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-  Drinks Database
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-  Women We Love Gallery
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One City's Insane Fight Against Obama's Sane New Pot Policy

The administration has officially put a stop to crackdowns on the medical-marijuana business, but to hear the dispensers tell it, nothing's stopping Los Angeles from finding every last ridiculous loophole

By John H. Richardson

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The way law-enforcement officials read the new Obama policy, nonprofit Los Angeles pot dispensaries like this one should turn into farming collectives that can't accept cash. "We are in the fight for our lives," one prominent shop owner tells Esquire.com.

Two years ago, in the throes of a Bush administration that disregarded states' rights whenever it felt like getting high on itself, there were fewer than two hundred medical-marijuana outlets in Los Angeles. Today, even the most conservative estimates say that number has quadrupled. On one stretch of Santa Monica Boulevard alone, four thriving pot shops **estimate their tax payments at \$4 million a year**. Got an emergency radiation treatment and can't find the nearest store? There's an iPhone app for that.

With patient demand pushing dispensaries in several of the fourteen states that allow medical marijuana to expand their business, the Obama administration last week **ordered the Justice Department** to respect state laws and stop harassing them.

You would think, after our new president's **ups** and **downs** on what is ultimately **the road to wholesale legalization**, that calling off the pot bullies would be, by all accounts, A Good Thing. Hundreds of thousands — if not millions — of Americans **have used the approved stuff**, after all, whether as therapeutic medicine or therapeutic something else.

Trouble is, all this common sense seems to have fried the brains of the law-enforcement leaders in the City of Los Angeles. They've suddenly come up with **a bizarre new interpretation of the law** — that the requirement for pot dispensaries to be "nonprofit" actually means that they can't accept cash.

Yes, you read that right. This is how Deputy City Attorney David Berger put it: "We can still use state law to enforce, and we still believe that the only legal way to do that is to enforce against the selling of marijuana, as opposed to giving it away as a collective."

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This has to be the first time in American history that the government is ordering its citizens to start collectivizing our farms.

The backwards logic was codified in [the fourth version of a draft ordinance](#) that City Attorney Carmen Trutanich submitted last Tuesday to the Los Angeles city council. Apparently a hard-core member of the Marxist-Leninist wing of the Republican party, Trutanich even argued that dispensary owners shouldn't use cash to pay for labor or fertilizer — that the voters of California actually intended for marijuana to be produced and dispensed, unlike all other drugs in the known universe, on a pure barter system. (This from the man who made Michael Jackson's funeral [look like it switched](#) from the Staples Center to Tammany Hall.)

Naturally, the government's marijuana bait-and-switch over the past eight days has producers and dispensers very upset. When I spoke with her late last week, Yamileth Bolanos, owner of a shop called PureLife Alternatives and president of [an influential medical-marijuana trade group](#), summed up the general sentiment:

"They expect people who are sick and on chemotherapy to get up and farm their own crop? If you're not directly involved in growing the crop, you can't have any of it?"

Imagine the unintended consequences, Bolanos said. "They say there's between 250,000 and 300,000 medical marijuana patients in the city of Los Angeles, and we don't have wide-open spaces here where we can grow. That means every building in Los Angeles will be a grow site."

The draft ordinance is city's latest attempt to bring some kind of order to the explosion of pot stores, all of which have so far failed. Bolanos insists that she and the marijuana community want to be partners in this, helping to clean up the shady cannabis clubs that don't pay taxes or check prescriptions. "We've been screaming for regulation," she told me. "I've gone to the city council and said, 'Show us the rules. Tell us what to do, so we can provide for patients in a safe manner.' [But] the city let the situation get out of hand — they wouldn't give us regulations, so we made up our own regulations, we started accrediting clubs. We follow the rules very strictly, but what they're asking us to do now is *impossible*."

For example, the draft ordinance includes a clause saying you can't have a shop across an alley from a residential area. "That alone wipes us all out," Bolanos says. "Who doesn't have an alley behind a commercial property in Los Angeles? That's how the blocks were *built* — the outer block is commercial and there's residential behind it."

A true believer in medical marijuana, Bolanos began smoking when she was diagnosed with liver cancer. "I use cannabis every day — I have a new liver, I don't want to put any medicine in my body that will tax my liver. What are people supposed to do, go back to the streets? That's what they're doing: they're sending sick people out on the street to get their medication."

As a result, she has no sympathy for the argument that the government should just stop the charade and legalize pot altogether. "No, no, I am not for full legalization — this is medicine to me. There are real patients here. It's very sad that because of a few people who are abusing the system, the real patients have to suffer. What is the old line? Non-sinners pay for what sinners do?"

Despite all that, nobody really thinks this fight is about medicine. It's about the virtual legalization of drugs that is slowly but surely happening in California. Here's are some of the [online reviews](#) for a club in Reseda called Nature's Natural Collective Care, for example:

"They have a nice little smoke room where you can try your samples and they have a few water pipes, glass pipes, papers in there for you to use. I was asking about a certain strain and the guy busted out the Cannibible and gave me the low down on that strain. I like that type of service."

"They have over 60 strains at times all capped at \$50 an 1/8th and no more than \$400 an oz on the highest quality. With ounces ranging from like \$180-\$400. They even let you have free samples."

"Full O's are all sub \$400 for great shit and the service here from the budtenders is beyond fantastic. Their knowledge and ability to work with you is amazing."

As the right-wingers warned from the beginning, medical marijuana is turning out to be the genie you can't stuff back in the bottle. Even if the L.A. city council's [rushed vote](#) comes down in favor of the Trutanich ordinance, it seems likely that the regulations will be overturned in the courts — which is exactly what happened with [Trutanich's last attempt](#)

to shut down the clubs. The state attorney general has already gone on record saying — and reiterated to Esquire.com when we asked him for comment — that the law allows sales. In the end, this case of bureaucratic bullying — and others across the country as states **come to terms** with a (relatively) sane White House pot policy — will be just another pointless and expensive skirmish on the inevitable road to marijuana legalization.

But for now, the fight is on: One day after Trutanich submitted the draft ordinance, the LAPD raided Nature's Natural.

"We expect more," Bolanos says. "They told us there are going to be more. We are in the fight for our lives."

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