

# Application: Deschutes County

Kathleen Meehan Coop - kathleen.meehancoop@dca.us  
Illegal Marijuana Market Enforcement Grant Program 21-23

## Summary

ID: 0000000005

## Cover Sheet 2021-2023

Completed - Aug 25 2021

## Cover Sheet

### Primary Grant Contact Information

## Grant Applicant(s)

### Instructions:

- Identify each jurisdiction or agency applying for the grant in this application. Multi-agency and multi-jurisdictional applicants are allowed and encouraged.
- For "Agency Name," please list the names of agencies from cities or counties who will be grant participants.

	Agency Name	Agency Contact	Phone Number	Email Address
1.	Deschutes County Sheriff's Office	L. Shane Nelson, Sheriff	541-388-6659	<a href="mailto:shane.nelson@deschutes.org">shane.nelson@deschutes.org</a>
2.	Bend Police Department	Paul Kansky, Captain	541-322-2960	<a href="mailto:pkansky@bendoregon.gov">pkansky@bendoregon.gov</a>
3.	Deschutes County District Attorney's Office	Mary Anderson, Chief Deputy District Attorney	541-385-3242	<a href="mailto:mary.anderson@dca.us">mary.anderson@dca.us</a>
4.				

## Grant Application Contact

Provide contact information for a single person who will be the primary contact for grant application purposes.

	Name	Phone	Email	Employing Agency
	Kathleen Meehan Coop	541-317-3175	<a href="mailto:kathleen.meehancoop@dcda.us">kathleen.meehancoop@dcda.us</a>	DCDA

## Existing Enforcement Team

Is the applicant (or are applicants) part of an enforcement team (such as CODE, MADGE, BINET, SCINT)? If yes, please identify the enforcement team's name.

CODE

## Grant Team Fiscal Agent

Identify which agency will serve as the grant's fiscal agent and funds recipient, and please identify the contact person there.

	Contact Name	Phone	Email	Employing Agency
	Joe Brundage	541-617-3390	<a href="mailto:joe.brundage@deschutes.org">joe.brundage@deschutes.org</a>	DCSO

## Direct Deposit

If awarded grant funds, does your team prefer ACH payment processing (direct deposit)?

Yes

## Program Application 2021-2023

## Program Application

# Illegal Marijuana Market Enforcement Grant

The Illegal Marijuana Market Enforcement Grant was established to assist local law enforcement agencies in addressing unlawful marijuana cultivation or distribution operations.

This grant opportunity prioritizes illegal marijuana market investigation and prosecution actions that target:

1. **rural areas** of Oregon;
2. **large-scale** cultivation or distribution operations;
3. **organized crime** in the illegal marijuana market; and
4. operations that **divert marijuana outside of Oregon**.

## Felony Enforcement Prioritization

This grant program prioritizes applications that support enforcement against illegal marijuana-related **felony criminal operations**. Descriptions of related non-criminal and non-felony illegal marijuana problems in your community are welcome in this application to provide an understanding of your local context and any ancillary impacts of the illegal marijuana market where you operate. However, funding decisions will prioritize applications that target illegal marijuana market-related felonies.

Please acknowledge that your team has taken notice of this agency priority.

Yes

## Community Impacts of Illegal Marijuana Markets

## Illegal Marijuana Market Community Problems Rating

Rate the following illegal marijuana market problems as they exist in your community.

Violent Crime	Moderate
Property Crime	Moderate
Civil/Code Violations	High
Environmental Degredation	Moderate
Explosions/Fires	Moderate
Trafficking/Diversion	Extreme
Misdemeanors	Moderate
Financial Crimes	High
Increased Calls for Service	High
Organized Crime	High
DUII	Moderate
Juvenile Use	High

Optional: briefly list any other illegal marijuana problems not named above and note the problem's intensity level (extreme, high, etc.).

Two challenges we believe are related to our illegal marijuana problem: 1) Quality of life -- smell and increased traffic, and 2) Unsafe housing - Growing number of temporary deplorable housing units for workers (documented and undocumented) working marijuana and hemp grows.

# Illegal Marijuana Market Community Problems Narrative

Describe your community's **primary illegal marijuana market problems**. Consider barriers to investigation, prosecution, or other interdiction efforts, local resource shortages, and circumstances unique to your jurisdiction (geographic, socioeconomic, etc.).

**(200 word limit)**

DCIMME investigations indicate that the primarily illegal market is associated with trafficking, distribution and financial crimes. The barriers that impede our ability to investigate and prosecute illegal marijuana include:

- 1) Geography - large rural square mileage allows for illegal activity to be easily missed and cross state lines with few officers patrolling;
- 2) Rural grows - large acreage with limited visibility and access from public roads;
- 3) Hidden in sight - legal marijuana (indoor) and hemp (outdoor) grows can hide illegal marijuana grow operations;
- 4) Enforcement resources - staffing shortages at OLCC, OMMP and ODA prevent full testing of THC levels and disposal of waste products, creating opportunity for illegal market activity;
- 5) Training needs - the complexity of legal issues requests continuous law enforcement training on the investigation of illegal marijuana, search & seizure law, and admissible methods for evidence collection;
- 6) Public education - citizens and businesses don't know the differences between legal and illegal activity, and how to identify or report an issue related to illegal marijuana; and
- 7) Case complexity - large scale investigations require prosecutors with specialized knowledge and involvement in the case from investigation stage to assisting law enforcement with legal and jurisdictional issues.

# Illegal Marijuana Existing Enforcement Operations and Priorities

Describe your community's existing illegal marijuana interdiction, investigation, and prosecution operations and priorities.

**(200 word limit)**

OPERATIONS: DCIMME investigators and a data analyst focus on financial analysis will be investigating illegal marijuana grows, sales, shipments out of state and organized crime. Investigations are based on referrals from other law enforcement personnel, government entities, citizens and informants. Investigative team prioritizes illegal marijuana cases that have the most actionable information. The Deschutes County District Attorney's Office (DCDA) has assigned one dedicated DDA to be the point of contact for the illegal marijuana team. The assigned DDA has drug prosecution experience as an Assistant United States Attorney and as a state level prosecutor.

PRIORITIES: 1) Cases that have the most impact on the quality of life for Deschutes County residents; however, cases in surrounding jurisdictions are also investigated to ensure cooperation and the overall reduction in illegal marijuana. 2) Large scale grows as they generate a lot of money, support criminal networks, and a few cases have been tied to cartels. 3) BHO labs due to the safety issues - ideally catching them before any explosions. 4) Cases that also have evidence of environmental degradation.

# Grant Program Proposal

Describe how the grant-funded program (your plan for grant funds) requested through this application will support your community in addressing illegal marijuana market problems locally. Include how grant funds will allow you **to increase capacity and/or efficacy** of existing illegal marijuana interdiction efforts.

**(200 word limit)**

FY21-23 grant funds will provide overtime for the 2.5 FTE DCIMME investigators, two part-time analysts, consultants (evaluator and financial forensic analyst), training, and new investigation equipment. Funding will support enhanced enforcement and prosecution with an emphasis on illegal financial and environmental activity. Investigator overtime will support sharing of expertise and man-power with neighboring counties. Internal analyst funding will support dedicated staff assessing initial financial and environmental activities, and assisting investigators in working with state agencies. PSU research efforts studying the effect of illegal marijuana will continue. In addition, the team will attend marijuana related trainings to stay current.

Rollover funds from the FY19-21 grant will be used to complete our community education program on the laws and regulations surrounding cannabis to increase leads on illegal marijuana submitted by community members. Rollover funds will support PSU researchers completing the FY19-21 impact evaluation; FY21 training and a pilot study to assess whether or not illegal marijuana sites are also engaging in illegal environmental activity (i.e. land, pesticide & water degradation). This research pilot will help us enhance prosecution efforts and the information will be shared with counties and state agencies.

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## Four Grant Goals Questions

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**(1) Rural Areas:**

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**You may answer yes to both "rural areas" questions if applicable.**

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**Is a jurisdiction for which you are applying a county with fewer than 250,000 people?**

Yes

**Is a jurisdiction for which you are applying located at least 25 miles away from any city with a population of 30,000 persons or less?**

Yes

**(2) Large-Scale Operations**

**Rate the following issues as they relate to a large-scale illegal marijuana problem in your community.**

Number of illegal grows	High
Illegal grows over large geographic areas	High
Illegal activities involve significant monetary values	High
Not enough law enforcement to investigate	Extreme



**Describe any other circumstances that make the illegal marijuana market problem a large-scale problem in your community.**

**(150 word limit)**

The estimated population in Deschutes County as of 2020 was 198,253 and covers 3,055 square miles. However, as with many large rural counties, patrol and enforcement are generally spent in areas with the highest population densities such as the cities/communities of Bend, Redmond, La Pine, Sisters, Sunriver, Black Butte. The rest of the county, which has a heavy agricultural focus is sparsely populated and patrolled. Illegal grows are easy to operate with little notice in these isolated areas. Many of these rural areas also have legal marijuana and hemp production sites which makes it harder for law enforcement and citizens to know what is illegal. In addition, most calls received regarding illegal operation locations don't provide an exact location making it difficult to investigate, and even when they do, the locations are remote and on large parcels.

### **(3) Organized Crime Operations**

#### **Organized Crime Problem Rating**

Rate the following issues with illegal marijuana-related organized crime problem in your community.

