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Bouchard: Arrests at Ferndale medical marijuana facility serve as notice

By Steve Kowalski • Eccentric Staff Writer • August 26, 2010

A Wednesday night raid of two Oakland County medical marijuana facilities, including one in Ferndale, produced 15 arrests, the confiscation of hundreds of pounds of marijuana and several guns, according to Oakland County Sheriff Michael Bouchard.

Patient records also were among the items seized, according to the owner of the facilities, who charges that their rights were violated.

At the conclusion of a Thursday afternoon press conference inside the Oakland County Sheriff's Office, a sheriff's deputy opened a dividing wall and showed full tables of packaged marijuana, bagged marijuana plants on the floor, four shotguns, three handguns and other accessories with an estimated worth of \$750,000, Bouchard said.

The raid was part of a weeks-long investigation at Clinical Relief, 362 Hilton in Ferndale, and Everyday Cafe in Waterford, on suspicion of the illegal manufacture, possession and selling of large quantities of marijuana.

Illegal material also turned up in other communities connected to the two businesses, including homes in Birmingham and Lake Orion, and another in Macomb County, according to Bouchard. At one home, an alligator was found as protection of the plants being grown, Bouchard said.

"There were many commonalities to what we see in drug houses," he said. "In one case, a loose alligator protecting the product. This is Michigan, this is not a 'Cheech and Chong' movie."

Bouchard said undercover sheriff's deputies bought pounds of marijuana at a time and that the staff at Clinical Relief had been previously warned of suspected illegal activity.

"We went in, put them on notice, (the activity) was against the law," Bouchard said. "(Police suspect) this was an opportunity to transition from an 'illegal

operation to legality."

Medical marijuana passed into law in Michigan in November 2008 when more than 60 percent of the state's voters approved a ballot proposal to allow a medical marijuana caregiver to sell up to 12 plants or 2.5 ounces of marijuana to five patients who qualify under the Michigan Department of Community Health.

Ryan Richmond, owner of Clinical Relief, which also has a medical marijuana facility in Lansing, said four of his employees were among those arrested and they remain jailed as of Thursday afternoon.

Oakland County Prosecutor Jessica Cooper, who also spoke at the press conference, said warrants are being sought and arraignments could be held as early as Friday for charges that include manufacturing, distribution and possession of marijuana.

Richmond, interviewed after the press conference in the parking lot of the Oakland County Sheriff's Office with his attorney, Paul Tylenda, was not among those arrested, though he said his home in Royal Oak was raided by police.

The Ferndale store has been open for 3 1/2 months and the Lansing facility for about two weeks, he said. He said he plans on continuing his operations.

"We are the industry standard," Richmond said. "We

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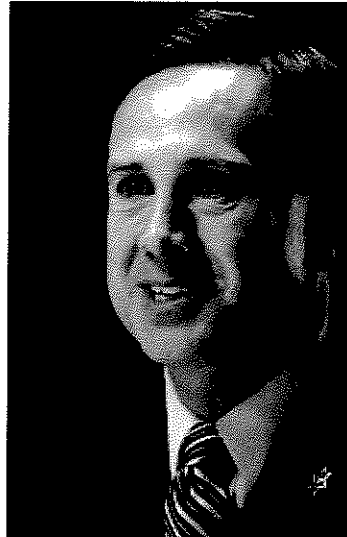
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turn away 10 patients a day. There is no smoking, no cultivating on site. We're open. Our inventory is challenged, if you can imagine. Unfortunately we have no medicine to provide."

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Bouchard said Clinical Relief sold to walk-in customers, including many who didn't have the proper identification to be eligible to buy medical marijuana, and surveillance also indicated purchases took place in the parking lot and at neighboring buildings.



"Some got cards for stomach aches, sore shoulders," Bouchard said. "This was not the intent of the law, unless the intent of the law was the legalization of marijuana, not to relieve pain of debilitating illnesses. There is no such thing as dispensaries where people can sell marijuana, retail it."

When asked if one of the firearms inside the sheriff's office was his, Richmond answered, "Sure, they got my hunting rifle in there, too."

Richmond said several of his patients' and employees' rights were violated in the raid, citing confidentiality of HIPPA laws.

"(The police) took protected documents, cancer patients to the ground with guns to their head," Richmond said. "Our 70-year-old administrative assistant had a gun to her head. She worked for the Lake Orion Police for 30 years, she can smell a rat when she sees it. She was our gatekeeper."

Bouchard defended the confiscation of medical documents, comparing it to the seizing of medical records in allegations of fraud at a medical facility.

"Medical files will be treated with the kind of respect as we would in any medical fraud case we have that we're investigating," Bouchard said. "When we arrest people, we get the Social Security number of a suspect, and we don't release that to the public," he said, citing an example of confidentiality.

Bouchard said police departments don't have the manpower to investigate medical marijuana facilities on a regular basis and said the law needs amending by the State Legislature.

"Unless the Legislature does its job, (enforcement) will get (more challenging)," he said.

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