

PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

TUESDAY,
November 23, 2021

11:30

ZOOM VIDEO CONFERENCE

MEETING CALLED BY	Eric Guyer
ATTENDEES	Joshua Aldrich, Pamela Ames, Trevor Arnold, Lee Ayers, Scott Beauchamp, Dave Bellamy, Harvey Bragg, Stacy Brubaker, Dave Carter, Joe Charter, Travis Christian, Scott Clauson, Melissa Cochran, Dave Dotterer, Doug Engle, Joe Ferguson, Eric Guyer, Rick Hawley, Beth Heckert, Tira Hubbard, Justin Ivens, Barbara Johnson, Danny Jordan, Kathy Keesee, Tyler Lee, Jennifer Lind, Lorenzo Mejia, Raphi Miller, Gilda Montenegro-Fix, Robert Mountain, Nathan Olson, Michael Parsons, Tina Qualls, Jazmin Ramirez, Mark Reagles, Nate Sickler, Neftali Strom, Rita Sullivan, A. John Watson, Brittany Whitmire, Kim Whitney, Ted Zuk

- Eric Guyer opened the meeting at 11:30
- Opening Remarks: Eric Guyer welcomed everyone to the November PSCC meeting.

JACKSON COUNTY STRATEGIC PLAN

ERIC GUYER, CHAIR

DISCUSSION	
<p>Program 1984 to encourage and sustain local government</p> <p>Jennifer Lind proposed a commitment to equity for all residents and visitors in Jackson County</p> <p>Gilda Montenegro-Fix recommended the addition of diversity and inclusion when it comes to our values.</p> <p>Danny Jordan added that anyone can provide input on the plan after today.</p> <p>Harvey Bragg commented that the next steps after presenting to the advisory committees they provide the input to the Board of Commissioners then they will have a public hearing. After this the plan will be posted on the website to allow the public to provide input for about a month, after this they will have another public hearing that concludes the process.</p> <p>Sheriff Nathan Sickler provided a motion to adopt, seconded by Judge Lorenzo Mejia with the proposed additions of equality, diversity, and inclusion. A roll-call vote was requested, all were in favor, and none were opposed. The Strategic Plan was officially approved by the advisory committee with proposed additions.</p>	

MINUTE ADOPTION – OCTOBER

ERIC GUYER, CHAIR

DISCUSSION	
<p>No suggested revisions were identified for the October minutes. Danny Jordan provided a motion to adopt, seconded by Jennifer Lind. A roll-call vote was requested, all were in favor, and none were opposed. The October minutes were officially adopted.</p>	

Agenda Topics

IMPACTS OF CANNABIS CULTIVATION IN JACKSON COUNTY

DISCUSSION	
<p><i>Nathan Sickler, Sheriff, Jackson County</i> <i>Ted Zuk, Code Enforcement Department Director, Jackson County</i> <i>Kathy Keesee, Program Director, UNETE Oregon</i></p> <p>History</p> <p><u>Medical Marijuana –</u></p> <ul style="list-style-type: none"> • 1998 Measure 67 passed by a vote of 54.6 % yes • Allowed 7 plants (3 Mature) and 4 ounces of usable marijuana – DHS permit required • 2005 Senate Bill 1085 in effect January of 2006 • Raised quantities of Marijuana that can be possessed to 18 immature seedlings and 24 ounces of usable Marijuana – DHS permit required • 2010 Oregon Voters turn down ballot measure to allow retail sales of Marijuana • 2012 Oregon Voters reject Measure 80 (Legalize Marijuana) • 2012 Oregon Lawmakers approve Medical Marijuana Dispensary Registry System <p><u>Recreational Marijuana/Hemp –</u></p>	

- 2014 Measure 91 passed by voters to legalize Marijuana for recreational use
- 2015 Law takes effect and 21 years and older can possess up to 1 ounce in public and have 8 ounces in their home.
- 2016 Retail Sales and Production Licenses approved
- 2018 Farm Bill authorizing Hemp be grown for export
- 2020 Decriminalization of drugs

2021 Licenses in Jackson County

- Recreational Current (October 2021)
- 318 Producers (Grow Sites)
 38 Processors
 49 Retailers
- OMMP (October 2021)
- 2869 Patients
 579 Care Givers
 1315 Growers
 1029 Grow Sites
- Hemp Currently (October 2021)
- 247 Active Licensed Growers
 219 Pending Applications Grow Sites
 21 Cancellations

Legislative Impacts

- 2020 Voters pass Measure 110 – Decriminalizes small amounts of certain drugs, funnels tax revenue from Marijuana tax to build treatment resources.
 - Cut about 2 million per year from the county revenue
 - Increase opportunities for Drug Trafficking Organizations – Large spike in Fentanyl in Southern Oregon
- General theme to restrict law enforcement