Criminal gang involvement	Moderate
Conspiracies to commit property felonies	Moderate
Conspiracies to commit person felonies	Low
Conspiracies to commit financial crimes/money laundering	High
Racketeering	High

**Describe any other circumstances that link the illegal marijuana market to organized crime in your community.**

**(150 word limit)**

Deschutes County does not have an organized street gang crime problem and very little crime from outlaw motorcycle gangs is present at this time. However, organized crime related to illegal marijuana is still present and appears to be focused on money laundering, racketeering and cartel affiliation. Although we know drug sales are often used to fund terrorism, illegal gun sales and human trafficking, we struggle to fully investigate these type of cases as they require a tremendous amount of time, effort and resources to investigate and dismantle. We have; however, had some success in connecting one case with a California company and hope to use what we learned from that case on future ones. We still have two larger ongoing cases underway with federal implications that could lead to much bigger crime organizations.

#### **(4) Diversion of Marijuana Outside of the State**

##### **Diversion Outside of the State Problem Rating**

Rate the following sources of illegal marijuana diversion in your community.

Unlicensed grows	Extreme
Licensed retail grows	Low
Licensed medical grows	High
Marijuana misconstrued as hemp	Extreme

## Diversion Outside of the State Problem Rating

Rate the following components of illegal marijuana diversion in your community.

Car/SUV/truck transport	High
Shipments via mail/couriers	High
Airports	Moderate
Boats/waterways	N/A
Proximity to highways/interstates	High
Proximity to other states/borders	High

**In your community, are there any unique circumstances that lead to the diversion of marijuana outside of the state?**

**(150 word limit)**

Deschutes County is seeing the highest marijuana profit margins connected with out of state shipments verses producing product to sell in state where businesses have to pay taxes and deal with a litany of regulations. These environment leads to an increased likelihood of illegal activity. In addition, Deschutes County is listed as a designated HIDTA due to our geographic location and low population, which supports increased traffic flows that aid in the transport of product moving more easily across state lines.

We have also seen the number of hemp licenses within Deschutes County increased significantly in the last two years, while the price for hemp has simultaneously declined. Three large illegal operations that the DCIMME team investigated in the last year that were licensed hemp locations. Although OLCC is testing more and working with ODA to address this issue, it still is a monumental issue and task.

# Grant Data Tracking

Describe how data will be tracked for the purposes of demonstrating how grant funds are adding capacity and/or increasing efficacy of existing interdiction, investigation, and prosecution efforts, such as illegal marijuana-related:

- Asset forfeitures;
- Felony arrests;
- Felony prosecutions; and
- Any other data your jurisdiction will track to demonstrate local impacts of grant funds.

## (200 word limit)

The data analyst tracks all cases in a database to include asset forfeiture, arrests, and prosecution information; helps the investigators gather leads and complete deeper analysis of evidence, particularly financial data (information on businesses, money transactions and potential conspirators); allowing the DCIMME team to pursue more charges and seizures. Funds allocated for a financial analyst will be used for cases that require an even deeper dive into financial records that go beyond the resources and software available to the internal data analyst.

The environmental experts, who will conduct tests of the soil, air and water at illegal sites, through the rollover funds pilot study, will help our enforcement and prosecution efforts by improving our ability to identify and hold suspects accountable for all their crimes. Using both internal and external expertise to collect evidence for prosecution cases enhances our ability to ensure suspects/arrestees are appropriately charged and sentenced and research results will be shared.

We will also track the impact of our education website (CannaFacts) through google analytics - numbers of visits, length of stay by page, how many online submissions are received and how many visits result in solid illegal marijuana leads.

# Budget Overview

## General Instructions

- Use **only text or numbers** in input fields -- no symbols or commas.
- Prioritize grant requests as High, Medium, or Low (selecting High for all items is not advised).

## Budget Priority Ranking

Please rate your budget priorities from highest to lowest by dragging and dropping the budget category right to the corresponding numeric figure.

Personnel	1st
Contractual Services	2nd
Rent/Utilities	6th
Travel/Training	4th
Equipment	3rd
Supplies	7th
Other	5th

## Personnel Detail Instructions

**Definition:** Personnel costs include salaries, wages and fringe for all personnel employed by grantees.

- Combine salary and fringe benefits in the Monthly Wages field.
- Months employed means during the 2021-2023 grant 24-month period. If hiring new personnel, only count months during which positions expected to be hired-on.
- In % Time Per Month, use whole numbers to show position's percentage of time dedicated to grant-related work. *Example:* a half-time DDA = **50**
- If personnel cost was funded by this grant during 2019-2021 grant cycle, select YES in "IMMEGP funded 2019-21."

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position One		Data Analyst	8136.67	24	100	DCSO	Yes

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2018-19
Position Two		Data Analyst	11650.10	24	10	DCDA	Yes

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Three	Overtime	Deputy/Officer	1500	24	100	DCSO	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Four	Overtime	Deputy/Officer	1500	24	100	DCSO	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Five	Overtime	Deputy/Officer	1500	24	50	Bend PD	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Six		Data Analyst	8136.67	6	100	DCSO	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Seven		Data Analyst	11650.10	6	10	DCDA	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Eight	Overtime	Deputy/Officer	1500	6	100	DCSO	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Nine	Overtime	Deputy/Officer	1500	6	100	DCSO	No

	Personnel Category	Position Type	Monthly Wages (Salary+Fringe)	Employed 2021-23 (Months)	% Time / Month	Employing Agency	IMMEGP funded 2019-21
Position Ten	Overtime	Deputy/Officer	1500	6	50	BPD	No

**Personnel Total**

391550.40



## Brief Personnel Narrative

Please describe how funding personnel and/or paying for additional overtime will assist your jurisdiction's illegal marijuana interdiction efforts. **(150 word limit)**

DCSO has assigned one detective to DCIMME and is currently re-hiring for the second detective to work marijuana full-time. BPD is hiring a new detective to split time on the DCIMME team and the other drug enforcement CODE team. This shared workload between the two agencies and the CODE team has worked well over the last few years. Overtime hours will provide resources needed to respond to time sensitive and complex investigations and will allow the team the ability to easily assist neighboring communities.

The data analyst provides essential research and investigative support to the DCIMME detectives and assists the PSU research team. The other analyst oversees the community education program on improving the quality and quantity of illegal marijuana leads submitted by community members, and will work closely with the environmental consultants & PSU to track the impact and share critical information with other agencies.

## New-Hire Open Positions

If hiring new staff with grant funds, do you agree to notify CJC when grant-funded positions are posted?

Yes

## New-Hire Posting Timeline

If hiring new staff with grant funds, do you agree to post open positions within 45 days of notification of grant award?

Yes

## New-Hire Positions Filled

If hiring new staff with grant funds, do you agree to notify CJC staff when those positions have been filled?

Yes

## Financial Analysts / Forensic Accountants

If no grant funds are being requested to hire a financial analyst or forensic accountant, do you have **an existing financial analyst or forensic accountant** who will work on grant-funded illegal marijuana investigations and prosecutions?

- If YES, identify person and employing agency
- If NO, briefly describe why not

Danielle Martell, data analyst from DCSO and an external financial analyst as needed

## Contractual Services

**Definition:** An individual or organization providing a service or programmatic aspect of the work that is not provided by the grantee.

- Contract Purpose is a brief description of what the contract covers.
- #Units/Hours is the number of items or the number of hours of services.
- \$ Per Unit/Hour is the price per unit or hourly rate.
- Agency Served means the agency contracting for services

	Contract Category	Contract Purpose	# Units/Hours	\$ Per Unit/Hour	Agency Served
1.	Services	Research - Henning & Stewart (total hours)	160	100.00	DCDA & DCSO

	Contract Category	Contract Purpose	# Units/Hours	\$ Per Unit/Hour	Agency Served
2.	Services	Financial Forensic Analyst	100	150.00	DCDA & DCSO

	Contract Category	Contract Purpose	# Units/Hours	\$ Per Unit/Hour	Agency Served
3.	Services	Electrical	16	187	DCSO

**Contractual Services Total**

33992.00

## Equipment

**Definition:** Permanent equipment with a purchase price of \$5,000 or more and a useful life of two or more years. Required to be itemized and justified.

- Description means the type/name of equipment to be purchased.
- # of Units means how many individual items to be purchased.
- Agency Served means the agency to own and operate the equipment.

	Description	# of Units	\$ Per Unit	Agency Served
1.	Dump Trailer with hydraulic ramp	1	9200.00	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
2.	Flight/Ground Communication Headsets	1	2500.00	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
3.	Light Lab Cannabis Analyzers	2	16945.00	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
4.	Electrical work equipment (fan, wiring, etc.)	1	2000.00	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
5.				

**Equipment Total**

47590.00

# Supplies

**Definition:** Consumable materials and supplies including the cost of small items of equipment that do not meet the threshold for the “Equipment” category.

- Description means the type/name of supplies to be purchased.
- # of Units means how many individual items to be purchased.
- Agency Served means the agency to use the supplies.

	Description	# of Units	\$ Per Unit	Agency Served
1.	NIK tests	250	2.50	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
2.				

	Description	# of Units	\$ Per Unit	Agency Served
3.				

	Description	# of Units	\$ Per Unit	Agency Served
4.				

	Description	# of Units	\$ Per Unit	Agency Served
5.				

## Supplies Total

\$ 625.00

# Travel & Training

**Definition:** Includes eligible expenses for transportation, lodging, per diem, and registrations for grant-related trainings.

Each row should be dedicated to a single training. Input the number of registrants and input the total registration costs in "Registration Fee (Total)" field.

*Example:* 1. [Money Laundering Workshop] (Training Title); [4] (# Registrations); [1000] (total fees for 4 registrations at \$250 per); [1000] (combined travel expenses); [Willamette County DA] (Agency Served)

- Trainings must be related to grant purposes.
- All travel expenses must follow state DAS and federal GSA regulations.
- Luxury travel expenses, such as first-class flights, are not allowed.

