

Annual Strategic Plan

State/Local Agency Name: California, Mendocino County Sheriff's Office. (Marijuana Team)

I. Domestic Cannabis Intelligence Overview:

- A. Self-Assessment** - Summary of the previous year's activities and if the agency met last year's Annual Strategic Plan goals (include general statistical and expense results). Explain any reasons for a significant rise or drop of eradication statistics from the previous season.

2017 resulted in a challenging year for the eradication team. The retirement of the long serving Sergeant assigned to the unit resulted in a void for the first quarter that left Deputy Andrade conducting the day to day operation. Based on a large turn around in the department the void was not filled until the middle of the second quarter.

In May 2018 The Sheriff contracted with Rusty Noe as a consultant to assist in the daily operation and planning for the raid season. Rusty is a well-known expert in marijuana investigations and ran the marijuana unit for many years. His duties included all the aircraft observations and planning and training sheriffs personnel. In June 2018 a sergeant was assigned to take over the Marijuana Eradication Team. Andrew Porter comes from the Investigations Division where he supervised the detective unit for many years. He is being trained by Rusty Noe and will conduct day to day supervision of the Marijuana Team.

Six deputies were assigned to assist the unit deputy with raids and investigations during the season as available along with assistance from the Mendocino Major Crimes Task Force, California Department of Fish and Wildlife, Homeland Security Investigations (HSI) as well as the Campaign Against Marijuana Planting (CAMP), DEA and the Sheriff's Detective Unit.

The marijuana cultivation operations in Mendocino County are drastically changing. In the past a majority of the marijuana grown and eradicated were in remote gardens grown on the timberlands and public lands. This year during over-flights it was discovered that there were very few marijuana gardens planted on the lands. Intelligence is that due to the changes in legalization, marijuana is being grown in backyards and on rural property in permitted cultivation sites. The County of Mendocino has systems in place where for a fee a cultivator can obtain a permit to cultivate on their property.

This results in marijuana cultivation investigations that are far more involved than the trespass eradications of the past. The major cultivation organizations are buying or renting properties county wide and setting up grows under permits in different names. This allows them to cultivate like the old trespass operations without the risk of eradication after being discovered by law enforcement. This has caused the Marijuana team to change the day to day operations and investigations.

2018 flight time was increased based on assistance from HSI who provided

flight time several times a month. Private helicopter time was contracted as well as three different days of flight time with the national guard. These flights were used to locate a limited amount of trespass grows as well as identify several non-permitted locations that were eradicated by search warrants. CAMP has provided a total of 8 days of raid time bringing a team of six as well as a helicopter. CAMP will provide approximately 5 more days by the end of their season. The Marijuana team is working with the county Code Enforcement program to identify investigative targets that are in the permit program and are not following the environmental rules that are in place. These investigations will result in search warrants and the eventual eradication of the plants being grown under the permit.

The Marijuana Team Deputy is also working with the Sexual Assault Grant Deputy to identify sexual registrants who are cultivating marijuana in violation of California state law. The cases are prosecuted as felonies and must result in prison time per California law.

Between October 1, 2017 and August 30, 2018, the Team eradicated 43,713 marijuana plants from 36 sites located outdoors or in greenhouses. This resulted in 40 arrests, 18 firearms seized and \$194,878 dollars cash seized. The team seized 2,794 pounds of processed marijuana as well as 512 ounces of honey oil concentrated cannabis.

The Marijuana team received \$98,000 dollars as well as an increase of \$60,000 in 2018. The team is on track to use all funds provided.

- B. Current Projections - Degree of problem in your Area of Responsibility (AOR), general geographical locations of major cultivation (regions/counties/towns/sub-divisions/parks), identity/ association of violators (individuals and organizations), and level of sophistication (e.g., booby-traps/ alarms, etc.)**

Located approximately one hundred and twenty miles north of San Francisco, Mendocino County lies in the heart of the redwood empire. It is surrounded by Sonoma County to the south with Lake County to the east. Humboldt County is to the north, Trinity County to the northeast, Tehama and Glenn County border on the east. With approximately thirty-five hundred square miles, Mendocino County is one of the largest counties in the state. The property is a mix of rural areas including large tracts of corporate timberlands. The Mendocino National Forest and the Jackson State Forest make up a large portion of public land along with the Bureau of Land Management properties.

