and the woman at the house were treated for their injuries. Police are investigating the source of the marijuana and the assault rifle and have not made any arrests, Rores said.

Source:

[http://cbs5.com/localwire/localnews/bcn/2006/11/19/n/HeadlineNews/ARMED-ROBBERY/resources\\_bcn.html](http://cbs5.com/localwire/localnews/bcn/2006/11/19/n/HeadlineNews/ARMED-ROBBERY/resources_bcn.html)

### **SLO Home Invasion's Goal: Medical Marijuana**

#### **The three masked men were armed with a rifle and a baseball bat**

By: Stacy Daniel Thursday, November 30, 2006

A recent home invasion robbery in San Luis Obispo has investigators believing the victims were specifically targeted. They say the robbers were after a stash of medical marijuana they knew was inside the home.... One of the suspects was armed with a rifle, another with a baseball bat. The suspects forced one of the victims to open a safe, containing marijuana and a large amount of money. After taking what was in the safe, the suspects then took personal items from the victims.... Police believe the house was targeted because of what was inside: two pounds of medical marijuana. They believe the robbers knew what they were looking for and exactly where to go to get it..... Since the victim was licensed to have marijuana, police do not plan to charge him with a crime. If you have any information about this crime, call the San Luis Obispo Police Department.

Source: <http://www.ksby.com/home/headlines/4795576.html>

### **Slaying suspect cleared**

By Daniel Witter/Appeal-Democrat A Linda man accused of double homicide in a botched medical marijuana robbery attempt last year was freed Monday after a Yuba County jury cleared him of the charges....The two men were shot to death Sept. 27, 2005, in the backyard of Hance's Chestnut Road home in Olivehurst....Griffin and five others were accused of trying to steal medicinal marijuana from the Chestnut Road residence. The killings involve the largest number of suspects ever for a Yuba County murder trial, according to the Yuba County Sheriff's Department.

Source: [http://www.appeal-democrat.com/articles/2006/12/05/news/local\\_news/news4.txt](http://www.appeal-democrat.com/articles/2006/12/05/news/local_news/news4.txt)

### **CALIFORNIA: Victim tells of pot grab**

By Rob Young/Appeal-Democrat

It was one man with a sword trying to keep five men with guns from taking his medical marijuana, according to testimony Thursday in Sutter County Superior Court. The robbery victim, who is not being named, said the men pulled up at his Meridian house about 1 a.m. Sept. 25 and stripped the plants he was growing legally in his backyard while firing shots into the air....The robbery occurred even though his backyard "was lit up like daylight" with two halogen lights, the victim said. One of the men pointed a handgun and said, "Freeze, or I'll blow your (expletive) head off," the victim told prosecutor Susan Green....It was recovered by police but Sutter County Undersheriff J. Paul Parker said it would not be returned to him without a court order. Don Wahlberg Jr., one of three defense attorneys in the case, asked the victim if smoking marijuana had affected his memory of events. "I ain't answering that. I plead the Fifth," the victim responded.

Appeal-Democrat reporter Rob Young can be reached at 749-4710. You may e-mail him at [ryoung@appeal-democrat.com](mailto:ryoung@appeal-democrat.com).

Source: [http://www.appeal-democrat.com/articles/2006/12/22/news/local\\_news/news5.txt](http://www.appeal-democrat.com/articles/2006/12/22/news/local_news/news5.txt)

### **Ordinance Issues**

#### **Tracy orders marijuana club closed**

City attorney says retail sale of pot violates ordinances

By Mike Martinez, STAFF WRITER

Article Last Updated:12/01/2006 02:42:57 AM PST

TRACY — It wasn't exactly what Tracy City Manager Dan Hobbs had in mind for his "greening of Tracy" plan. The medical marijuana dispensary, which opened under the nose of city late last month on the outskirts of downtown Tracy, has been ordered to close. Although there is nothing in the city code specifically banning medical marijuana dispensaries, there's also nothing that allows them. The Valley Wellness Center Collective was ordered to "discontinue the non-listed use of distributing medical marijuana" in Tracy on or before Dec. 5. ".... City officials said the group misrepresented itself on its business license. The collective said its activity would be "retail sales conducted by a nonprofit corporation."....