	Training Title	# Registrations	Registration Fee (Total)	Travel Expenses	Agency Served
1.	ONEA - FY22 & 23	8	3600		DCSO, BPD, DCDA

	Training Title	# Registrations	Registration Fee (Total)	Travel Expenses	Agency Served
2.	CNOA FY 22 & 23	4	2340	5600	DCSO, BPD

	Training Title	# Registrations	Registration Fee (Total)	Travel Expenses	Agency Served
3.	Environmental Prosecution Training & Marijuana Training for Officers	4	1800	5600	DCDA

## Travel/Training Total

18940.00

## Rent & Utilities

**Definition:** Rent and utilities includes office space and related office-space expenses necessary to provide grant-funded program employees to perform grant program work.

	Description	Price Per Month	Months Needed	Agency Served
1.	Rent CODE Facility FY21, 22	1641.50	24	DCSO

	Description	Price Per Month	Months Needed	Agency Served
2.	Rent Code Facility FY23	1715.98	6	DCSO

	Description	Price Per Month	Months Needed	Agency Served
3.				

## Rent & Utilities Total

49691.88

## Other

**Definition:** Other grant-related allowable expenses that do not fall into any other category.

	Description	# of Units	\$ Per Unit	Agency Served
1.	ArcGIS Software	3	400	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
2.	Banksan Software	3	2500.00	DCSO

	Description	# of Units	\$ Per Unit	Agency Served
3.	Marijuana Lab Testing	20	250	DCSO

**Other Total**

13700

**Administrative Costs**

Do you request 10 percent of any direct award to fund indirect administrative needs associated with grant operations?

No

**Grant Operations**



# Collaboration With Other Law Enforcement

Describe how your jurisdiction collaborates with other law enforcement agencies locally, regionally, and/or on a statewide or interstate basis.

**(150 word limit)**

DCIMME has partnered with other local counties to assist with their illegal marijuana cases. We have helped with the initial investigations and with dismantling grows. We offer this assistance for areas that do not have the resources. We recently utilized one of OSP's officers who had access to the Lite Lab so we could test marijuana and/or hemp in the field. Their expertise was greatly beneficial to have during our search warrant. Other marijuana experts around the state that have also been instrumental in helping us with questions we may have on emerging trends. Southern Oregon agencies have provided us with ideas on dismantling grows using different methods. We also recently began attending the Cross Agency Cannabis Enforcement meetings and are looking forward to sharing the results of our pilot study on environmental impacts at illegal marijuana sites.

# Reporting Responsibilities

Grantees are required to report grant fund financial expenditures and grant-funded interdiction, investigation, and prosecution-related data to CJC.

Note which persons will perform reporting duties, including contact information.

	Reporting Type	Name	Phone Number	Email	Employing Agency
1.	Financial	Joe Brundage	541-617-3390	<a href="mailto:joe.brundage@deschutes.org">joe.brundage@deschutes.org</a>	DCSO
2.	Data	Danielle Martell	541-312-6411	<a href="mailto:danielle.martell@deschutes.org">danielle.martell@deschutes.org</a>	DCSO
3.					
4.					

# Complete Budget Summary

## Direct Costs Summary

Personnel	391550.40
Contractual Services	33992.00
Equipment	47590.00
Supplies	625.00
Travel/Training	18940.00
Rent	49691.88
Other	13700

## Total Direct Request

Total:	556089.28
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## Grant Award Request Total

TOTAL:	556089.28
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### July 2021 - June 2022 Grant Budget Projection

Completed - Aug 25 2021

### Form for "2021-2022 Budget Projection"

IMMEGP monthly projected budget

## First-Year Grant Award Budget Projection

Instructions:

- Input your **estimated monthly spending** plans for the first year of the grant period (**July 1, 2021 to June 30, 2022**).
- This budget estimate allows CJC to plan for first-year disbursements.
- Category requires selecting an expense type from the drop-down menu.
- Description means the name or type of expense.
  - Example: Sheriff's deputy OT (5 hours)
- Amount is how much the item described costs.
  - **Only use whole numbers**; forms do not recognize symbols, commas, or decimals

# Project Budget -- July 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives - Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## July 2021 Total

\$14693.18

# Project Budget -- August 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## August 2021 Total

\$14693.18

# Project Budget -- September 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## September 2021 Total

\$14693.18

# Project Budget -- October 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Other	ArcGIS Software	400.00
5.	Other	BankScan Software	2500.00
6.	Personnel	2.5 Detectives Overtime	3750.00
7.			
8.			
9.			
10.			

## October 2021 Total

\$17593.18

# Project Budget -- November 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Other	Private Lab Marijuana Testing	1000.00
5.	Personnel	2.5 Detectives Overtime	3750.00
6.	Equipment	Flight/Ground Communication Headsets	2500.00
7.	Equipment	Light Lab Cannabais Analyzers	33890.00
8.	Equipment	Dump Trailer	9200.00
9.			
10.			

## November 2021 Total

\$61283.18



# Project Budget -- December 2021

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## December 2021 Total

\$14693.18

# Project Budget -- January 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.	Contractual Services	Electrical Work Services	2992.00
6.	Equipment	Electrical Work Equipment (fans, wire, etc.)	2000.00
7.			
8.			
9.			
10.			

## January 2022 Total

\$19685.18

# Project Budget -- February 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## February 2022 Total

\$14693.18

# Project Budget -- March 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.			
6.			
7.			
8.			
9.			
10.			

## March 2022 Total

\$14693.18

# Project Budget -- April 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.	Contractual Services	Kris Henning - Researcher	1300.00
6.	Contractual Services	Greg Stewart - Researcher	1300.00
7.			
8.			
9.			
10.			

## April 2022 Total

\$17293.18

## Project Budget -- May 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives Overtime	3750.00
5.	Other	Private Lab Marijuana Testing	1000.00
6.			
7.			
8.			
9.			
10.			

### May 2022 Total

\$15693.18

# Project Budget -- June 2022

	Category	Item Description	Amount
1.	Personnel	0.75 FTE Data/Financial Analyst	8136.67
2.	Personnel	0.1 FTE Management Analyst	1165.01
3.	Rent/Utilities	Pro-rate CODE building rent	1641.50
4.	Personnel	2.5 Detectives	3750.00
5.	Travel/Training	ONEA 2022 - 4 attendees registration	1800.00
6.	Travel/Training	CNOA 2022 - 2 attendees registration	1170.00
7.			
8.			
9.			
10.			

## June 2022 Total

\$17663.18

## First-Year Budget Projection Total:

\$237370.16

## Memorandum of Understanding 2021-2023

**Completed** - Aug 23 2021

Prior to award acceptance, applications from multi-jurisdictional teams must submit a Memorandum of Understanding (MOU). The MOU must identify the parties involved, specify a fiscal agent, describe how funds will be distributed to each jurisdiction, and briefly identify the purposes for which the funds will be

used by each jurisdiction.

This requirement applies to any agencies applying together where grant funding will be required to flow through more than one fiscal agency (i.e., a city police department and a county district attorney's office).

This task is not required of applicants applying for a sole agency or agencies using the same fiscal agent (i.e. a county sheriff and district attorney's office).

### **[Executed MOU - DCIMME FY21-FY24](#)**

**Filename:** Executed\_MOU\_-\_DCIMME\_FY21-FY24.pdf **Size:** 378.3 kB

## **Optional Supporting Documentation 2021-2023**

**Completed** - Aug 25 2021

Applicants are encouraged (but not required) to include a letter of support from a local governing body (such as a county commission) or local public safety coordinating council. Joint letters of support are encouraged if the application is multi-jurisdictional (i.e., more than one county).

Applicants may also submit up to two documents, in addition to the optional letter of support, supporting their application. Examples may include reports, news articles, or other information related to local illegal marijuana issues.

### **[DCIMME additional materials](#)**

**Filename:** DCIMME\_additional\_materials.pdf **Size:** 2.2 MB



## **MEMORANDUM OF UNDERSTANDING (MOU) FOR FY2021-2024:**

Deschutes County Sheriff's Office, Deschutes County District Attorney, and City of Bend Police Department

The Deschutes County Sheriff's Office (DCSO) is the lead applicant for the Illegal Marijuana Market Enforcement grant program (IMME). The Deschutes County District Attorney's Office (DCDA) and the City of Bend Police Department (BPD) are collaborating with DCSO on the IMME application. The application supports the Deschutes County Illegal Marijuana Market Enforcement (DCIMME) Project. The focus of the FY2021-2024 is:

1. Continue and enhance the investigative and enforcement work of the DCIMME Team;
2. Continue partnerships with researchers from Portland State University (PSU) and the Central Oregon Drug Enforcement (CODE) Team;
3. Continue to increase enforcement of illegal marijuana production and distribution crimes;
4. Continue to collect and evaluate local illegal marijuana enforcement data with the partnership with the researchers from PSU;
5. Provide investigative support to DCIMME Project by contracting with a financial analyst;
6. Provide investigative support and enhance the efficacy of the DCIMME Project by including an environmental investigation consultant component to our team.
7. Collaborate with researchers from Portland State University, the Deschutes County Illegal Marijuana Team and an analyst to develop a comprehensive community outreach initiative, to inform the public on the issue of illegal marijuana activity;
8. Educate local business stakeholders who are likely to be utilized by illegal marijuana operations to identify and report illegal marijuana activity;
9. Continue work to increase arrests, seizures, and prosecutions for illegal marijuana operations, exporting drugs to other states, and those with connections to other criminal activity; and
10. Complete an end-of-program evaluation by the researchers from Portland State University.