The majority of the population of the county is surrounding the incorporated cities of Ukiah, Willits and Fort Bragg. There are several smaller towns consisting of Mendocino, Gualala, Elk, Anchor Bay, Albion, Caspar, and West Port as well as the small incorporated city of Point Arena on the coast. Inland is home to the unincorporated towns of Hopland, Redwood Valley, Calpella, Potter Valley, Boonville, Covelo, Leggett, Piercy and Laytonville. The overall population of the county is approximately 87,840 people. Agriculture and tourism are the two primary sources of income to the county.

The Rural nature of Mendocino County, along with the large tracts of corporate forest lands and remote public lands, along with ideal soil conditions and a long history of acceptance of marijuana cultivation by a large percentage of the population, makes this county prime for marijuana cultivation. The public access to the different types of land holdings makes it very easy for cultivators to infiltrate these areas and plant marijuana in large tracts. Since the 1980s when the DEA and the California Department of Justice along with the local law enforcement started addressing the marijuana cultivation problem,

Mendocino County has seen an increase in the amount of plants grown both indoor and outdoor while the overall law enforcement budget has decreased.

The legalization and the misinformation through the media make Mendocino County a haven for people who are trying to join "the new gold rush", where they envision getting rich on the illegal marijuana industry. Over the past years the county has gained a reputation that marijuana cultivation is overlooked and people from all over the United States are moving to the county to take advantage of the situation. The sheer numbers of marijuana gardens being grown in the County, coupled with the varying degrees of legality under current California law, places a strain on the ability to enforce marijuana laws due to the amount of investigative work needed to be conducted and the high caseloads of both the Sheriff's Office and the District Attorney's Office.

The makeup of the cultivation situation has changed with the state legalization of marijuana for recreational use. The County of Mendocino is working on a permit process to allow marijuana to be grown on large tracts of land for resale. The problem with this permit process is that cultivators are clearing large areas to grow marijuana without the proper grading permits. They are drawing large amounts of water from streams and using pesticides that leach into the water and soil. The Marijuana Team must identify the violator then identify their permit status before investigative action can be taken.

The Marijuana Team uses a formula to prioritize investigations. The obvious environmental violations are first priority and in most cases these are not in the county permit process. Next are the trespass cultivation sites that are identified by overflight or informant information. A priority is given to trespass grows on US forest lands, BLM lands as well as the corporate timberlands. In 2018 a large decrease was seen on these lands.

Based on the new trends the Marijuana Team has seen a decrease on the amount of marijuana plants grown because the cultivator has no need to hide the plants. They can grow fewer plants with a higher yield in the yard. When the team eradicates these sites the average amount of plants is around fifty with the average yield being in the 250 pound range at harvest. This has resulted in a decrease in the overall plant count for the year based on the change in investigative technique as well as the reduction of the large trespass cultivation sites.

The program still provides the funds needed for a special investigative unit Like the Marijuana Team. The Marijuana Team lessens the burden on the Sheriff's Office by continuing the investigation and eradication of illegal marijuana gardens. The violent crime related to marijuana cultivation remains the same There was a double homicide that was related to marijuana cultivation as well as several armed robberies directly related to cultivation and or sales of marijuana.