Phil Urie, a deputy District Attorney with San Joaquin County, said the way the county interprets the law, the retail sale of marijuana, even those who have a doctor's recommendation, is not legal. He said other counties throughout the state that allow storefront sales are wrong, as dispensaries are outside the realm of the proposition. "The law simply does not allow the sale of marijuana," Urie said. "People are allowed to possess and cultivate it, but they can't buy it. It's a huge hole that's always been there in Prop. 215. There is no legal mechanism for obtaining marijuana."  
[mmartinez@trivalleyherald.com](mailto:mmartinez@trivalleyherald.com).

Source: [http://www.insidebayarea.com/dailyreview/localnews/ci\\_4753809](http://www.insidebayarea.com/dailyreview/localnews/ci_4753809)

### **Store selling marijuana, say police**

By LAITH AGHA Herald Staff Writer

Ghetto-Tech in Seaside has a license to be in the clothing business. But Seaside police say the urban apparel store's involvement in a different kind of business has its owner and an accomplice facing serious charges. .... Following leads that connected Ghetto-Tech with drug activity, Seaside detectives said they apprehended Fitzgerald after he exited the store. Police said they found more than two ounces of marijuana and \$1,500 cash on him. Officers searching the store said they discovered marijuana stowed inside shoes for sale. Police said they found four digital scales, baggies, cash and a loaded semi-automatic pistol. Source:

<http://www.montereyherald.com/mld/montereyherald/news/local/16202071.htm>

### **San Francisco Rejects Storefront Marijuana Shop**

Wednesday, December 27, 2006

[This Los Angeles Times article details the interesting story of Kevin Reed](#), a medical marijuana dispenser in San Francisco who had to close up shop despite the city's liberal reputation: Kevin Reed launched his medical marijuana business two years ago, armed with big dreams and an Excel spreadsheet. Happy customers at his Green Cross cannabis club were greeted by "bud tenders" and glass jars brimming with high-quality weed at red-tag prices. They hailed the slender, gentle Southerner as a ganja good Samaritan. Though Reed set out to run it like a Walgreens, his tiny storefront shop ended up buzzing with jazzy joie de vivre. Turnover was Starbucks-style: On a good day, \$30,000 in business would walk through the black, steel-gated front door. Today, the 32-year-old cannabis capitalist is looking for a job, his business undone by its own success and unexpected opposition in one of America's most proudly tolerant places. Critics in nearby Victorian homes called Reed a neighborhood nuisance. Although four of five San Francisco voters support medical marijuana, the realities of dispensing the contentious medicine have proved far more controversial. .... Today, about 200,000 Californians have a doctor's permission to use cannabis, which they can obtain through more than 250 dispensaries, delivery services and patient collectives — 120 of them in Los Angeles County alone. Medical marijuana, activists say, has become a \$1-billion business. There's been plenty of blowback. Local governments have been grappling with how to regulate storefront sales, still prohibited under federal law despite California's tolerance.

