

# Higher Ground: Making an example

by [Larry Gabriel](#)

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Last week the Detroit Medz shop on Detroit's west side was raided for "selling marijuana outside the provisions of the state medical marijuana act," says Sgt. Cassandra Lewis of the Detroit police media relations department. News reports said police found two guns, 4,100 grams (about 9 pounds) of marijuana, and arrested one person — although Lewis says two individuals were arrested that evening.

Lewis says that there were complaints from the community and that police previously had made undercover buys there, although it's not clear if those undercover buys were made by people with state cards (or fake ones as has been done in the past) or by folks who just walked in with nothing to show.

So far no charges have been announced.

What has also been publicized through the news is that the shop was about 500 feet from a school and that someone from the shop handed out fliers or some type of advertisement outside the school while there was a graduation ceremony going on. City Council member James Tate, who has been the frontman for the city around drafting an ordinance setting rules for how such shops operate, was all over the situation. He did a news conference outside the closed-down shop, saying, "This, to me, is the most egregious case I've seen."

I called Tate's office to see just how egregious any other case that he's seen was. However, no one answered when I called, and his voicemail was full so I couldn't leave a message.

I don't know anything about Detroit Medz. If folks there have been selling marijuana to people who are not registered patients, then they have broken the law and the Michigan Medical Marihuana Act doesn't protect them. However, everything else I'm hearing about this is a little gummy.

Tate has had Winfred Blackmon and his Metropolitan Detroit Community Action Coalition (MDCAC) riding his ass for several months regarding dispensaries in the city. I went to a couple of meetings early on and have been receiving Blackmon's email alerts since then. Early on, it was obvious that MDCAC members didn't want to see marijuana, medical or otherwise, in their neighborhoods. They have an old-school attitude. Early on, their complaints included the fact that most dispensary locations painted their storefronts green — as if that matters.

MDCAC has been pushing Tate, who represents District 1, to do something about what they call "illegal marijuana provision centers." They've been riding city attorney Butch Hollowell too.

Truthfully, the city has been slow to address the issue. I've noticed a distinct tendency to avoid talking about marijuana by city officials while places such as Ann Arbor, Ypsilanti, Lincoln Park, and elsewhere have set up rules regarding dispensaries. Now those cities have not been going through their mayor being indicted and convicted, switching from an at-large to a district city council system, having an emergency manager, and a bankruptcy. However, it would be good from a number of viewpoints to set the rules about dispensaries.

That said, the MDCAC model is not a liberal one. Although over time, as they have come to accept that medical marijuana is not going away, they have lightened up some. Originally, they wanted only one dispensary per council district, which would mean only seven in the entire city. Their current proposal seeks to limit the number of dispensaries and limit their locations to industrial zones, mandates that they cannot be near a church, school, daycare or nursery, and proposes a number of inspections and permits before they can open.

The City Council and Law Department seem to have been giving MDCAC the okeydoke as they move through drafting something a bit more liberal. Blackmon got wind of this recently, and he has been riling up the troops and circulating a letter for groups and individuals to send to their council representative in support of the MDCAC proposal. And they're also circulating a contact number for state Attorney General Bill Schuette's office. If nothing else, **Schuette has proved he is no friend to medical marijuana.**

I take all that into account when I consider the Detroit Medz bust. First, the location is in District 2 — hence, the complaints from the community. MDCAC meets and is most active in that area.

Second, Tate was all over the news covering the Detroit Medz raid. During his press conference (how often do you see a city council member giving a press conference at something like this?) Tate said, "Right now, we are at a point where we cannot let this continue." It seems that he's trying to score points that he's doing something about the perceived threat of marijuana dispensaries just as MDCAC is alarmed that he is not in their corner.

This may be a case of the squeaky wheel getting the oil.

As for the argument that the dispensary was too near a school and passing out advertising nearby — which was explicitly noted in news reports — Tate pointed out that being near a school is against federal regulations. Hmm ... if we're talking federal regulations, then we're not talking about regulating dispensaries at all. Federally, none of this is legal.

"They chose this very uncivilized manner to try to make an example of this one particular facility," says Southfield-based attorney Michael Komorn, who heads the Michigan Medical Marijuana Association. "There is no rule prohibiting [a location near a school], no rule. ... Maybe that's something they should think about doing — regulate this in a way that satisfies the community."

Maybe the Detroit Medz folks were selling to people who aren't registered patients, but the rest of this seems to be pure political theater.

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