C. Percentage of Enforcement Spent On:

Public Lands vs. Private Lands Outdoor Cultivation vs. Indoor Grows

| | | | |
|--------------|----|---------------------|-----|
| Public Lands | 5% | Private Lands | 95% |
| Indoor Grows | 5% | Outdoor Cultivation | 95% |

II.State / Local Eradication Suppression Program:

A. Agency Point of Contact (POC):

| | |
|-----------------|---|
| Name: | Andrew Porter |
| Title: | Sheriff's Sergeant/Marijuana Team Operations Supe |
| Telephone No: | 707-463-4556 |
| Email Address: | portera@mendocinocounty.org |
| Address Line 1: | 951 Low Gap Road |
| Address Line 2: | |
| City: | Ukiah |
| State: | CA |
| Zip Code: | 95482 |

1. Resources available from your agency: aircraft, manpower, funding, etc.

- 4x4 vehicles, dump truck
- Industrial chipper
- All-terrain vehicles
- 2 full time personnel (Sheriff's Sergeant, Deputy Sheriff)
- 1 paid reserve Deputy Sheriff (used as needed during raid season)
- 6 part time Deputy Sheriffs from the Detective Unit
- 5 part time Special Agents from the Mendocino Major Crimes Task Force
- Various Deputy Sheriff's from the patrol division used during peak raid season

2. Methods your agency uses for eradication program: air search, informants, public awareness, intelligence, prosecutions, asset removals, etc.

- The Team uses fixed and rotary wing aircraft for overflights to identify cultivation sites, both trespass and investigations. These are provided from the National Guard and other assets and rented contract aircraft.
- Informant information and information from other law enforcement agencies. The team uses the Department of Fish and Wildlife to identify environmental violations and for identifying water diversion and illegal grading impacting streams.
- Cal fire identifies illegal tree removal and timber harvest.

- The Mendocino County District Attorney provides legal advice as well as case review and prosecution. They also provide an investigator for asset removal and forfeiture. The Marijuana Team works with the County code enforcement to identify code enforcement problems related to marijuana cultivation and the permit program. Upon request the marijuana Team will provide public awareness information.

B. Who is your agency POC for the DEA Internet Capability Endeavor (DICE):¹

| | |
|-----------------|--|
| Name: | Jeff Andrade |
| Title: | Deputy Sheriff assigned to the COMMET Unit |
| Telephone No: | 707-463-4378 |
| Email Address: | andradej@mendocinocounty.org |
| Address Line 1: | 951 Low Gap Road |
| Address Line 2: | |
| City: | Ukiah |
| State: | CA |
| Zip Code: | 95482 |

Summarize how your agency will, with its own law enforcement personnel and employees, perform the activities and duties described below:

1. Gather and report intelligence data relating to the illicit cultivation, possession, and distribution of cannabis.
 2. Investigate and report instances involving the trafficking in controlled substances.
 3. Provide law enforcement personnel for the eradication of illicit cannabis located within AOR.
 4. Make arrests and refer to the appropriate prosecutorial authority cases for prosecution under controlled substances laws and other criminal laws.
 5. Send required samples of eradicated cannabis to the National Institute on Drug Abuse (NIDA) Potency Monitoring Project.
 6. Submit to DEA quarterly expenditure reports.
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1. All information developed by The Mendocino County Sheriff's Office Marijuana Team is shared with any agency requesting the intelligence. The Marijuana Team will work with WSIN and other information gathering services to keep intelligence current and flowing. Any information developed by the Marijuana Team for other agencies is shared as soon as possible.
 2. Priority investigations have been identified as obvious commercial marijuana cultivators outside the local permitting process, major marijuana traffickers, trespass marijuana cultivators on both public and private property, as well as those involved in water diversions and serious environmental damage cases. Public safety shall be the determining factor when cases are assigned and investigated as well as the scope and size of the marijuana operation.

Requests to assist other agencies will be the second priority providing assistance with both

investigation and prosecution of commercial marijuana cultivators and major marijuana traffickers. The program will rely on help from the federal and state agencies of that area available such as DEA and CAMP. The program works with other agencies, local, state and federal with any investigation into the cultivation and trafficking of marijuana. DEA, BLM, USFS and Department of Fish and Wildlife are a large part of the program. In addition to this activity, the program staff assists other agencies as a liaison with the District Attorney's Office. The program is dependent upon information provided by citizens and other agencies. This can be a result of information provided to the program or to other agencies that relay the information to the program.