### **I. Development of Application**

The grant application was developed by members of the Deschutes County Illegal

Marijuana Project as a continuation of the successful work of team as documented in the *Illegal Marijuana Markets Enforcement Grant Program: Deschutes County*, submitted as a final report for the FY2018-2019 grant. The initial grant was developed after two new detective positions dedicated to illegal marijuana enforcement were funded by Deschutes County and the City of Bend in FY18-19 and assigned to work in partnership with the Central Oregon Drug Enforcement Team (CODE). In FY19-20, Deschutes County added a second detective position dedicated to illegal marijuana enforcement to expand the work of the program.

DCIMME detectives work in partnership with the existing CODE team, working marijuana cases full time. Overtime hours provide resources to respond to time sensitive and complex investigations. The data analyst provides essential research and investigative support to the DCIMME detectives and assists the research team from PSU. The community outreach manager was identified as a need, as documented in the FY 2018-2019 final report (p32), based on the review of community reporting data and identification of community businesses utilized by individuals involved in illegal marijuana activity. These part-time positions enable data collection and community engagement.

The previous grant activity and continued discussions between all the partner agencies led the team to submit a follow-up collaborative grant application and drafting a new MOU to memorialize the agreements entered into between the Deschutes County Sheriff's Office, the Deschutes County District Attorney's Office and the City of Bend Police Department.

As part of this MOU and to further the partnerships integral to the DCIMME team, the agency heads, or their appointed representative will meet with DCIMME team on a quarterly basis to further goal setting and collaboration.

## **II. Roles and Responsibilities**

### **A. DCSO; BPD and DCDA**

- a. Each agency will maintain ultimate authority and supervision over their personnel assigned to DCIMME; and
- b. DCIMME team members will work in partnership with CODE; and
- c. The Sheriff's designee and BPD Lieutenant (or the assigned CODE Lieutenant), will work closely together; daily the CODE Lieutenant coordinates with the DCIMME; and
- d. DCIMME agency heads will meet with DCIMME team on a quarterly basis to further goal setting and collaboration.

### **B. Deschutes County Sheriff's Office**

- a. Support for grant-related activities and management will be provided by the full organization of Deschutes County Sheriff's Office, including grant administration, administrative support, financial management, risk management for Sheriff's Office employees and technological system assistance.
- b. A Deschutes County Sheriff's Office Captain or other designee identified by the Deschutes County Sheriff will provide administrative oversight regarding the program budget, finances, and grant reporting. Day to day grant management questions should be directed toward the Deschutes County Sheriff's Office Business Manager.

- c. The Deschutes County Sheriff's Office will direct and provide operational oversight for the Deschutes County Sheriff's Office detectives and Data Analyst assigned to the marijuana team. The Sheriff's designee and BPD Lieutenant (or the assigned CODE Lieutenant) will work closely together; daily the CODE Lieutenant coordinates with the DCIMME team.
- d. The Deschutes County Sheriff's Office in partnership with the CODE Team will:
  - i. Review the work and provide work space at the CODE office for the analyst position;
  - ii. Review and, if appropriate, approve eligible overtime for the Sheriff's Office detectives assigned to illegal marijuana enforcement, coordinating with CODE Lieutenant;
  - iii. Pool resources and share data to complete grant program goals including technical assistance and IT support;
  - iv. Coordinate the selection and contract for the financial analyst and will include DCDA and the CODE Lieutenant in the process; and
  - v. Assist the DA's office with subject matter knowledge and expertise and attendance at meetings and training workshops related to the outreach component; and
  - vi. Agree to regularly communicate and coordinate with program partners.

**C. Deschutes County District Attorney's Office**

- a. Deschutes County District Attorney's Office will:
  - i. Assist in providing training and prosecution support to the partners related to grant activities;
  - ii. Provide support and training to the DCIMME team, including providing a Deputy District Attorney as a single point of contact to the detectives and analyst;
  - iii. Provide support and training, including technical assistance and IT support to the Community Education and Outreach Program;
  - iv. Work directly with and coordinate the work of the Portland State University Research team;
  - v. Pool resources and share data to complete grant program goals;
  - vi. Manage the contract for the environmental expertise and work with CODE to coordinate their assessments at search warrant sites.
  - vii. Manage the contract, provide space as needed for the PSU researchers to evaluate the program and complete an end of cycle report;
  - viii. Create and implement a community outreach component focused on illegal marijuana, which will include selecting and managing the contract for a web and graphic designer, overseeing engagement of local stakeholders and conducting training workshops,
  - ix. Determine the best solution for hosting the website and submission portal;
  - x. Participate in the selection of the financial analyst;
  - xi. Agree to regularly communicate and coordinate with program partners;

- xii. DCDA will act as project co-director; drafting the contract for the researcher and the web and marketing development consultants, and facilitate meetings as necessary to complete the program goals including the completion of the end-of-program evaluation.

**D. The City of Bend Police Department**

- a. The Central Oregon Drug Enforcement team is supervised by a Lieutenant from the Bend Police Department.
- b. The CODE lieutenant and DCSO Captain (or the Sheriff's designee) will work closely together; daily the CODE Lieutenant coordinates with the DCIMME;
- c. The City of Bend Police Department will:
  - i. Review and, if appropriate, approve eligible overtime for the Bend Police Department detective assigned to illegal marijuana enforcement, coordinating with the CODE Lieutenant;
  - ii. Provide support and training to the analyst and program evaluator;
  - iii. Pool resources and share data to complete grant program goals;
  - iv. Participate in the selection of the financial analyst;
  - v. Assist the DA's office with subject matter knowledge and expertise and attendance at meetings and training workshops related to the outreach component; and
  - vi. Agree to regularly communicate and coordinate with program partners.

### **III. Timeline**

The roles and responsibilities described above are contingent on the County receiving the funds requested for this project. The beginning and end dates of this implementation effort would coincide with the grant period when funds are released through December 31, 2023.

Our detailed efforts that add to our baseline data, and the implementation of new tools and processes that refine our investigation strategies to combat the illegal market that are part of our rollover funds from the 2019-2021 IMME grant, which includes but is not limited to the work of the data analyst supporting the investigators, the completion of the CannaFacts website and the pilot study on environmental degradation at illegal sites and our final research project will continue.

Upon notification of the new grant award the next phase of our plan will be put into action, including the Deschutes County District Attorney's Office updating the contracts with Kris Henning and Gregory Stewart the program evaluators, purchasing of new equipment and registering for critical training opportunities.

Overall program results will be analyzed and evaluated for reporting to the CJC on an annual basis in June 2022, if requested and again at the end of 2023.

### **IV. Commitment to Partnership**

The partners are committed to sustaining the work of the Deschutes County Illegal Marijuana Project, expanding the focus of DCIMME to investigate the environmental impact, provide meaningful education content on illegal marijuana activity to the community and

research analysis to support future enforcement and prosecution efforts in Deschutes County and the state of Oregon. Currently, both BPD and DCSO are facing staffing shortages that have impacted the DCIMME, but both agencies are committed to fully staffing when trained personnel are available and positions may be filled. These positions are already funded through their respective agencies. During this time, the Analyst position has proven to be an important part of the investigation, prosecution and data collection process. The Sheriff's Analyst, and the DCDA Community Outreach Manager are valued additions to DCIMME.

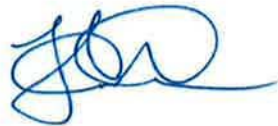
We, the undersigned have read and agree with this MOU. Further, we have reviewed the portion of the proposed project budget pertaining to the collaborative effort described herein, and approve it. We have reviewed the grant application. Any of the parties may request modification or terminate their participation in this MOU upon 30-days written notice to the other parties. Termination under this section shall not affect any obligations accrued prior to termination. This agreement will be effective until December 31, 2023.

#### **V. Signature Pages**

Each agency is provided the MOU with a separate signature page.



I have reviewed pages 1-8 of the Illegal Marijuana Market Enforcement Grant Program and agree to the MEMORANDUM OF UNDERSTANDING (MOU) FOR FY2021-2023: Deschutes County Sheriff's Office, Deschutes County District Attorney, and City of Bend Police Department



By \_\_\_\_\_  
L. Shane Nelson, Sheriff  
Deschutes County Sheriff's Office

Date 8/20/2021

I have reviewed pages 1-8 of the Illegal Marijuana Market Enforcement Grant Program and agree to the MEMORANDUM OF UNDERSTANDING (MOU) FOR FY2021-2024: Deschutes County Sheriff's Office, Deschutes County District Attorney, and City of Bend Police Department

By



Mike Krantz, Chief  
City of Bend Police Department

Date

8/23/21

I have reviewed pages 1-8 of the Illegal Marijuana Market Enforcement Grant Program and agree to the MEMORANDUM OF UNDERSTANDING (MOU) FOR FY2021-2024: Deschutes County Sheriff's Office, Deschutes County District Attorney, and City of Bend Police Department

By  Date 8/20/21  
John Hummel, District Attorney  
Deschutes County District Attorney's Office

# FY19-21 DCIMME Updates

DCIMME grant activities went beyond just enforcement and prosecution and included a research component and an education outreach initiative. Both of these elements are still ongoing and will be completed fall FY22 using the FY19-21 rollover funds. Below is a synopsis of what has been accomplished to date.

## Research

The Portland State University research team (Kris Henning, Ph.D. & Greg Stewart, MS) conducted a survey in 2020 to gain a better understanding of law enforcement's experiences with the current marijuana laws. The research started in Deschutes County but expanded to agencies across the state to provide a more comprehensive analysis. The Dazed and Confused: Police Experiences Enforcing Oregon's New Marijuana Laws report is attached - page 2.

