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Jon Sarro, left, shows a customer different strains of medical marijuana at Coffeeshop Blue Sky in Oakland.

By Justin Sullivan, Getty Images

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Booming medical pot sales concern officials

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By William M. Welch, USA TODAY

■ 13 STATES IN 13 YEARS

Thirteen states have laws that legalize medical marijuana:

State	Year passed	How passed
California	1996	Ballot measure
Alaska	1998	Ballot measure
Oregon	1998	Ballot measure
Washington	1998	Ballot measure
Maine	1999	Ballot measure
Colorado	2000	Ballot measure
Hawaii	2000	Legislature
Nevada	2000	Ballot measure
Montana	2004	Ballot measure
Vermont	2004	Legislature
Rhode Island	2006	Legislature
New Mexico	2007	Legislature
Michigan	2008	Ballot measure

Source: ProCon.org

LOS ANGELES — Almost 13 years after [California](#) became the first state to allow the sale of marijuana for some medical conditions storefront purveyors of the drug are nearly as easy to find as a taco stand.

Yet police and prosecutors say the law is vague on who can sell pot and in what circumstances. They worry that the state unwittingly created safe havens for drug pushers who are doping the population with immunity.

"They appear to be run by drug dealers who see an opening in the market and a way to make a fast buck," says San Diego district attorney [Bonnie Dumanis](#), who says every pot store her office has looked at is operating illegally.

The tangle of regulations and alleged criminality that has followed in the aftermath of California's first in the nation medical marijuana law is hardly restricted to the Golden State.

Thirteen states, from [New England](#) to the Pacific Northwest, have passed laws by ballot or legislative action permitting marijuana possession for some medical reasons even though the drug is illegal under federal law.

Some, like [Rhode Island](#), where a medical marijuana law passed in 2006, officials are still trying to figure out how to set up places where people can buy the drug. In [Colorado](#), which approved medical marijuana sales in 2000, cities are passing moratoriums to halt the blossoming of marijuana stores. New [Mexico's](#) lone non-profit licensed to distribute pot is overwhelmed by demand.

In Washington state, a legal dispute rages over whether the law permits people to just grow their own pot or also buy it from dispensaries.

Stewart Richlin, lawyer for more than 150 medical marijuana collectives in Southern California, says states that legalize medical marijuana must accept the commerce that follows.

"Once we acknowledge patients have a right to cannabis, they have to get it somewhere," he says.

The medical marijuana movement was begun by advocates who say pot can provide relief for a wide range of illnesses, from AIDS to arthritis. Why should people suffer when pot can help, they say?

"It's highly effective in certain circumstances," San Diego physician Bob Blake says.

Critics say a law meant to benefit a relatively few number of patients is being exploited by entrepreneurs who are making big money.

Los Angeles Police Lt. Paul Torrence says the department investigated a clinic in the fashionable Venice area that was doing up to \$140,000 in sales a month. In San Diego, where authorities this month shut down 14 medical marijuana sellers, Dumanis said at least one was operating on that scale as well, over \$700,000 in six

months.

City Council members [Janice Hahn](#) and Dennis Zine, in proposing Los Angeles tax medical marijuana sales, point to Oakland, where they say four licensed dispensaries had gross sales of \$19.6 million in 2008.

"It's a very, very profitable business," says Torrence, of LAPD's gang and narcotics division. "That's clearly outside the boundaries of the voters' intention in passing Prop 215."

California voters approved that proposition in 1996. The law leaves regulation up to local governments, and there's a vast difference in how receptive each is to medicinal pot.

State Attorney General [Jerry Brown](#) issued guidelines that said non-profit cooperatives and collectives are legal if certain requirements are met.

In Los Angeles, the growth of storefronts selling marijuana has been explosive.

Torrence says there are more than 400 registered with the city. But there may be many more — as many as 800 applications have been filed and many operate without approval, says Jane Usher, special assistant city attorney.

"The practical reality has proven to be these facilities have by and large opened without any kind of registration, application, nothing," Usher said.

Colorado says it's beginning to see something similar. Its law created a state registry to track patients authorized to use medical marijuana, but made no provision for sellers.

"They have kind of sprung up rather recently in numbers across the state," says Mike Saccone, spokesman for Attorney General [John Suthers](#). "Law enforcement is concerned."

To qualify for medical marijuana in California, patients must have a doctor's "recommendation." Prescriptions for pot are prohibited by federal law. Advertisements abound from doctors who recommend medical marijuana to qualifying patients.

Blake, 60, who went into a practice devoted to medical marijuana after 28 years as an emergency room physician, says he doesn't use it himself but sees pot as a safer alternative to morphine, OxyContin and other conventional painkillers.

"I never saw a person die of a marijuana overdose. Narcotics overdose? You bet," he said.

Police are skeptical about the medical need in most cases, Torrence said.

"I have yet to see a person enter the clinic that appears to have any kind of medical problem," he said. "Most of the people I see going in are young people that appear very healthy."

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