3. The Marijuana Team consists of Sheriff's Sergeant Andrew Porter and Deputy Sheriff Jeff Andrade. From 2012 through 2017 the unit has been assigned a paid Reserve Deputy who assisted during the summer raid season as needed. Sergeant Porter reports to the Lieutenant in charge of the Investigative Service Bureau, who then reports to the Captain of the Field Services Division, who then reports to the Undersheriff who reports to the Sheriff.

Sergeant Porter manages the program by conducting the daily operation including ordering supplies and maintaining the equipment. Both Sergeant Porter and Deputy Andrade conduct investigations into the cultivation and trafficking of marijuana in Mendocino County. They conduct aerial overflights to detect marijuana sites, eradicate marijuana, arrest persons responsible for marijuana related crimes, prepare and serve search warrants, prepare reports to be submitted to the District Attorney for prosecution, coordinate and assists local, state and federal agencies with investigations in the County into marijuana related crimes, conduct training for law enforcement, public and private agencies in the identification and safety issues relating to marijuana investigations.

During peak raid times other personnel can be pulled from other divisions within the Sheriff's Office and from other County Law Enforcement agencies to support the Marijuana Team.

Deputy Andrade is responsible for maintaining files and is responsible for maintaining evidence storage and evidence taken as a result of the program activities. He also assists with the training of officers from other agencies and with the coordination of agencies involved in cases within the county.

The paid Reserve Deputy Sheriff assists with the eradication of marijuana, the processing of evidence, maintenance of equipment and other duties as needed during the summer raid season.

4. The Marijuana Team will conduct arrests on subjects located in marijuana cultivation sites and/or those identified as suspects through investigations and submit the investigations to the District Attorney's Office. Suspects who are identified but not arrested will have their cases forwarded to the District Attorney Office, who will determine if there is sufficient evidence to file charges on the suspects. The District Attorney will provide information and advice to the LE component of new case law or other prosecution information when needed. The team will work with the United States Attorney's Office to coordinate federal prosecution when warranted. The Marijuana Team Unit Sergeant will act as a liaison with other agencies.
5. The Marijuana Team Deputy Sheriff assigned will be responsible for the submission of the requested samples. Following the NIDA guidelines the Deputy will submit samples from representative types of cultivation encountered during the program investigations. These samples will include outdoor samples from both purported medical gardens to public lands

trespass cultivation sites. The samples will include indoor marijuana cultivation samples.

6. Statistical information is captured at the time of the seizure and is logged by the program. Any seizures not directly related to the unit (patrol and others) are reported to the unit to accurately reflect all county statistics. These are recorded and sent to the DCESP program by the program Deputy. Expenditure reports are compiled by the Sheriff administrative staff and they prepare the report for submission.

C. Requirements for DEA Funding: denote amount of funding for each category requested by your agency to accomplish program goals.

Note: Final allocated funds will be determined by DEA/HQS and is based on the agency's abilities, effectiveness, and program objectives. All expenditures for equipment and supplies/materials will require prior approval by DEA Headquarters.

| | <i>Operational Funds</i> | | <i>Amount</i> |
|----|------------------------------------|----|---------------|
| a. | Aircraft Expenses | \$ | \$72,000.00 |
| b. | Clothing & Protective Gear | \$ | \$5,000.00 |
| c. | Container/Space Rental | \$ | \$44,000.00 |
| d. | Equipment ² | \$ | \$3,000.00 |
| e. | Miscellaneous Commercial Contracts | \$ | \$10,000.00 |
| f. | Overtime | \$ | \$20,000.00 |
| g. | Supplies/Materials ² | \$ | \$2,000.00 |
| h. | Training | \$ | \$2,000.00 |
| i. | Travel/Per Diem | \$ | |
| j. | Vehicle Rental | \$ | |
| | | | |
| | Total: | \$ | \$158,000.00 |

- D. Audits:** Grantees and sub-grantees are responsible for obtaining audits in accordance with the Single Audit Act of 1984 and federal agency implementing regulations. An independent auditor, in accordance with generally accepted government auditing standards covering financial and compliance audits, shall make the audits.

