

# RECENT ESCALATION OF DEA INTERVENTION IN LEGAL MEDICAL MARIJUANA STATES

## BACKGROUND:

Despite the extent of scientific studies, government reports and journal articles from around the world that support the medical value of marijuana, the US Department of Justice has been conducting paramilitary style raids on dozens of bona-fide medical cannabis patient collectives across the state of California and in other legal medical cannabis states. These attacks have become more frequent since the U.S. Supreme Court's 2005 decision in *Gonzales v. Raich*, which upheld the DEA's authority to conduct raids, but questioned the wisdom of doing so.

Between FY2005 and FY2007, the DEA conducted dozens of raids on legal and registered patient collectives and dispensaries in legal medical cannabis states. Currently, the Department of Justice is seeking to prosecute over 100 licensed medical cannabis patients and care providers.

## RECENT ESCALATION OF DEA RAIDS

Recently, the DEA has been stepping up its focus on raiding medical marijuana patients and providers across the West. From June, 2007 through November, the DEA has raided twenty three dispensing collectives and the residences of five individual patient-cultivators. During this time period, there were also at least four instances of local law enforcement officials turning over cases to the DEA.

These twenty-eight DEA raids occurred in eleven different counties: Alameda, Los Angeles, Kern, Nevada, Orange, Riverside, Sacramento, San Diego, San Luis Obispo, San Mateo Counties, California, and Multnomah County, Oregon. State or local police also turned over four cases to the federal government in California and New Mexico.

Twenty-eight raids over six months months is an increase over previous periods. While there were twenty-one DEA raids on medical cannabis providers in the first four months of 2007, eleven of them occurred on one day in Los Angeles in January 2007. DEA Raid frequency before 2007 was even more sporadic, with only nine raids occurring in 2006, and while there were nineteen in 2005, thirteen occurred on one day in San Diego. The recent escalation includes the DEA engaging in a long, sustained campaign of raids in a wide variety of cities and counties and expanding their harassment to individual patient-cultivators with very minimal amounts of medicine.

## NEW DEA TACTIC: THREATENING LANDLORDS

Beginning in July of 2007, the DEA began sending letters to property owners who are landlords for medical cannabis providers. The letters warned of a risk of arrest for landlords and the loss of their property if they continue to rent to cannabis providers. As a result, many facilities will be forced to close, thereby stifling access to medicine used by thousands of patients.

The initial 150 letters were targeted at landlords in the Los Angeles areas, but the DEA has since used this tactic widely. Similar letters have been received by landlords in Berkeley, Fairfax, Fort Bragg, Long Beach, Malibu, Oakland, Sacramento, San Francisco, San Mateo, Santa Barbara, Santa Cruz, Santa Monica, and Seattle, Washington. In total, the DEA has sent nearly 300 letters to landlords between July and December.