

Justice Dept. memo lets feds close pot shops

By Bob Egelko, San Francisco Chronicle

In a newly disclosed memorandum, President Obama's Justice Department has told federal prosecutors they can file criminal charges against medical marijuana users and suppliers and shut down pot dispensaries, despite a congressional ban on federal interference with medical marijuana laws in California and other states.

The Justice Department had previously made its intentions clear by refusing to drop pending marijuana prosecutions and pursuing forfeiture actions against dispensaries, including Oakland's huge Harborside Health Center. But the Feb. 27 memo, made public Wednesday by Tom Angell of the advocacy group Marijuana Majority, provides the department's rationale for considering the congressional spending restrictions largely toothless.

The budget language passed in mid-December prohibits the department from using its funds to stop states from "implementing their own laws" on medical marijuana. But Patty Merkamp Stemler, chief of the Justice Department's Appellate Section, told federal prosecutors the congressional action "addresses actions directed against states, not individuals."

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