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| Date of agency's last audit: June 30, 2016 |
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III. Explain how your agency plans to coordinate with other Government Agencies (Program Participation and Resources Commitments):

A. U.S. Forest Service

The Marijuana Team works directly with US Forest Service law enforcement personnel exchanging information, providing assistance/personnel to conduct investigations and coordinating marijuana raids on USFS property.

B. Bureau of Land Management

The Marijuana Team works directly with BLM law enforcement personnel exchanging information, providing assistance/ personnel to conduct investigations and coordinating marijuana raids on BLM property.

C. National Guard

When available The Marijuana Team will request aircraft from The National Guard. The Team will also at times request help from the Counter Drug team for personal to assist with eradication and manpower. Training requests will be made for land navigation and field work.

D. Civil Air Patrol

In 2018 a request was placed for a series of photo missions based on information provided by the state Office of Emergency Service the Civil Air patrol no longer assists with counter drug missions.

IV. Explain how your agency will support Statewide Intelligence Sharing:

A. Central repository or collection ability for eradication statistics.

The program plans on working with USFS and BLM to provide information to the area fusion centers as well as WSIN. Information is also reported to DEA through the San Francisco Field Division, DICE Program.

B. Intelligence and trends (cultivators, traffickers, distribution, etc.)

All intelligence is received by both the Team Sergeant and Deputy. It is assigned a priority based on safety and urgency. Traffickers identified as in progress are investigated as soon as possible and others are assigned case status based on the type of lead.

The most common case is neighborhood complaints called in over odor and or disputes between the cultivator and neighbor. Other out of area law enforcement calls regarding cultivators and traffickers caught transporting marijuana to out of state or out of the area jurisdictions are common.

Based on the low prices of marijuana in California the marijuana is transported out of state to area where a high price is demanded. The east coast is an area where marijuana can still bring prices in the two thousand per pound range. Requests from out of state are given investigative priority.

Any request for intelligence from other agencies is provided and Team members are always available to brief and educate local and state law enforcement.

V. List equipment your Agency proposes to purchase this year with DCE/SP funds:

Note: DCE/SP funds are intended to be used to purchase supplies and equipment directly related to the program activities. Though equipment/supplies may be specifically itemized in the Operational Proposal, they **are not automatically approved** for purchase. LOA equipment purchases **should not exceed 10%** of its allocated funds. Any exemptions require DEA Headquarters approval. **All expenditures for equipment and supplies/materials will require prior approval by DEA Headquarters.**

Only the purchase of supplies or services needed to further the eradication project including but not limited to gloves, pruning shears, burlap bags, special raid clothing, and boots. Supplies and equipment to outfit any part time marijuana eradication officers including but not limited to boots, special raid clothing, GPS units and eradication supplies. Fuel for the vehicles conducting marijuana investigations/eradication operations.

VI. Training Requirements:

A. Name of Agency Training Coordinator:

Name:

Chris Dewey

Title:

Personnel Program Manager

Telephone No:

707-463-4110

Email Address:

deweyc@mendocinocounty.org

Address Line 1:

951 Low Gap Road

City:

Ukiah

State:

CA

Zip Code:

95482

B. Describe any training your agency intends to conduct this year to include cannabis detection and eradication schools for other Federal agencies, National Guard, and state/local officers.³

The Marijuana Team has provided overflight training in the past based on training designed and developed by the Team and DEA. If funding and interest was renewed in this training the Team would take a lead role in the training. The marijuana Team has obtained training aids and information on two common types of banned Mexican pesticides that as a result of an injury to a Team Deputy, has been providing in-house training on the two poisons, (Metaphos and Carberfuron). These are very dangerous when on the plants or in the water source and can be ingested by touch as well as airborne and water soluble.