Impacts to Law Enforcement Services

- Patrol Services
 - Calls for service
 - Increase in Livability Calls
 - Laws are confusing
 - Less time for Pro-Active Patrols
- Detective Services
 - Complex Robbery Cases
 - 7 states
 - Marijuana tied to numerous cases to include Homicides Nexus to over 75 percent of our Homicides

Impacts to the Community

- Unregulated recurring community concerns:
 - Property Line Disputes/Easements
- Traffic Impacts –
 - Increased traffic in rural areas
 - Water trucks eroding rural county roads
 - Impacts to bridges
 - Fatal Crashes – (M110 is also believe to contribute)
- General Livability Issues
 - Smells, camping, noise, fire hazards

2021 Massive growth in illegal grows

- We saw a massive influx in illegal grows compared to years prior
 - Marijuana grown with no licensing at all
 - Marijuana grown under Hemp licensing
 - Marijuana and Hemp grown together
 - Grows exceeding site plans
 - OLCC licensed grows circumventing the Metric system
 - Shipping out of state, not reporting accurate harvest numbers
- Some of these grows are associated with Mexican Cartels
 - Labor Trafficking
 - Human Trafficking
 - Additional Humanitarian Issues

Investigative Methods based on our limited resources

- Finding Balance between neighborhood complaints and long term DTO (large scale and far reaching) investigations
- Parcel Interdiction
- Reverse Buy Operations
- Lab Explosions – First Responders
- Commercial Airline passenger interdiction
- Extensive use of CRI's (traditional criminal informants and use of cooperative legitimate industry people)
- Collaboration of agencies (OLCC, ODA, Code Enforcement, Water Master, OSHA, HSI)
- "Knock and Talk" abatement

Seizures from 2020 and 2021 (October)

- Processed Marijuana = 96,559.46 pounds
- Plants seized/abated = 658,906
- Weapons seized = 276
- Methamphetamine seized = 25.35 pounds
- Heroin seized = 5 pounds
- Currency seized = 4.45 million dollars
- Arrests = 111

Impacts to Code Enforcement

Violations: Greenhouses, Water Use, Land Use

- Un permitted construction
- People in RV's and tents
- Destroying farmland
- Greenhouses are not meeting building code
- Illegal diverting the water

Violations: Electrical Mechanical

- Fans blow all night
- Light deprivation systems
- Electrical is not being inspected
- Electrical box placed in dangerous locations

Living Conditions: Human Trafficking- Squalor Conditions

- RV's and tents throughout
- Severe fire hazard

The Numbers:

- 3 CE Officers
- 3 CE Officers in training
- Need at least 3 more
- Need Hearing Officers
- 2015: 599 total cases – none marijuana related
- 2016: 902 total cases – 333, or 36% were marijuana related
- 2021 to date:
 - 1632 total cases
 - 927 cannabis related

Code Enforcement Officers currently manage caseloads of 300+ cases each.

After the grow is gone:

- Solid Waste
- Unsafe Electrical
- Plastic
- Environmental concerns
- Human Feces

Civil Fines:

Property owner culpability

Education

Finding Responsible Parties

Heavily Layered/ Intentionally Structured

- Initial Fine: \$1000 per count
 - Typical fine includes \$3000.00 per structure
 - Continuing Violation: \$10,000 per count
 - Typical fine includes \$30,000 per structure

Judgements can be converted to liens against the property on which the violation is occurring.

Impacts to Water

- Substantial complaints regarding water
- Illegal grows improvise to obtain water
- Water is trucked in or diverted from other sources i.e. the creek
- Water master is under resourced
- Raw sewage/human waste deposited in the environment
- Complaints to the Water master have gone up 800%
- Almost every site OLCC visited has water complaint attached to it

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C.O.P.S. Grant

- Two Deputies who were hired through the C.O.P.S. Grant to address issues regarding the marijuana industry/now rural problem-solving team.
 - Compliance
 - Minor Criminal Offenses
 - Mediation between landowners
 - Address livability issues in concert with Code Enforcement
 - Assisted M.A.D.G.E and Oregon State Police on large criminal cases

I.M.E.T. (Illegal Marijuana Enforcement Team)

- State Grant opportunity created through SB 1544 in early 2018
 - Approximately 1.5 million dollars dedicated annually for resources to address criminal issues. (4 agencies share funding – Jackson county awarded approx. 580k)
 - Team starts work on limited basis near the end of 2018 and becomes fully operational and staffed in June of 2019
 - Very competent and dedicated staff have tackled the illegal marijuana industry head on and found more work than they can address

Impacts to the Industry

- Legitimate and law-abiding industry are being undercut by the black market
- Lack of enforcement erodes trust in government
- "Why follow the rules" attitude can manifest (this is with any industry)