## Community Outreach

In February 2020, DCIMME hosted three public focus group meetings – one for the marijuana and hemp industry, one for agencies and businesses that work with the industry (i.e. shipping, permitting), and one for the general public. During these meetings we talked about the illegal marijuana market enforcement program, Deschutes County's program, asked the participants based on their area of expertise what concerned them most about illegal marijuana, what if anything had they noticed or experienced, and what might they need from our agencies to help with this issues. The meetings were well attended and the discussions during each one were thoughtful and productive.

During these meetings, we also addressed our initial concept for an informational website that would include a submission portal for leads on illegal marijuana activity. The concept for the website, including the decision tree to determine whether or not an activity was legal were well received and some great insights were gleaned during the prototype test runs and follow-up discussions. In addition, a lead on illegal activity resulted from these meetings.

Over the next 13 months, the content for the website was developed. The complexity of the marijuana laws and the fact that there can be differences by city, made crafting the text much slower than we had originally planned, especially related to the decision tree element. The decision tree required laying out all the questions and possible answers into Excel and then transposing that information into a linked PowerPoint that would “function” like a website. This mock website of over 400 interactive slides allowed us to fully review and test the concept with subject matter experts and the general public. Then the text was edited by a professional content editor before it was sent to the web development team.

We are now doing our first round of edits in the official web format and it is really beginning to take shape. Please see the attached images for a brief snapshot of what the future CannaFacts website will look like - page 9.

# Dazed and Confused: Police Experiences Enforcing Oregon's New Marijuana Laws

Kris Henning, Ph.D. & Greg Stewart, MS.

Research Brief (February 2021)



## Key Findings

- More than 90% of 301 officers/deputies surveyed for this research said that illegal shipping or transport of marijuana out of state has increased over the past three years.
- Nine out of ten officers/deputies report that driving under the influence of marijuana (DUI) has increased for adults and juveniles, and many requested additional resources to address this offense.
- 60-70% of officers/deputies report recent increases in people having a bad reaction to marijuana that results in a call to emergency responders.
- The majority (60%+) of people surveyed said that Oregon's cannabis laws make it difficult to determine when someone is breaking the law (e.g., growing, processing, distributing marijuana illegally; possessing an illegal quantity of marijuana).
- The majority (75%+) of officers/deputies surveyed believe the state's current marijuana legislation is poorly written and hard to interpret.
- Nine out of ten officers/deputies agreed that Oregon's marijuana laws need to be simplified.
- Many of the officers/deputies surveyed said it is difficult to collaborate with other agencies responsible for regulating cannabis in the state (e.g., OLCC, OHA, ODA).

## Introduction

This research brief reports findings from a survey completed by 301 Oregon police officers and sheriff deputies in the latter half of 2020. The survey asked about their experiences enforcing the state's current marijuana laws and their perception on trends in marijuana-related public safety issues.

The project was supported in part by an Illegal Marijuana Market Enforcement (IMME) grant from the Criminal Justice Commission to Deschutes County. This grant program was created in 2018 by SB 1544 and was designed to assist local law enforcement agencies and district attorneys' offices in their efforts to address the illegal marijuana market in Oregon. Additional support for the research was provided by the Department of Public Safety and Standards and Training (DPSST), the Oregon Association of Chiefs of Police, and the Oregon State Sheriffs' Association. Finally, several law enforcement agencies directly participated by sending the survey to their employees. This includes the Bend Police Department (BPD), Redmond Police Department (RPD), Deschutes County Sheriff's Office (DCSO), and the Klamath County Sheriff's Office (KCSO).

The survey was conducted in two waves; the first wave focused on officers and deputies in Deschutes County. We worked with the county's major law enforcement agencies to distribute an email invitation to all of their sworn employees. This invitation asked the officer/deputy to complete a brief online survey regarding Oregon's current marijuana laws. These efforts generated 114 completed surveys, accounting for 37.9% of our total sample.

For the second wave we collaborated with DPSST, KCSO, and the state's two law enforcement associations to distribute a similar invitation to all of their members and advanced trainees. A total of 187 law enforcement employees participated in the second wave, comprising 62.1% of the sample.

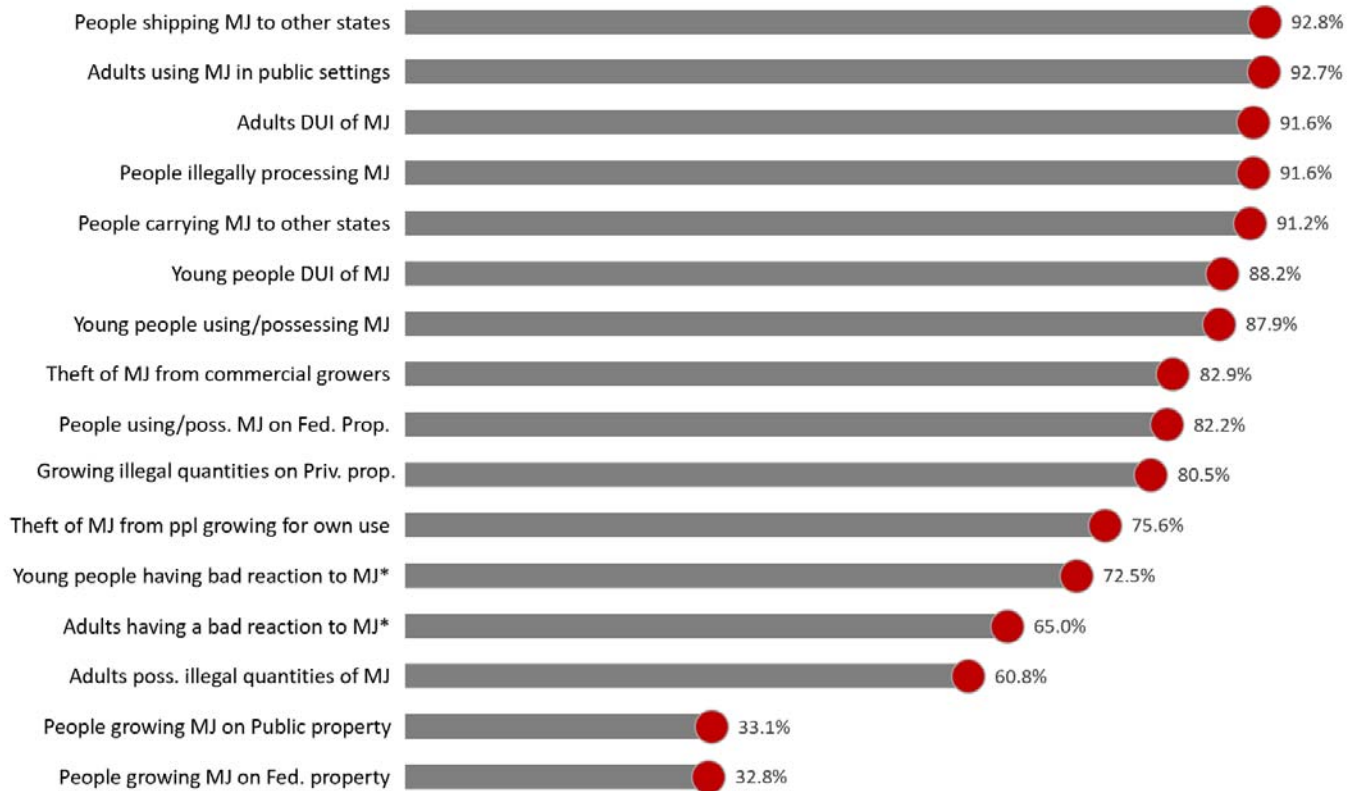
The majority of respondents had worked in local law enforcement for 11+ years (63.1%), were either an officer/deputy (52.0%) or Sgt./Lt. (24.5%), and most worked in patrol (65.2%).

Given the different recruiting strategies employed and disproportionate sampling in Deschutes County, we recommend a degree of caution in generalizing our findings to officers/deputies in the state as a whole. What follows are the main findings from the study and several recommendations based on these results.

# Marijuana-Related Public Safety Trends

## Trends in Marijuana (MJ) Related Problems

*% Officers/Deputies Answering "Increased a little" or "Increased a lot"*



\*Reaction that results in a response by police, fire, or EMT (e.g., overdose, panic attack).

Note: Perceived trend over past three years. Excludes cases where respondent answered "Don't Know".

The first section of the survey assessed officers' perceptions about trends in marijuana-related activities that are of concern to law enforcement and the IMME grant program. The questions asked officers if these activities had, "Decreased a lot", "Decreased a little", "Stayed about the same", "Increased a little", or "Increased a lot" over the past three years. Respondents were also allowed to select, "Don't know." The latter responses were removed from the chart shown above.

