



Advancing Legal Medical Marijuana Therapeutics and Research
August 15, 2018

The Honorable Members of the Rules Committee
The Honorable Members of the Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

Re: Councilman Harris-Dawson's Motion re: Padlocking of Unlicensed Cannabis Retailers
CF 14-0366-S31

Dear Honorable Members of the Rules Committee and Honorable Members of the Los Angeles City Council:

Americans for Safe Access stands in strong support of Councilman Harris-Dawson's motion to padlock unlicensed cannabis retailersⁱ and urges both the Rules Committee and the Council to prioritize the passage of this motion.

Our coalition partner, the Southern California Coalition, suggested this alternative in the organization's white paper "Permanent Closure"ⁱⁱ and we are pleased that this suggestion has been brought forward by Councilman Harris-Dawson. It is important that this motion be passed as quickly as possible for the following reasons:

The Council has previously passed a motion mandating that power be shut off at unlicensed retail sitesⁱⁱⁱ. Unfortunately, unlicensed operators simply purchased generators and resumed operations^{iv}. Padlocking properties which are operating without licensure now appears to be the only alternative if the City wishes to permanently close these sites.

There is increasing evidence that illegal operators are selling contaminated products to patients and consumers^v. This is a statewide problem. Most recently, contaminated products sold illegally sent seven people to the hospital^{vi}.

The City Attorney is prosecuting one entity which engaged in this practice.^{vii} We urge the City, in the strongest possible terms, to begin routinely testing products sold by illicit operators and prioritize the closure of those poisoning the public.

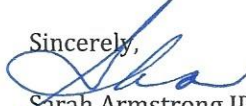
By padlocking unlicensed cannabis retailers, the City instantly stops all sales making it impossible for contaminated products to flow into the marketplace from the padlocked location. The contents of such shops should be seized and tested. Per a recently enacted ordinance^{viii} the defendant must pay for the testing.

Padlocking a property provides a powerful incentive for the property owner to cooperate with the City Attorney and expedite the eviction process.

We urge both the Rules Committee and the Council to pass this motion as quickly as possible. Medical cannabis patients are particularly vulnerable where contaminated products are concerned as many have compromised immune systems and may die if they inhale or ingest a poisoned product.

Founded in 2002, Americans for Safe Access (ASA) is the largest national member-based organization of patients, medical professionals, scientists, and concerned citizens promoting safe and legal access to marijuana for therapeutic use and research. ASA works in partnership with state, local and national legislators to overcome barriers and create policies that improve access to marijuana for patients and researchers. ASA has more than 100,000 active members with chapters and affiliates in all 50 states. Our website is: www.safeaccessnow.org

Sincerely,


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ⁱ The motion is available for viewing at: http://clkrep.lacity.org/onlinedocs/2014/14-0366-s31_mot_08-14-2019.pdf

ⁱⁱ The white paper "Permanent Closure" is attached. The request to move to barricading of illegal properties is at the top of page 6, under the heading "Barricading Businesses in Addition to Turning Off the Power"

ⁱⁱⁱ See: Section 104.15 of Article 4, Chapter X of the Los Angeles Municipal Code which authorizes the Los Angeles Department of Water and Power to disconnect utilities at unlawful commercial cannabis establishments.

^{iv} See: <https://www.cnn.com/2019/08/14/illegal-weed-dispensary-raided-by-los-angeles-police.html> "At The 15 Spot, police found a generator hooked up to run power. City officials previously had turned off the electricity. No one from management or the owner was at the business during the raid."

^v <https://www.nbclosangeles.com/news/local/Marijuana-Poison-Pot-Investigation-506356011.html> "In its new investigation, the I-Team found that all contaminated pot samples it purchased came from stores and delivery services that turned out to be operating illegally at the time of sale; they didn't have the required licenses, according to the LAPD and the BCC.

^{vi} <https://www.leafly.com/news/health/tainted-vape-carts-sicken-7-california-safety-report-leafly> "In the past 30 days, six people in their 20s and one 60-year-old have been hospitalized for severe acute respiratory distress syndrome (SARDS) at Hanford's intensive care unit. Two patients had to be put on mechanical ventilation to save their lives."

^{vii} See: The People of the State of California vs. High Spirits Enterprises LLC et al Case No. 19STCV10603 Link to the initial pleading at:

<https://mjbizdaily.com/wp-content/uploads/2019/04/Feurer-lawsuit-Kush-Club.pdf>

^{viii} See recently enacted COLA Ordinance No. 186223 which became effective 8/14/2019. Link to the ordinance at:

http://clkrep.lacity.org/onlinedocs/2014/14-0366-S28_ORD_186223_08-14-2019.pdf