

Marijuana and Methamphetamine Suppression Efforts in Mendocino County

The Grand Jury investigated the problems of marijuana and methamphetamine (meth) use in Mendocino County and law enforcement activities directed at suppressing the production, transport, sale, and use of these substances. Meth use, in particular, and marijuana use are problems in the County. The Mendocino County Major Crimes Task Force (Task Force) is doing the best they can with limited resources. The Task Force needs more resources. The Grand Jury also looked into community efforts to deal with the meth problem.

Method of Investigation

The Grand Jury interviewed the Sheriff, Assistant District Attorney, the Chief Probation Officer, the Commander of County of Mendocino Marijuana Eradication Team (COMMET), two members of the Task Force, and attorneys who represent persons charged with crimes associated with marijuana and meth. The Grand Jury also interviewed the Director of the County's Alcohol and Other Drug Program (AODP) and a citizen who is active in organizing communities against the meth problem.

The Grand Jury reviewed the following documents: "Cannabis, Adverse Effects on Health," Addiction Research Foundation, Toronto, Canada, undated; "Methamphetamine Abuse," National Institute on Drug Abuse, January, 1990; "Methamphetamine: Frequently Asked Questions," Koch Crime Institute, August 3, 2001; "Methamphetamine Basics," UCLA Medical School, undated; "Methamphetamine," U.S. Department of Justice, Drug Enforcement Administration, undated; "On the Gak Trail in Mendocino County," Reaz Sacharoff, *Youth Outlook*, May 28, 1996; "Methamphetamine, Facts and Figures," California Department of Alcohol and Drug Programs, January, 1999; "Methamphetamine," National Institute of Health Publication No. 98-4210, April, 1998; and "Narcotics Prosecutions Filing and Preliminary Hearing Guide," 2000 Edition by Joseph P. Smith.

Background Information

The U.S. Drug Enforcement Administration classifies marijuana and meth as illegal substances.

Marijuana is the product of plants of the cannabis species; Mendocino County is a well-established area of production for sale of the plant. Growers here have, since the 1960s, produced large quantities of high-quality marijuana for local sale and use and for sale outside of the County. Users ingest marijuana in either leaf or flower-bud form, or in the condensed form known as hashish by smoking or by eating it in various cooked concoctions. Use of the substance leads to sensations ranging from mild euphoria through acute, ecstatic episodes.

A review of the scientific literature concludes:

In some cases, an acute dose of cannabis can produce adverse reactions ranging from mild anxiety through panic and paranoia to an acute toxic psychosis. Such reactions are found in individuals who are under stress, anxious, depressed or borderline schizophrenic and in normal users who overdose. Chronic use can lead to some behavioral changes such as apathy and loss of motivation. These reactions are relatively rare. Long-term smoking, just as with tobacco, can cause chronic respiratory troubles.

In male animals, chronic cannabis treatment consistently produces decreased levels of serum testosterone, but in humans, that decrease is to a level that is still within the low normal range. Information on women is scanty.

Frequent high doses of THC (the psychoactive ingredient in cannabis) can produce a mild physical dependence and, in some cases, a mild psychological dependence. The percentage of users thus affected is probably rather small.

It is probable that any specific health problems due to cannabis will have low incidence and prevalence among the total population of cannabis users. ("Cannabis, Adverse Effects on Health")

However, the use of armed guards by growers of large numbers of marijuana plants represents a hazard to the public. There have been instances in the past when hikers have been shot at and sometimes wounded or killed by persons guarding large plantings.

Meth is a chemical substance, made up of ephedrine or pseudoephedrine, commonly found in over-the-counter cold and asthma medications, combined with any of a number of such substances as red phosphorous, hydrochloric acid, drain cleaner, battery acid, lye, lantern fuel, antifreeze, and hydrogen chloride gas. The most common means of delivery among frequent users are smoking, inhalation (snorting), and intravenous injection.

According to documentary sources:

Methamphetamine is a strong central nervous system stimulant. The drug produces a state of increased energy, suppressed appetite and elevated mood; effects may last as long as 10-12 hours.

Use can be devastating socially, physiologically, economically and environmentally. Dependence occurs swiftly. Most use the drug in combination with alcohol and marijuana.

Chronic use is highly toxic: the body essentially burns itself up. Chronic use can lead to malnutrition, paranoia, confusion, anxiety, sleeplessness, aggressiveness, heart failure, seizures, coma and death.

