

DA may begin taking harder line on Tahoe pot cases

By Kathryn Reed

More marijuana cases may soon end up in El Dorado County Superior Court.

The combination of South Lake Tahoe being on the verge of finalizing ordinances related to pot dispensaries and deputy district attorneys receiving specialized training in these matters could change the tide when it comes to prosecuting pot-related cases.

Hans Uthe, deputy district attorney in the South Tahoe office, said the new approach his office plans to take involves commercial grows. But he would not give details.



“We are also waiting for the city to get two basic sets of ordinances passed so we know the rules and can enforce them,” Uthe told *Lake Tahoe News*. “We are wary about (prosecuting cases), but it’s not true about not wanting to.”

With Proposition 215 in California allowing the use of marijuana for medical purposes, it conflicts with federal law that prohibits the use even for this purpose. This, at times, makes prosecuting cases difficult.

Uthe said prosecutors around the state have been hesitant to pursue cases. He said analysis coming out of Los Angeles looks good and that his office may adopt some of what his Southern California colleagues are doing.

The feds have said grows on federal property and exporting the product are the two main areas it will crackdown on.

Uthe said in the last year a handful of export cases have been prosecuted by his office. He said suspects are using UPS and FedEx more than the U.S. Postal Service as a means to deliver their goods.

“People ship it to colleagues in other jurisdictions where it’s sold at a high profit,” Uthe said.

With marijuana being cheap and legal to grow in California, it is being sent to states where cultivation is illegal and the end product is more expensive.

Uthe hasn’t noticed an increase in pot cases since the three collectives opened in South Lake Tahoe. He attributes the spike ever since Proposition 215 was passed in 1996.