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Medical marijuana supporters mourn the loss of dispensaries in Ann Arbor

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A recent [police crackdown](#) and a [court ruling](#) outlawing sales at dispensaries has put a damper on the [medical marijuana industry in Ann Arbor](#).

Earlier this year, city officials estimated as many as 18 dispensaries were operating in Ann Arbor, serving thousands of patients. But that's changed in the last two weeks.

"To my knowledge, all of them are shut down," said City Attorney **Stephen Postema**, adding the only exception might be **People's Choice Alternative Medicine** on Main Street.

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But even that one isn't expected to be in business long.

"We will be moving to close them down," Postema said. "And the reason being, they are in an improperly zoned area and cannot operate there. The owner there is currently moving to evict them, I understand, this week. So we're letting that eviction process go forward."

Several medical marijuana activists — including patients and dispensary owners — voiced their concerns before the **Ann Arbor City Council** Tuesday night. They argued thousands of sick people are going without their medicine now that dispensaries are closed.

Mark Passerini, a University of Michigan graduate and co-founder of the OM of Medicine dispensary on Main Street, told council members he shut his doors two weeks ago after the Michigan Court of Appeals ruling came down and two local dispensaries were raided.

He said the controversial court decision has effectively forced tens of thousands of patients across Michigan back into a state of limbo.

Chuck Ream carries a protest sign and talks with a passerby as his dispensary is raided on Aug. 25.

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attorney shall not refer for prosecution any complaint, of the possession, control, use, giving away, sale or cultivation of marijuana or cannabis upon proof that the defendant is recommended

by a physician, practitioner or other qualified health professional to use or provide the marijuana or cannabis for medical treatment."

Postema said state law, in this instance, trumps the city charter.

"The city charter is bound in its parameters by the state law," he said. "The city charter can't provide greater rights for dispensaries when they do not exist in state law."

Ream said he's learned the bust at his place resulted from complaints to police.

"The officers said the raid was caused because we had served two people with expired cards," he said. "Well, if that was true, they should have sent us a letter or given us a ticket."

Medical marijuana activists from across Michigan are expected to rally on the steps of the state Capitol today. Several from Ann Arbor are going, and they were expected to have a sit-down meeting with state Rep. **Jeff Irwin**, D-Ann Arbor, this morning before the rally starts.

Michigan voters in 2008 approved use of marijuana to relieve pain and other chronic ailments. About 100,000 people have state-issued cards letting them have 2.5 ounces of usable pot and up to 12 plants. Registered caregivers can grow marijuana for five people.

Passerini told council members the intent of the state act was to afford patients safe access to medical marijuana. But he said experience has shown it's unrealistic to expect a patient to rely on a sole caregiver — instead of dispensaries — for their medicine.

"First and foremost, it takes a seasoned cultivator four months to grow one plant, four months during which that legal patient may have to do without their medicine," he said.

"Additionally, most caregivers are unwilling to bear the expense or gain the expertise necessary to make edibles, tinctures, extractions or topicals," he said. "These are all different means of delivering medicine to patients."

Passerini said it's clear that state and federal law both need to change.

"Dispensaries cannot be allowed to be short-lived or a thing of the past, but instead a very viable solution for the future," he said.

Postema said he suspects the Michigan Supreme Court will uphold the appeals court ruling if it goes that far. He said it may take a 75 percent vote of the Legislature or another citizen-led petition drive to legalize dispensaries.

Until that happens, he said, the city must follow the prevailing state law and not allow dispensaries to operate in Ann Arbor.