Though two dozen cities and seven counties — including Los Angeles, Riverside and Santa Barbara — have approved regulations allowing dispensaries, more than 90 others have passed moratoriums on new suppliers or banned them outright. .... His operation generated local controversy in San Francisco's Fair Oaks community -- located between the Mission District and the Noe Valley neighborhood -- *when it started becoming more like a cannabis club for the healthy and hip than a weed vendor to the afflicted.* FAIR Oaks locals, most of them believers in medical marijuana, at first were laid back about the little pot shop. But feelings hardened as customers flocked in. Reed says his big mistake was revving up business with a newsweekly ad offering a half-off special. Pot patients arrived from across the Bay Area, many bereft after a dispensary crackdown in Oakland's downtown "Oaksterdam." Residents compared the revolving door of 300 daily patrons to a beehive on a sunny afternoon. They grumbled about customers double-parking, blocking driveways, flipping off homeowners. .... Neighbors watched some youthful customers emerge and share their wares with friends, high-fiving all around. A few reportedly harassed some eighth-grade schoolgirls. One patient was robbed at gunpoint. Crime worries grew. "I saw people coming up on bikes and skateboards, with backpacks, healthy-looking young men," said Dr. Charles Moser, a physician who, like many in Fair Oaks, voted for Proposition 215. Neighborhood critics said they were all for cannabis compassion, but not this free-for-all. Proposition 215 encouraged government planning for safe and affordable distribution, but it didn't mention pot clubs. Source: <http://burkeanreflections.blogspot.com/2006/12/san-francisco-rejects-storefront.html>

### **CannaHelp owner to defy city cease-and-desist letter**

The Desert Sun December 19, 2006

CannaHelp, the medical marijuana in Palm Desert, is staying open in defiance of a cease-and-desist letter from the city. "I'm going to stay open by myself," said owner Stacy Hochanadel, after sending his other employees home. "I don't think it's right what they're doing." The city issued the letter, which Hochanadel received today, following a City Council vote in closed session last Thursday, said City Attorney David Erwin. .... Councilman Robert A. Spiegel said the reason for the closed session vote was an investigation "not by our police department but by another police department in California. "When they were investigated, they sold marijuana to an undercover police person who did not have correct credentials to buy marijuana," he said. .... Hochanadel signed an agreement with the city earlier this year that the dispensary would only sell medical marijuana to patients with a medical marijuana identification card issued by Riverside County. But, he said, that part of the agreement had been put on hold following discussions with then-Mayor Jim Ferguson, due to the financial impact on the business which would have had to turn away significant numbers of customers. .... CannaHelp has had a business license issued by the city since it opened in October 2005. The dispensary was closed briefly earlier this month when the Special Investigation Unit of the Riverside County Sheriff's Department served a search and seizure warrant on the business. But, said Capt. Steve Thetford, chief of the Palm Desert Police Department, "The Palm Desert (department) hasn't made any significant arrests out of CannaHelp" in recent months, the county investigation notwithstanding. ....

Source:

<http://www.thedesertsun.com/apps/pbcs.dll/article?AID=/20061219/UPDATE/61219027>

## **Medical Concerns**

### **Marijuana more addictive for youth**

Bruce Ward, CanWest News Service; Ottawa Citizen Published: November 24, 2006  
OTTAWA - Young people can easily become dependent on marijuana because their brain is still developing, says an expert on youth substance abuse. "Kids can get addicted really quickly, like six months," said Kathy Szirtes, who spoke Thursday at a public forum in Ottawa on problematic marijuana use among youth. "An adult may take two years, but kids can take six months because their bodies are still soft and growing. The teen brain really isn't done growing." For young people who use marijuana to deal with anxiety or to get to sleep, the drug "can literally become hard-wired into them in terms of a dependency," she added. "You see this in adults who say, 'Oh I need a few drinks before I'm going to dance.' The same thing happens with kids who use weed and say, 'I can't relax in a movie for that long unless I'm stoned. A lot of it is psychological,'" said Szirtes. It is a myth that marijuana use is not harmful, said Szirtes, a specialist in youth mental health and substance abuse who works in Victoria, B.C. "We're seeing massive numbers of kids who can't use weed safely. And so you get these frustrated parents who might be saying, 'Why can't you just use on the weekend. Come on, we used to.'" Marijuana can be "very addictive both psychologically and physiologically," she said, adding that "it has a little bit gentler withdrawal effects than other drugs." The debate on decriminalization and legalization of marijuana has been misinterpreted by many young people who believe the drug is not harmful, added Szirtes. "I do know a lot of kids have taken that message and just only read the piece that says it's probably not harmful. It's not harmful to everyone, but in fact it's harmful to a lot of people," she said, noting when young people get into marijuana dependency cycles, it causes behavior changes. "You start wrecking relationships with family, with teachers, your memory goes, you can't sleep properly unless you have a toke before bed and on it goes. We're certainly seeing a rise in problems in the high schools." Because marijuana interferes with sleep, "kids are at school and they're exhausted," added Szirtes. Marijuana cravings for young people often look like Attention-deficit hyperactivity disorder symptoms. Other signs include changes in friends, sleep disturbances, and mood swings. "I think the average parent should be as concerned about marijuana as they would be about any other hard drug," said Szirtes. "While marijuana is not necessarily immediately detrimental to the system, because of its long-term effects it is overall just as harmful as any other hard drug." A new Centre for Addiction and Mental Health drug use survey shows that about one in four Ontario high school students have used marijuana at least once in the past year, and that one in 12 report symptoms of dependence. After alcohol, marijuana has become the drug of choice in Ontario high schools.