The Team is available to the public, Law Enforcement as well as any other agency who requests marijuana eradication training.

VII. Targeted Investigations:

A. Summary of law enforcement activities which your agency is conducting and/or plans to initiate during this year.

The Marijuana Team has been working closely with US Customs and Border Protection units to further identify, track, and apprehend persons involved in the transportation of currency and marijuana, by air, to other areas of the county, state, and other states. This involves the use of small, unmanned, airports scattered throughout Mendocino County.

The Marijuana Team is currently assisting with several investigations on subjects who are producing marijuana in Mendocino County and shipping the finished product to other States. The Marijuana Team anticipates additional cases to be developed in 2019 regarding the out of State transportation of marijuana.

The Marijuana Team will continue to assist with California Department of Fish and Wildlife and identified and prosecuted subjects who were illegally diverting water from streams to grow marijuana and or causing serious environmental damage.

B. Summary of special or enforcement operations that your agency intends on conducting during the year.

The Marijuana Team will continue to investigate and eradicate marijuana found growing on public lands.

The Marijuana Team will aggressively investigate BHO(Butane Honey Oil) operations and attempt to educate the public, firefighters and other first responders on signs that a BHO operation is occurring.

The Marijuana Team continues to answer calls for service from the public on marijuana cultivation sites on private lands and will continue to work closely with the corporate timber companies to eradicate marijuana gardens on their lands and provide security for the people who work in the corporate forests.

The Marijuana Team is an active investigative partner with US Customs and Border Protection units in the investigation of trafficking of currency and marijuana, by air, within Mendocino County.

VIII. National Environmental Policy Issues (*describe if applicable*)⁴:

The Marijuana Team has developed a working relationship with the Health & Human Services Agency Environmental Health Department and Air Quality Control Department of Mendocino County. Environmental Health and Air Quality are advised of violations involving marijuana cultivation sites that use generators and store fuel for the generators as well as other hazardous materials. The Marijuana Team works with California Department of Forestry and Fish and Wildlife regarding illegal grading and water diversion violations involving marijuana cultivation sites. The California Department of Fish and Wildlife regularly sends one or more Game Wardens on day raids or multiple day raids planned by The Marijuana Team Unit. The Warden's primary responsibility on these raids is to identify, document, and present environmental crimes to the District Attorney's Office for prosecution.

For assistance, please contact your State DEA DCE/SP Coordinator or DEA DCE/SP Regional Contractor.


Signature and Date of Agency Official approving Annual Strategic Plan
(PLEASE SIGN IN BLUE INK)

Thomas D. Allman, Mendocino County Sheriff-Coroner

FOOTNOTES:

1 Web-based DEA Internet Capability Endeavor (DICE) and TFOs with Firebird access to the DEA Analysis and Response Tracking System (DARTS): Effective in 2012, all participants in the DCE/SP are required to use DICE or DARTS for reporting statistics (on each incident), submission or reportable intelligence, deconfliction, and for the sharing of information.

2 None of the Asset Forfeiture Funds allocated to you may be used to purchase promotional items, gifts, mementos, tokens of appreciation, or other similar items. These will include items justified as training aids if they are embossed, engraved, or printed with the agency or program logos. All expenditures for equipment and supplies/materials will require prior approval by DEA Headquarters.

3 Web-based DEA Internet Capability Endeavor (DICE) and TFOs with Firebird access to the DEA Analysis and Response Tracking System (DARTS): Effective in 2012, all participants in the DCE/SP are required to use DICE or DARTS for reporting statistics (on each incident), submission or reportable intelligence, deconfliction, and for the sharing of information.

4 The National Environmental Policy Act (NEPA) requires federal agencies to consider the potential effects on the human environment of major federal actions. Pursuant to NEPA, DEA has published regulations under which manual eradication is normally categorically excluded from further analysis, while herbicidal eradication normally requires preparation of an Environmental Assessment (EA). Any proposed use or funding of herbicides should be described in this section.