Additional Impacts of the 2021 Cannabis Grow Season

Oregon Unete – Kathy Keesee

Living Conditions

COVID

- Huge outbreaks in the hemp/marijuana fields
- Latino population made up 56% of all positive cases
- Illegal electrical, no ventilation
- Unsafe living and working conditions
- Unpaid wages
- Threats of physical harm

Fires

- Many workers lost their housing
- Several families began to live together

Drought

- Other types of harvest disappeared due to the drought
- Many workers resorted to the marijuana/hemp industry due to no other harvest
- Families are risking citizenship, it is most likely going to be denied due to their involvement in the industry

Resources for displaced workers

Resource card has resource list for Oregon

3 most common consulate

Legal services

Vaccine clinics every Sunday in Medford

HB 3000

- Provides additional funding to fund resources for enforcement
- Regulates some of the issues surrounding edibles
- Closes loopholes in the laws around HEMP and allows OLCC to inspect Oregon Department of Agricultural Hemp farms.
 - 54% grew marijuana
 - About another 30 either denied access or refused to allow contact with OLCC
 - Bait and Switch
 - Another 20 or so cancelled their application so they wouldn't be inspected. (said they didn't grow)

What is needed moving forward

- Resources for regulation and Law Enforcement

Sustained and ample funding for LE operations

Sustained and ample funding for Water Master, Code Enforcement

- Stronger penalties for those engaging in large scale illegal marijuana cultivation.
- Stronger penalties for repeat offenders
- Moratorium on OLCC and HEMP licenses (license what we have the resources to inspect).
- Destruction capability for "hoop houses" and other structures put up for the cultivation of marijuana in efforts to further criminal enterprise.
- Deny license/applications after prior violations
- Local Control
 - Ability to Expand Time Place and Manner to Hemp
- Local Tax allowed to pay for resources needed to deal with the impacts of the industry
- Water Rights/Plan a pre-requisite for approved OLCC/ODA permit
- Increase Penalties (Criminal and Civil) for issues related to mis-use of Water

Questions/Discussion

Danny Jordan commented that they are working with members of the Oregon State Legislature. Currently, there is a committee for HB 3000 that is looking over the Jackson County request to add 37 additional staff to get a handle on this. Staff includes law enforcement, code enforcement, and water. They are considering making an e-board allocation right now, not for the full request, but enough to allow Jackson County to begin staffing.

Travis Christian commented on the gravity of this issue. He asked the group to consider what they would want this county to look like moving forward. He added that the water issue is far more severe than some may think.

Danny Jordan emphasized that Jackson County has been asking the State for assistance for years. The State pre-empted Jackson County's right to impose a local tax that would have given us the ability to deal with this on our own, with the promise of funding us to deal with this. At a high point, the County received about \$800,000 a quarter. After BM 110 redirected funds to treatment, the County is receiving \$200,000 a quarter, which does not meet the need for managing the impacts of marijuana or illegal cannabis.

Danny Jordan also spoke about additional impacts the County has been experiencing, including the negative effects it has made on the roads and our inability to fix the roads due to lack of water. Jackson County's Board created a detailed inventory of all the things they believed HB3000 missed and agreed to pass an emergency declaration asking the State for assistance. Other Counties are now beginning to see the negative effects of illegal grows. Jackson County Board of Commissioners is taking this seriously, our Governor has not publicly responded to the request.

Gilda Montenegro-Fix commented that human/labor trafficking is especially of huge concern to her. Gilda thanked Kathy for the presentation

Danny Jordan added that the County did ask the Governor for more staff support for BOLI, Oregon Bureau of Labor and Services. Andrew Stolfi, the Director of BOLI is in communication with Danny, Governor staff, OLCC, and ODA. The Sheriff is also in contact with Legislature and staff regarding more assistance for BOLI.

Barbara Johnson commented on the lower quality of life in the community as a result of these illegal grows. The community has a responsibility to contact the Governor and Representatives, this impacts individuals in the County for generations.

Sheriff Sickler thanked Barbara for this comment and emphasized the need for the community to contact the State Representatives regarding this issue, including Jeff Golden and Pam Marsh.

Travis Christian asked about opportunity or need for individuals to participate on any local boards regarding this issue and would like to volunteer. Sheriff Sickler will contact Travis at a later time regarding the Marijuana Advisory Committee.

Kathy Keese asked if there is representation for labor on the Marijuana Advisory Committee. Sheriff Sickler replied that there is not. Danny added that the Marijuana Advisory Committee is an advisory to the Board of Commissioners. The Board of Commissioners has adequate input to request resources from the State but it really requires action on behalf of the State.

Next Scheduled PSCC Meeting: January 25, 2022
Meeting Adjourned: 1:05 pm