Ottawa Citizen © CanWest News Service 2006

Source: <http://www.canada.com/topics/bodyandhealth/story.html?id=748cad2e-2e93-4b70-be0b-cb99bd9e6626&k=98371>

### **Marijuana wreaks havoc on brain's memory cells**

11:38 20 November 2006 NewScientist.com news service Roxanne Khamsi

Smoking marijuana often causes temporary problems with memory and learning. Now researchers think they know why. The active ingredient in the drug, tetrahydrocannabinoid (THC), disrupts the way nerves fire in the brain's memory centre, a new study shows. David Robbe at Rutgers University in New Jersey, US, and colleagues gave rats an injected dose of THC, proportional to the amount inhaled by a person smoking an average-sized marijuana joint. The team monitored the drug's effect using wire probes placed in a memory centre in the animals' brains – the hippocampus. The probes monitored the nerve impulses as they fired. Normally, cells in hippocampus fire in sync, creating a current with a total voltage of around 1 millivolt. But THC reduced the synchrony of the firing. The drug did not change the total number of firings produced, just their tendency to occur at the same time – and this reduced the combined output voltage of the nerve signals by about 50%. Abnormal firing occurs because THC binds to a receptor on the surface of the nerve cell, and so indirectly blocks the flow of current, Robbe believes. Encore! Nerves need to signal in sync to send a powerful message within the brain, Robbe notes. He likens the process to an audience clapping together – rather than randomly – to make their desire for an encore performance known. Rats that had more synchronous nerve signaling in their brains performed better on a memory test, the team found. In this test, the animals had to choose whether to turn right or left in a T-shaped maze. In order to receive a treat, they had to turn in the direction opposite to the one they chose in their previous run. Normal rats accurately alternate their routes about 90% of the time. But rats given THC, which caused asynchronous nerve firing, chose a random direction on each run, and so chose the correct route 50% of the time. The disruptive effect of THC wore off within a few hours. Robbe says he hopes to find out whether chronic exposure to the drug causes lasting effects on the hippocampus in rats. Scientists studying people have found that long-term marijuana users gradually become worse at learning and remembering things (see [Pot-smoking your way to memory loss](#)). Previous experiments have shown that THC can disrupt the signaling of nerve cells in a Petri dish. But Robbe says this is the first detailed account of what happens to memory cells in a live animal. He adds that the new findings help explain why people high on marijuana sometime lose their train of thought in mid-sentence, forgetting what they were saying.