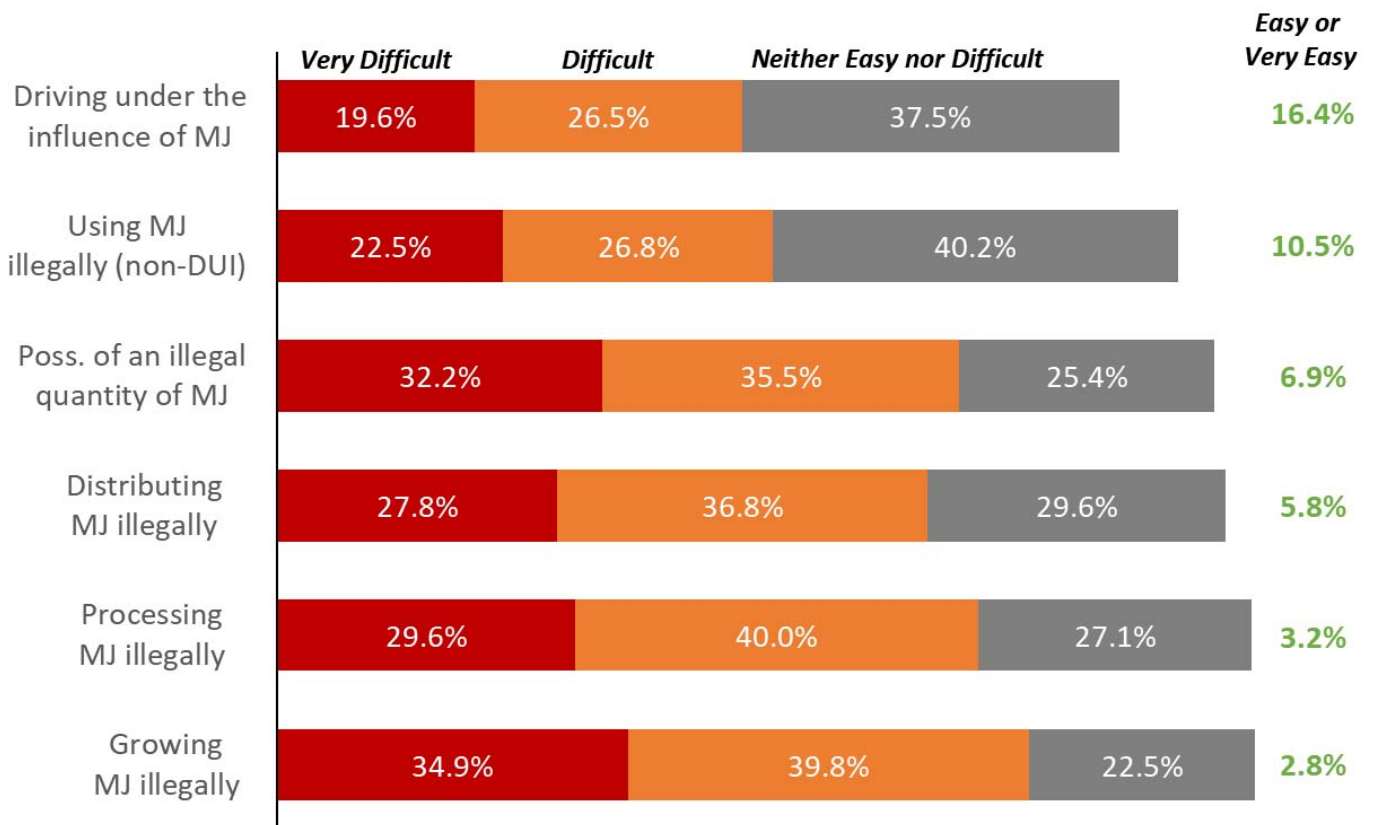
The vast majority of officers and deputies reported that people shipping or carrying marijuana to other states, both of which are targeted by the IMME grant program, had increased over time. Likewise, the majority of respondents said that use of marijuana in public by adults and driving under the influence of marijuana by adults and youth had all increased. Possession and use of marijuana by youth (under age 21) was also believed to have gone up. Finally, the vast majority of officers/deputies reported that illegal processing of marijuana for extracts, concentrates or liquids rose over the past three years.

A smaller majority of respondents reported increases in the following areas: theft of marijuana from commercial growers, using/possessing marijuana on Federal property, adults possessing illegal quantities of marijuana, people growing illegal quantities of marijuana on private property, and theft of marijuana from people growing for personal use. The officers/deputies surveyed also reported increases in youth and adults having a bad reaction to marijuana that resulted in a call to emergency responders (i.e., overdose, panic attack).

There were only two activities on our list that were rated by the majority of respondents as decreased or stayed about the same: growing marijuana on public property (e.g., city parks, schools, streets; state lands) and growing marijuana of federal land. Notably, 80.7% of all respondents answered "Don't know" to the latter question.

## Difficulties Enforcing Oregon's Marijuana Laws

### How Easy is it for Officers/Deputies in Oregon to Identify Marijuana Offenses



Our next set of questions were generated after hearing anecdotal reports from officers/deputies regarding the difficulties they experience while enforcing Oregon's current cannabis laws (i.e., recreational marijuana, medical marijuana, hemp). For the survey we asked whether the current state laws make it, "Very easy", "Easy", "Neither easy nor difficult", "Difficult", or "Very difficult" to identify when people are engaged in six specific acts that remain illegal. The chart above documents the officers/deputies' responses to these questions.

Starting at the bottom of the chart, 74.7% of the respondents said that Oregon's laws make it difficult to very difficult (referred to henceforth as difficult) to identify when people are growing marijuana illegally. Next, 69.6% of respondents said it is difficult to determine when someone is illegally processing marijuana for extracts, concentrates, or liquids. Roughly two-thirds of the officers/deputies said that it was difficult to determine when someone was illegally distributing marijuana (64.6%; e.g., selling, trading, bartering) or when someone possessed an illegal quantity of marijuana (67.7%). Smaller proportions of respondents

found it difficult to determine when people were using marijuana illegally in non-driving situations (49.3%) and when people were driving under the influence of marijuana (46.1%).

We should also note that only a very small percentage of respondents (2.8% to 16.4%) said that Oregon's current marijuana laws make it easy or very easy to determine when people have engaged in these six illegal activities.

After answering these questions officers/deputies were given the opportunity to explain in an open-ended format why Oregon's marijuana laws were difficult to enforce and what might be changed to make this easier. The 157 responses submitted were reviewed yielding four non-mutually exclusive themes. The themes and sample quotes are documented on the next two pages.

## 1 - Oregon's Current Marijuana Laws are Confusing and Poorly Written

In examining the narrative responses, the overwhelming consensus is that the state's current cannabis laws are confusing and poorly written. Over 75% of the respondents addressed this theme (see quotes below).

- "Laws were written to be confusing and difficult to enforce. If lawmakers are trying to get cops to not enforce marijuana laws, they're on the right track."
- "The amount allowed to possess varies from substance to substance. I cannot determine what is a legal amount or not, or whether or not the substance came for a licensed retailer. Additionally, the age differences and whether or not the items sold is for consideration or not makes determining whether or not a crime, violation, or nothing has occurred extremely difficult."
- "It is a poorly written law in the first place and there are numerous caveats within it. I have just started treating weed as if it is legal regardless of the amount."
- "Laws are convoluted and not designed around enforcement but rather frustrating law enforcement to give up on enforcement or feel unsure the seizure and enforcement of marijuana related laws."
- "Because there are two different rules to apply recreational and medical and then rules vary among those. It's crazy if Marijuana is legal why have a medical program."
- "The laws are extensive and not well written with Medical Marijuana sprinkled in. It would be easier to state Marijuana is either legal or illegal, not have certain amounts treated at different levels, which is also dependent upon people's age and whether or not they have Medical Marijuana cards and/or a grower's card. Way too convoluted."
- "The laws are too convoluted to comprehend. If we as law enforcement can't easily decipher the laws, how can we expect the citizens to be able to understand them?"

## 2 - Oregon's Marijuana Laws are Difficult to Enforce and Violators are not Prosecuted

The majority of officers/deputies surveyed said that some of Oregon's marijuana laws were difficult to enforce. Many also expressed concern about a lack of prosecution by District Attorneys.

- "Oregon has made it difficult to identify the line dividing lawful cannabis vs illegal cannabis use/distro/sales/etc. because there are so many technically 'lawful' uses or exceptions to otherwise illegal cannabis. Other than age minimums, there are few interactions that can be taken at face value and enforcement decisions must be researched prior to being enacted."
- "In most cases, it is not hard to develop probable cause for illegal use of marijuana, however certain situations are merely violations so probable cause is insufficient to enforce the law due to the fact it must be observed by LE to be enforced. It's causing a lot of negative reaction by public when the behavior is directly observed by citizens and [law enforcement] cannot do anything about it."
- "During roadside contacts it's difficult to discern a fictitious document stating the person can possess, travel, or distribute marijuana legally. It's also difficult to discern whether or not a person is transporting marijuana across state lines while roadside."
- "Getting local district attorneys to issue warrants/subpoenas can often be difficult as they frequently refuse to prosecute any marijuana related laws. Offenders often claim the product is hemp rather than marijuana which also makes it difficult to determine what the product is."
- "How the laws are written are very grey. They are so confusing DA offices will not even look at MJ cases. All MJ cases save DUI are no actioned in the two counties I work."
- "DAs commonly drop charges, or plea it down to such a minimal punishment, that it is not worth the danger it costs police to enforce the laws."
- "I find deputy district attorney's [sic] are hesitant to take on marijuana cases as they too cannot decipher the law. I find they (DDAs) don't pursue charges as it is 'legal'."
- "It also seems pointless to care about it when, in \_\_\_ County, even if someone has several hundred pounds there will be no prosecution. I would just prefer that it is legalized and then it is not an issue."



### 3 - Driving Under the Influence of Marijuana is Difficult to Prove and Prosecute

Respondents reported several challenges regarding marijuana-related DUIs. First, they were unaware of any successful enforcement efforts in the state related to this offense. Second, they perceive that prosecutors are unwilling to pursue these cases. Finally, they pointed to the need for additional resources to address DUIs involving marijuana.