Journal reference: Nature Neuroscience (DOI: 10.1038/nn1801)

Source: <http://www.newscientist.com/channel/health/dn10607-marijuana-wreaks-havoc-on-brains-memory-cells.html>

### **Marijuana may cause pregnancies to fail**

22:00 01 August 2006 NewScientist.com news service Michael Day

Smoking marijuana at the time of conception could cause pregnancies to fail, new research in mice suggests. The same problem may occur as a result of taking the slimming drug, rimonabant. The warnings come from embryologists who have discovered key factors that govern an embryo's chances of successful implantation. A

after fertilization in humans and mice, the egg faces a perilous path from the place of conception in the fallopian tube down into the womb. The team from Vanderbilt University Medical Centre, Tennessee, US, has shown that precisely the right levels of a chemical called anandamide are required for this passage to be completed safely. Increasing or decreasing the amount of anandamide drastically harms mouse embryos' chances of normal implantation and survival. Their research reveals that anandamide levels in the fallopian tubes are governed by two enzymes: one called NAPE-PLD increases levels of anandamide, while NAAH reduces them. Cannabinoid receptor

Significantly, the team also found that exposing the mice to certain drugs disrupted this delicate balance, thereby impeding an embryo's ability to pass into the womb. One such substance is tetrahydrocannabinol (THC), the major psychoactive component of marijuana. Like anandamide, it binds to the cannabinoid receptor CB1, thereby displacing anandamide and boosting levels of the chemical present in the oviduct. The discovery poses worrying questions about the ability of marijuana, the most widely used illegal drug among women of reproductive age, to harm pregnancy, says the lead researcher, Sudhansu Dey. "This is worrying because embryo retention is a significant cause of ectopic pregnancy in women," he says. He also notes that the incidence of such abnormal and dangerous pregnancies has risen sharply in the past decade. Another expert in reproductive biology, Herbert Schuel at the State University of New York in Buffalo, US, points out that some new medicines also interacted with CB1 receptors and therefore had the potential to disrupt anandamide levels and embryo development. One such drug, the slimming pill rimonabant – sold as Acomplia – is already licensed in the UK. "Given the results of the study, we need to be very sure that rimonabant doesn't have unwanted effects on women of reproductive age," Schuel says. CB1 receptors are not just present in the brain but all over the body, including the reproductive system, he adds, "so we shouldn't be surprised if it has unwanted effects". A spokeswoman for rimonabant's manufacturer, Sanofi-Aventis, said the company did not recommend the use of rimonabant during pregnancy and advised patients who are planning to become pregnant to seek immediate medical advice.

Journal reference: Journal of Clinical Investigation (vol 116, p 2087)

Source: <http://www.newscientist.com/channel/health/dn9653-marijuana-may-cause-pregnancies-to-fail.html>

### **Why teenagers should steer clear of cannabis**

16:21 05 July 2006 NewScientist.com news service Gaia Vince

Adolescents' use of marijuana may increase the risk of heroin addiction later in life, a new study suggests. Researchers say the work adds to "overwhelming" evidence that people under 21 should not use marijuana because of the risk of damaging the developing brain. The idea that smoking cannabis increases the user's chance of going on to take harder drugs such as heroin is highly contentious. Some dub cannabis a "gateway" drug, arguing that peer pressure and exposure to drug dealers will tempt users to escalate their drug use. Others insist that smoking cannabis is unrelated to further drug use. Now research in rats suggests that using marijuana reduces future sensitivity to opioids, which makes people more vulnerable to heroin addiction later in life. It does so by altering the brain chemistry of marijuana users, say the researchers.

“Adolescents in particular should never take cannabis – it’s far too risky because the brain areas essential for behavior and cognitive functioning are still developing and are very sensitive to drug exposure,” says Jasmin Hurd, who led the study at the Karolinska Institute in Sweden. But Hurd acknowledges that most people who use cannabis begin in their teens. A recent survey reported that as many as 20% of 16-year-olds in the US and Europe had illegally used cannabis in the previous month. "Teenage" rats. In order to explore how the adolescent use of cannabis affects later drug use, Hurd and colleagues set up an experiment in rats aimed to mirror human use as closely as possible. In the first part of the trial, six “teenage” rats were given a small dose of THC – the active chemical in cannabis – every three days between the ages of 28 and 49 days, which is the equivalent of human ages 12 to 18. The amount of THC given was roughly equivalent to a human smoking one joint every three days, Hurd explains. A control group of six rats did not receive THC. One week after the first part was completed, catheters were inserted in all 12 of the adult rats and they were able to self-administer heroin by pushing a lever. “At first, all the rats behaved the same and began to self-administer heroin frequently,” says Hurd. “But after a while, they stabilized their daily intake at a certain level. We saw that the ones that had been on THC as teenagers stabilized their intake at a much higher level than the others – they appeared to be less sensitive to the effects of heroin. And this continued throughout their lives.” Hurd says reduced sensitivity to the heroin means the rats take larger doses, which has been shown to increase the risk of addiction. The researchers then examined specific brain cells in the rats, including the opioid and cannabinoid receptors. They found that the rats that had been given THC during adolescence had a significantly altered opioid system in the area associated with reward and positive emotions. This is also the area linked to addiction. “These are very specific changes and they are long-lasting, so the brain may ‘remember’ past cannabis experimentation and be vulnerable to harder drugs later in life,” Hurd says. Neurologist Jim van Os, a cannabis expert at the University of Maastricht in the Netherlands told New Scientist the research was a welcome addition to our understanding of how cannabis affects the adolescent brain. “The issue of cross-sensitization of cannabis/opioid receptors has been a controversial one, but these findings show the drug’s damaging effects on the reward structures of the brain,” van Oshe says. “There is now overwhelming evidence that nobody in the brain’s developmental stage – under the age of 21 – should use cannabis.”

The research appears in the online edition of Neuropsychopharmacology.

Source: <http://www.newscientist.com/channel/health/dn9488-why-teenagers-should-steer-clear-of-cannabis.html>

### **Cannabis link to mental illness strengthened**

23:01 21 November 2002 NewScientist.com news service Emma Young

The link between regular cannabis use and later depression and schizophrenia has been significantly strengthened by three new studies. The studies provide "little support" for an alternative explanation - that people with mental illnesses self-medicate with marijuana - according to Joseph Rey and Christopher Tennant of the University of Sydney, who have written an editorial on the papers in the British Medical Journal.

One of the key conclusions of the research is that people who start smoking cannabis as adolescents are at the greatest risk of later developing mental health problems. Another team calculates that eliminating cannabis use in the UK population could reduce cases of schizophrenia by 13 per cent. Until now, say Rey and Tennant, there was "a dearth of reliable evidence" to support the idea that cannabis use could cause schizophrenia or depression. That lack of good evidence "has handicapped the development of rational public health policies," according to one of the research groups, led by George Patton at the Murdoch Children's Research Institute in Melbourne, Australia. The works also highlights potential risks associated with using cannabis as a medicine to ease the symptoms of muscular sclerosis, for example. Patton's team followed over 1600 Australian school pupils aged 14 to 15 for seven years. Daily cannabis use was associated with a five-fold increased risk of depression at the age of 20. Weekly use was linked to a two-fold increase. The regular users were no more likely to have suffered from depression or anxiety at the start of the study. The reason for the link is unclear. Social consequences of frequent cannabis use include educational failure and unemployment, which could increase the risk of depression. "However, because the risk seems confined largely to daily users, the question about a direct pharmacological effect remains," says Patton. In separate research, a team led by Stanley Zammit at the University of Cardiff, UK, evaluated data on over 50,000 men who had been Swedish military conscripts in 1969 and 1970. This group represents 97 per cent of men aged 18 to 20 in the population at that time. The new analysis revealed a dose-dependant relationship between the frequency of cannabis use and schizophrenia. This held true in men with no psychotic symptoms before they started using cannabis, suggesting they were not self-medicating. Finally, researchers led by Terrie Moffitt at King's College London, UK, analyzed comprehensive data on over 1000 people born in Dunedin, New Zealand in 1972 and 1973. They found that people who used cannabis by age 15 were four times as likely to have a diagnosis of schizophreniform disorder (a milder version of schizophrenia) at age 26 than non-users. But when the number of psychotic symptoms at age 11 was controlled for, this increased risk dropped to become non-significant. This suggests that people already at greater risk of later developing mental health problems are also more likely to smoke cannabis. The total number of high quality studies on cannabis use and mental health disorders remains small, stress Rey and Tennant. And it is still not clear whether cannabis can cause these conditions in people not predisposed by genetic factors, for example, to develop them. "The overall weight of evidence is that occasional use of cannabis has few harmful effects overall," Zammit's team writes. "Nevertheless, our results indicate a potentially serious risk to the mental health of people who use cannabis. Such risks need to be considered in the current move to liberalise and possibly legalise the use of cannabis in the UK and other countries."