- “Oregon DUII laws make it very difficult to get people driving under the influence of any intoxicating substance off the road. If lawmakers were really concerned about getting these people from killing innocent citizens, they will revamp the current DUII laws, including cannabis intoxication, to make it easier to conduct DUII investigations.”
- “There has not been a successful prosecution of a DUI involving marijuana that I have heard of in Oregon based on my last DUI training.”
- “Marijuana DUII is the most dangerous and most difficult to investigate/enforce.”
- “Because the local DAs office does not prosecute marijuana DUIs. I have yet to have a single marijuana DUI actually prosecuted before being dismissed by the DA's office.”
- “DUIIs are difficult to prosecute without a Drug Recognition Expert (DRE). There are too few DREs.”
- “My understanding is that marijuana DUIIs do not get prosecuted... generally.”
- “The laws change frequently and updates are hard to keep up with. A cannabis test for DUII (Like BAC for alcohol) would be of great value to public safety!”
- “DUII laws for MJ are difficult to get convictions due to no standardized limits for impairment.”
- “The other issue involving DUIs is that DUIs are inherently complicated and primarily civil in a majority of the investigation. There has been no updated procedure on how to deal with the DUI marijuana stuff without calling for a Drug Recognition Expert. DUIs inherently take hours to complete and you add calling a DRE into the mix and it doubles because of the amount of work.”

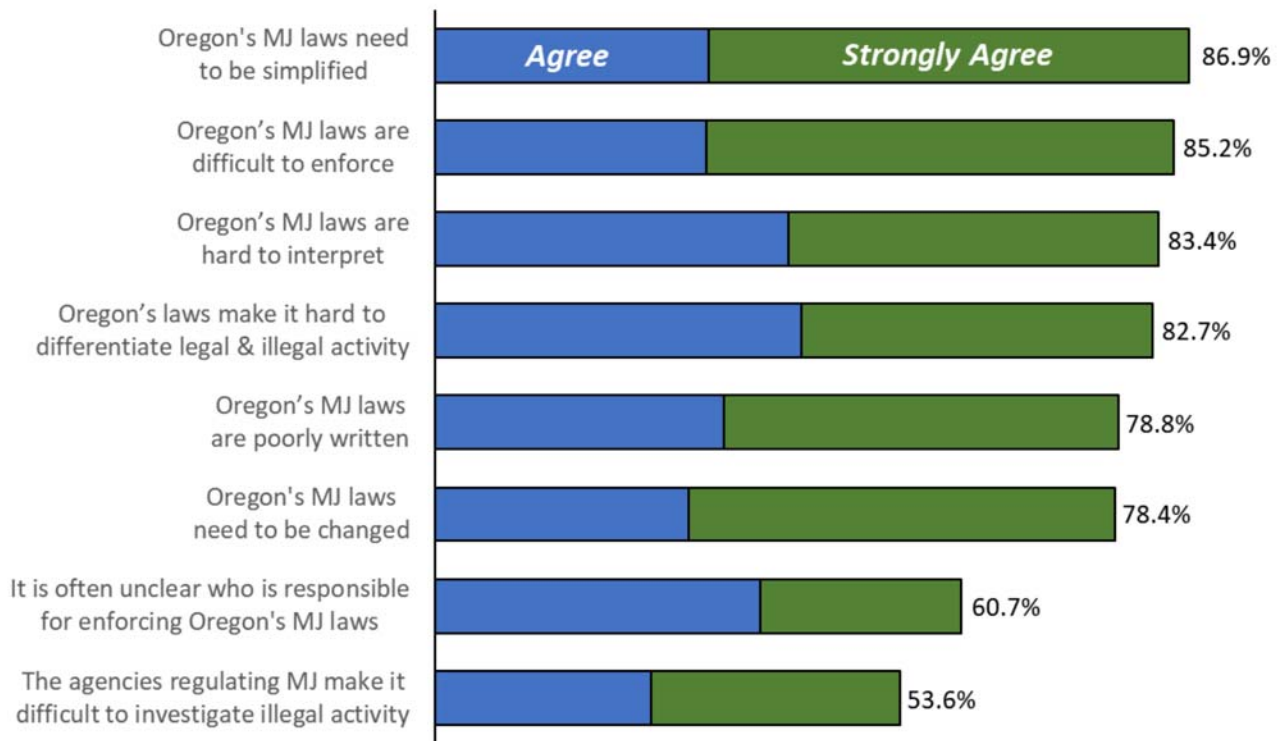
### 4 - Current Laws do not Prevent Illegal Activity or Protect Youth

Oregon voters approved Measure 91 in 2014, allowing recreational use of marijuana by adults over the age of 21. Officially known as the Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act, the stated purpose was to eliminate problems resulting from the illegal production and distribution of marijuana, including use by juveniles. Some of the officers/deputies surveyed believe that the current legislation fails to achieve these objectives.

- “Oregon's MJ laws are a joke. MJ is flowing out of the state to be sold in other states, just ask any officer or Trooper who works interdiction. The MJ processed now is not the same as years ago and is directly harming young children/teens/adults.”
- “As it pertains to DUII, it is difficult to explain to a jury why somebody is impaired by a substance they've been told doesn't produce impairment.”
- “The decriminalization of marijuana may be a contributing factor to other controlled substances being used whereby making it difficult to ascertain what substances are truly in play.”
- “People think because marijuana is technically legal, they have carte blanche to possess and smoke in public without reserve. It's a disaster.”
- “Teens really need education on the very real dangers of using it at their age. The dangers of addiction and potential mental health problems for teen users needs to be advertised a lot more.”
- “Laws are promoting a culture of telling people/youths its ok to use MJ and its even good/healthy for them.”

# Opinions Regarding Oregon's Marijuana Laws

## Opinions of Officers/Deputies Regarding Oregon's Current Marijuana Laws



Note: Remaining respondents answered "Neither agree nor disagree", "Disagree", or "Strongly disagree".

Eight additional survey items were added between the first and second sampling waves to explore opinions raised in the preliminary narrative comments. The items presented respondents with statements about Oregon's marijuana laws and asked if they, "Strongly disagree", "Disagree", "Neither agree nor disagree", "Agree", or "Strongly agree." A little more than one-half of the total sample (n = 169) answered these items.

Over 80% of the officers/deputies agreed or strongly agreed that Oregon's marijuana laws need to be simplified, that they are currently hard to interpret and difficult to enforce, and that differentiating legal from illegal marijuana activity is challenging. More than three-quarters (75%) agreed that the state's current marijuana laws are poorly written and need to be changed. Finally, a majority of officers agreed that it is often unclear who is responsible for enforcing marijuana laws and that the agencies regulating legal marijuana in Oregon make it difficult to investigate illegal activity. Regarding the latter, there are three primary agencies responsible for regulating cannabis: the Oregon Liquor Control Commission (recreational marijuana), the Oregon Health Authority (medical marijuana), and the

Oregon Department of Agriculture (hemp). Narrative comments highlighted confusion created by regulatory overlap and poor oversight by these agencies.

- "The incompetence of OLCC and getting consistent answers when you are able to get a hold of someone. They have failed miserably in their ability to regulate and work in good partnerships with local law enforcement."
- "Growers are licensed by the OLCC but grow outputs are not tracked and compared against sales to legal distributors. Intake by legal distributors is not tracked and compared against sales/destruction. This allows otherwise legal growers to overproduce. This overproduction is then sold to out of state, black market, distributors. When law enforcement approaches a grower there is no way to determine what portion of their output is legal and what is overproduction. Growers have many ways of concealing their production and sales of the overproduction."

## Summary & Recommendations

As suggested by our findings and the title for this report (*Dazed and Confused*), police officers and deputies in Oregon are struggling to understand and actively enforce the state's remaining prohibitions involving marijuana. Where once there was a clear distinction between legal and illegal activity, there is now complex, many would say poorly written, policy that is difficult to implement in the field.

The current authors' recent work with Deschutes County's IMME grant team provides confirmation of these difficulties. Efforts to develop simple flow charts, "cheat sheets" and other educational materials to help people determine what is illegal in the state have proven extremely difficult. Determining whether a given marijuana possession is illegal, for example, depends on a myriad of factors, including the amount of the substance, the form (e.g., dried leaf vs. edible vs. concentrate), the THC level, the source (private grow vs. licensed retailer), where the person is at the time (private vs. public vs. federal property), who the person is (juvenile vs. adult), and whether the substance is meant for recreational or medical use. Similar complexity exists for other marijuana-related activities (e.g., production, processing, transport, distribution, public use).

The state's decision to empower three separate agencies (OLCC, OHA, ODA) with regulating legal cannabis further complicates the job of local law enforcement. Some of the existing laws make it difficult to collaborate with these agencies when police/deputies investigate marijuana violations. Likewise, some of the people surveyed for this report were concerned about poor oversight of the legal cannabis market and a lack of clarity regarding enforcement responsibilities.

In summary, the current research highlights the need for Oregon's policy makers to clarify and simplify the role of law enforcement in the era of legalized cannabis. Efforts in this regard would clearly benefit police, but also responsible users, growers, and distributors of marijuana-related products who themselves navigate the state's existing legal complexities. Finally, clarifying and improving the state's cannabis policies may help Oregon live up to the stated objectives for Measure 91. This includes the elimination of the illegal marijuana market, stopping the diversion of marijuana to other states, reducing access to the substance among youth, preventing DUI, and the effective prioritization of law enforcement resources to enhance public safety.