Journal references: British Medical Journal (vol 325, p1195, p1199, p1212, p1183)

Source: <http://www.newscientist.com/article/dn3098-cannabis-link-to-mental-illness-strengthened.html>

## True Agenda?

### **2006 Newsmaker Andrea Tischler: Fighting to legalize marijuana**

By Shanna McCord Sentinel staff writer

SANTA CRUZ — When city voters passed Measure K in November, Santa Cruz went on the map as a national leader in the effort to legalize marijuana. Measure K forces Santa Cruz police officers to make adult marijuana crimes their lowest priority. The measure, primarily organized by Andrea Tischler, won easily with more than 60 percent voter approval. But Measure K is not just about Santa Cruz. Its design is part of a nationwide strategy to convince state and federal governments that marijuana should be a legal drug — taxed and regulated like alcohol and tobacco. "This really is an interim measure on the way to full legalization of marijuana for personal use," said Tischler, a longtime leader in many local marijuana causes. "It's happening city by city. We're moving in that direction of legalizing marijuana in the state," she said. The federal government, however, has not wavered on its stance that marijuana is an illegal drug. Since California voters approved Proposition 215 in 1996 to allow sick people to use marijuana to ease pain and suffering, the medical marijuana cause has faced numerous lawsuits and investigations by federal authorities. Measure K faces potential legal problems as police are sworn to uphold state laws, which say marijuana is an illegal drug when used recreationally. Any effort to legalize the drug is expected to be hard-fought in court. Tischler, who recently closed the medical marijuana bed and breakfast she and her partner had run for six years on Laurel Street and moved to Hawaii, stumbled into the marijuana movement in the 1960s, a decade synonymous with liberal attitudes.

She was 22 and teaching social studies at a Chicago high school in 1965 when some colleagues offered Tischler her first joint. "I said, 'Geez, this isn't bad.' I didn't have a hangover the next morning like I did with alcohol," she said. From that first experience, Tischler has been fighting for the right to smoke pot legally. "It's the same as someone coming home from work and having a couple of martinis," she said. After stints in Guam and San Francisco, Tischler moved to Davenport in 1988 and quickly became involved in local marijuana issues. In 1994, Tischler convinced administrators at Pacific Elementary School in Davenport, which her son attended, to drop the DARE program because she believed nurses should be teaching the effects of drugs, not police officers.

Marijuana issues are Tischler's cause celebre. She believes the drug is no worse for the human body than alcohol and tobacco. "Marijuana makes people peaceful in their hearts and in their minds," she said. Due to the work of Tischler and others who share her passion for pot, ordinances similar to Measure K have been passed in cities such as Oakland, Seattle, Santa Monica, Santa Barbara and San Francisco. More are on the way, she said. The ordinances to make marijuana crimes a low priority for police seem to be picking up momentum across the county. Mike Corral, who founded the Wo/Men's Medical Marijuana co-op in 1993 with his wife, Valerie, believes legalized marijuana would allow police to focus on more serious crimes and generate more revenue for the government in the form of new taxes. Government regulation of pot also would produce a safer, higher quality product, Corral said. "I see general legalization as a win-win situation all around," he said. "There is a bigger wave building in America around general legalization." Local police have said Measure K could hinder law enforcement efforts because marijuana is involved in many crimes in Santa Cruz.