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## RECOMMENDATIONS

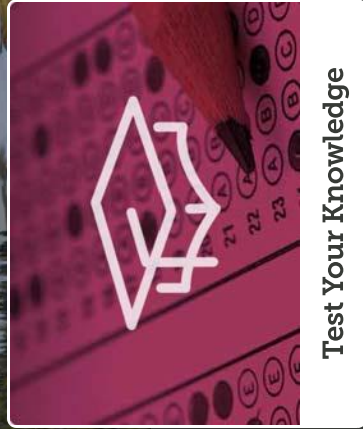
1. **Simplify Oregon's cannabis laws with regard to enforcement** - There was an overwhelming consensus among the responding law enforcement officers that the current laws are confusing and poorly written. As a result, these laws are very difficult to enforce. Fixing this issue should be a priority for state lawmakers. Confusing laws do not benefit law enforcement, the public, or public safety.
2. **Provide resources to address marijuana-related DUI** - Some of the problems surrounding DUI enforcement that are documented in this report are technical in nature (i.e., the need for a standardized impairment test); others appear to be related resources and training (i.e., shortage of drug recognition experts). The state can help address this by allocating additional resources to marijuana-related DUI, which most law enforcement officers believe is on the rise.
3. **Support collaboration between agencies** – Many of the officers/deputies surveyed perceived a lack of commitment to prosecuting marijuana-related cases. Others reported difficulties working with the state agencies responsible for regulating legal cannabis, particularly OLCC. Legislators should look for ways to enhance collaboration between agencies as a means of discouraging illegal activity that harms our community and law-abiding cannabis businesses.
4. **Expand research on the impact of marijuana legalization** – The state's move to legalize recreational marijuana may have benefits. There is also the potential for unintended consequences. The state should carefully study the impact of changes to substance-related policies by investing in more research on these issues.

## Acknowledgements

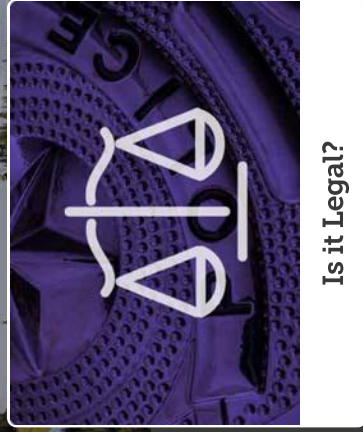
The authors would like to thank Kathleen Meehan Coop from the Deschutes County District Attorney's Office and Danielle Martell from the Deschutes County Sheriff's Office for their considerable assistance with this project.

For more information contact Dr. Kris Henning at Portland State University. 503-725-8520 [khenning@pdx.edu](mailto:khenning@pdx.edu)

# CANNAFACTS Website



Test Your Knowledge



Is it Legal?



Cannabis FAQ



Report a Lead

## Get the facts about legal and illegal cannabis in our community.

### PROGRAM PARTNERS



CITY OF BEND



Deschutes County  
District Attorney's Office

### DESCHUTES COUNTY ILLEGAL MARIJUANA MARKET ENFORCEMENT

DCIMME is the collaborative between the Deschutes County Sheriff's Office, the Deschutes County District Attorney's Office and the Bend Police Department to address illegal cannabis in our community.

The agencies received grant funding from the Oregon Criminal Justice Commission (CJC) to support enhanced enforcement and prosecution efforts.

This grant also provided funding for research and an education/outreach component to do the following:

- Study the issue of illegal cannabis in more depth
- Educate Deschutes County residents on cannabis laws and regulations
- Increase leads on serious illegal cannabis activity

## Illegal Marijuana Market Enforcement Grant

In 2018, the Oregon Legislature passed Senate Bill (SB) 1544, which provides financial support to rural counties to assist them in addressing the illegal cannabis market in their communities.

[Oregon Criminal Justice Commission](#) administers these grant funds through the [Illegal Marijuana Market Enforcement grant](#).

## Supporting Individual Agencies

Thank you to the numerous supporting agencies and staff that provided their time and expertise to the development of this website:

- Oregon Criminal Justice Commission
- Oregon Liquor Control Commission
- Dr. Kris Henning & Sergeant Greg Stewart, Portland State University
- U.S. Forest Service
- Oregon Department of Agriculture
- Oregon Water Resources Department
- Oregon Department of Transportation
- Deschutes County
- City of Bend
- City of Redmond
- City of Sisters
- City of La Pine
- Deschutes County Resident Volunteers
- Tokyo Starfish
- LBHC Hemp Farm

- Homepage
- Test Your Knowledge
- Is it Legal?
- CannaFacts Purpose
- Cannabis FAQ
- Glossary
- Canna Resources
- Report a Lead
- Contact Us

## CannaFacts Quiz

### You answered 5 questions correctly.

Nice going! It looks as if you are fairly knowledgeable on Oregon's recreational cannabis laws but could use a quick refresher to ensure you get a 100% of the answers correct next time. Visit the "[Is it Legal?](#)" decision tree section of the website to learn more and come back to test your knowledge again.

START OVER 

#### Hemp is used to make all of the following except what?

Recreational Cannabis



 Your Answer is Correct



#### In which of the following scenarios is it legal to smoke recreational cannabis?

Only in the privacy of your own residence.



At your own residence or on a patio or outside area of a bar or restaurant that allows smoking.



 Your Answer is Incorrect



What is the maximum quantity of liquid recreational cannabis an adult can be in possession of within the state of Oregon?

✓ Your Answer is Correct



**If it is stipulated in the lease agreement, a landlord may prohibit an adult from using cannabis in their rental unit.**

True



✓ Your Answer is Correct



**Under which circumstances is it legal to mail recreational cannabis?**

It is never legal to mail recreational cannabis, regardless of the destination, age of the recipient, form, or amount.



✓ Your Answer is Correct



**Can a recreational cannabis business donate cannabis to a non-profit raffle or silent auction to help the organization raise money?**

It is illegal for a recreational cannabis business to donate cannabis for a non-profit raffle.



✓ Your Answer is Correct





## CannaFacts - Is It Legal? (Decision Tree)

# Cannabis in Deschutes County. Is it legal for...



### Jennifer to Possess?

Jennifer is in possession of cannabis. Help her determine whether or not her action is legal by answering a series of questions about her situation.

**START NOW** ▶



### Andre to Use?

Andre wants to use cannabis. Help him determine whether or not his actions are legal by answering a series of questions about his situation.

**START NOW** ▶



### Sam to Transfer/Deliver?

Sam wants to transfer/deliver (i.e. gift, sell, exchange) his cannabis. Help him determine whether or not his actions are legal by answering a series of questions about his situation.

**START NOW** ▶



### Robert to Transport?

Robert wants to transport his cannabis. Help him determine whether or not his actions are legal by answering a series of questions about his situation.

**START NOW** ▶



### Kailee to Process?

Kailee wants to process her cannabis into products (i.e. topical, edibles, concentrates or extracts). Help her determine whether or not her actions are legal by answering a series of questions about her situation.

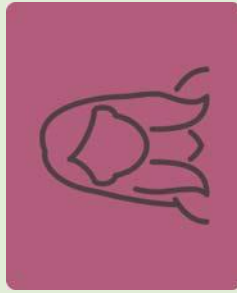
**START NOW** ▶



### Jasmin to Grow?

Jasmin wants to grow cannabis. Help her determine whether or not her actions are legal by answering a series of questions about her situation.

**START NOW** ▶



## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### How old is Jennifer?

Jennifer is under 21.

Jennifer is 21+.

SUBMIT ANSWER 

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## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### How old is Jennifer?

Jennifer is 21+.



**NEXT QUESTION** 

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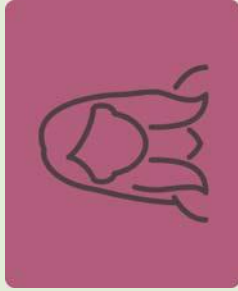
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## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### Has Jennifer ever been sentenced for a crime?

- Yes, she has an prior felony conviction.
- Yes, she is currently on probation.
- Yes, she is on post prison release.
- No, she does not have any criminal history.

**SUBMIT ANSWER** 



## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### Has Jennifer ever been sentenced for a crime?

Yes, she has an prior felony conviction.



Under most circumstances it is legal for Jennifer, even with a prior felony conviction, to possess recreational cannabis in Oregon.

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## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### Is Jennifer in possession of cannabis in a public or private setting?

She is in a private location

She is in a public location

**SUBMIT ANSWER** 

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## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### Is Jennifer in possession of cannabis in a public or private setting?

She is in a private location



#### Public vs. Private Definitions:

- **Private:** a home or apartment, a vehicle, land/property that belonging to or for the use of an individual
- **Public:** schools, parks, public transportation, restaurants, and sidewalk. ORS Code 475B.015 #34

NEXT QUESTION 



## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

**What form of cannabis is Jennifer in possession of at home?**

Dried flower or Leaf

Liquid

Edible

Concentrate

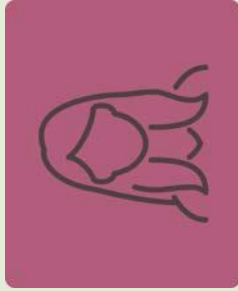
Extract

Seeds

Plants

SUBMIT ANSWER





## Jennifer is in possession of cannabis.

Help her determine whether or not her action is legal by answering a series of questions about her situation.

### What form of cannabis is Jennifer in possession of at home?

Dried flower or Leaf



Jennifer is legally allowed to possess a maximum of 8 ounces of recreational dried leaf or flower cannabis in Oregon, since she is on private property and she is 21+.

8 ounces of dried cannabis is equal to what would fit within a plastic grocery bag.

#### PRIVATE POSSESSION QUANTITY LIMITS

Units of weight change by cannabis form.

Dried Leaf or Flower	8 ounces
Liquid	72 fl. ounces
Edibles	16 ounces
Concentrates*	16 ounces
Extracts	1 ounce
Seeds	10 seeds
Mature or Immature Plants	4 plants

\* Unlike the other forms of cannabis, Jennifer may possess more concentrate in public than a cannabis retailer is lawfully allowed to sell to a single individual in a day.