The marijuana measure was put on the Santa Cruz ballot after at least 3,400 registered city voters signed their name to a petition earlier this year in support of easing up on pot smokers. The local measure was funded almost entirely by Peter B. Lewis, a billionaire insurance tycoon in Cleveland who has spent millions of dollars to support marijuana causes nationwide.

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## Inside Measure K

- Adult marijuana crimes on private property are the lowest law enforcement priority.
- Santa Cruz police are not allowed to participate in countywide marijuana busts.
- Santa Cruz police are not allowed to testify in marijuana cases.
- Citizens oversight committee, appointed by the City Council, will monitor police reports related to marijuana crimes.
- Santa Cruz cannot accept federal funds designated for fighting marijuana crimes.

Source:

<http://www.santacruzsentinel.com/archive/2006/December/29/local/stories/04local.htm>

### **Santa Cruz's Compassion Flower Inn owners heading for another joint**

**BY SHANNA MCCORD** SENTINEL STAFF WRITER

SANTA CRUZ — The Santa Cruz bed, "bud" and breakfast, the butt of many jokes and center of media attention worldwide, has closed its doors. The owners of the Compassion Flower Inn on Laurel Street packed their bags and moved to Hawaii on Tuesday, leaving empty the inn established in 2000 primarily for medical marijuana users. "It's been a fun ride," said Andrea Tischler, Compassion Flower Inn co-owner. "We are proud of our achievements in Santa Cruz and leave a considerable legacy behind." Tischler and her longtime partner, Maria Mallek-Tischler, who have been leaders in local efforts to legalize marijuana, said their business was hampered by problems in the neighborhood. They plan to take their brand of medical marijuana business to Hawaii, where they want to open a care home for aging gays and lesbians. The two restored the 140-year-old Victorian and converted it into a bed and breakfast that allowed guests to smoke joints with a doctor's permission. The inn had five guest rooms that ran from \$125-\$175 a night. Decorating touches included tile mosaics on the tubs in the shape of a marijuana leaf, and a large marijuana leaf mosaic in the sidewalk leading to the front porch. Hemp leaves are painted on the walls, and guests were given complimentary bars of soap made with hemp. The drapes, bed spreads and pillowcases are all made from hemp fibers. The inn was known for its hemp seed pancakes, and late-night comedian Jay Leno joked during a monologue years ago that "Santa Cruz has a pot hotel, a place you can find doobies under the pillows." Tischler said ongoing behavioral problems in the neighborhood contributed to its closure. She cited drug and alcohol use by people hanging around the inn as factors that made staying in business difficult. "We'd be kept awake every night," Tischler said. "They would use our front yard and parking lot as a bathroom. They'd steal anything not fastened down."

Tischler, 63, also said the constant cleaning and cooking, and other upkeep required to stay in business, had become too much for her and Mallek-Tischler. The inn is up for sale, otherwise Tischler hopes someone will lease the house and keep the inn going or turn the place into a yoga or massage retreat. In Hawaii, the two plan to start a "gay, gray and gourmet" business — an assisted-care facility for seniors. "As our population ages, I believe we will see the demand for more compassion 'kine bud' nursing homes in the states that have approved medical marijuana," she said. "If you have only months or a few years to live, why not reduce suffering and be happy?" Tischler was a driving force behind the passage of Measure K in Santa Cruz. Measure K was a ballot initiative passed in November that makes adult use of marijuana the lowest priority for Santa Cruz police officers.

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Source:

<http://www.santacruzsentinel.com/archive/2006/December/20/local/stories/02local.htm>