Methamphetamine can harm the developing fetus, increase an individual's risk of developing AIDS and other diseases (via needle-sharing...and lack of protection with condoms), cause serious driver impairment and be dangerous when mixed with other licit or illicit drugs. ("Methamphetamine, Facts and Figures")

According to persons interviewed by the Grand Jury, meth diminishes dendrite/synapse function in the nervous system; it takes some time to reinstate lost nerve function. The drug leaves users with burned out, prematurely aged bodies, depressed mental states, and a need to rely on others.

Meth production is hard to control, as the manufacturing process is simple, involving uncomplicated equipment and supplies that are easily obtainable. A producer can set up a lab in a garage, the bathroom of a residence or a small shed, cook up a batch worth several thousand dollars in a short time, and then move on.

Meth use contributes to such social problems as domestic and other violence, burglary, robbery, and traffic accidents; and to individual problems such as emotional and physical deterioration and sexually and intravenous-needle transmitted diseases such as AIDS and Hepatitis C. In addition, the dangers to the environment and the costs for cleanup of residues from the manufacturing process are substantial. The Department of Environmental Health reports that containers, including propane tanks, discarded by meth manufacturers often contain deadly hydrogen chloride gas.

AODP estimates that 20 to 30 per cent of Mendocino County residents use meth.

Law Enforcement Suppression Efforts: Marijuana Findings

1. COMMET consists of a Commander, one other full time officer, and three volunteer officers who help out when needed. If necessary, the unit can call on the entire law enforcement community for assistance.
2. Upon referral, COMMET personnel travel to locations within Mendocino County where they cut or uproot any growing marijuana plants they find and make appropriate arrests. They transport the plants for disposal, retaining some as potential evidence. COMMET personnel indicate that they only eradicate a small percentage of the marijuana grown in the County.
3. The Sheriff has determined that, given passage of Proposition 215 concerning medical marijuana and given his limited resources, he must concentrate his department's efforts on eradication of large-scale plantings, which are obviously destined for illegal sale. Consequently,

COMMET does not carry out raids on known medical plantings or on smaller patches.

4. COMMET confiscates 100,000 outdoor plants and 30,000 indoor plants in an average year of operations.
5. COMMET personnel carry firearms and will have them drawn at the outset of an operation; use of firearms or other physical force is limited to situations involving potential injury to officers or others.
6. Testimony indicates that COMMET personnel are generally respectful of the persons and civil liberties of those they encounter and/or arrest.

Law Enforcement Suppression Efforts: **Methamphetamine**

Findings

7. The Task Force operates under the supervision of the State Department of Justice, Bureau of Narcotics Enforcement. Personnel consist of two Sheriff's deputies and one officer each from the Ukiah and Willits Police Departments and the Highway Patrol, a Probation Officer, a representative from the State Parks Department, and a representative of the District Attorney. Fort Bragg does not supply an officer, but it does help support the Task Force financially, as do the other jurisdictions.
8. Total funding for the Task Force is \$52,000 (\$30,000 from the State and \$22,000 from participating law enforcement agencies. Participating agencies provide personnel and equipment.
9. The Task Force does not have enough resources to deal realistically with the meth problem in Mendocino County.
10. The Task Force deals with crimes involving violence, such as homicide and assault as well as burglary and drug crimes. Drug suppression is their major mission and within that they direct their primary activities toward elimination of production, trafficking and use of methamphetamine in the County.
11. Task Force officers get leads concerning meth suppliers from persons they arrest, from paid or unpaid informants, and from interested citizens who are suspicious of certain activities. Starting with that information, they work up to larger dealers. Sometimes that process gets results, but whether they actually arrest a major supplier is often a matter of luck and timing.
12. Officers express frustration at having to arrest the same violators time after time. They complain that the District Attorney often charges persons arrested for possession for sale with simple possession, which allows them to get probation or Proposition 36 diversion. The District

Attorney, on the other hand, cites the difficulty of getting a conviction without solid proof that sales are involved.

13. Some other law enforcement officers have complained that they receive little cooperation from the Task Force in the fight against meth. But Task Force personnel contend that they don't get adequate information from other agencies to follow up.

Other Approaches to the Drug Problem: AODP

Findings

14. The AODP is part of the County Public Health Department and has as a mission "to promote healthy behaviors by preventing, reducing and treating alcohol and other drug abuse in Mendocino County." Most program funding comes from federal, State, and private foundation sources.
15. AODP approaches the use of alcohol and other drugs as a public health problem, though they find it hard to convince others that that is the case.
16. From July to December 2001, AODP saw 855 persons; 518 were involved in the criminal justice system.
17. Though substance use impacts persons of all levels, AODP observes that the greatest impact of substance abuse is on the disadvantaged of the community and correlates with substandard housing and low social, job, and parenting skills.
18. AODP reports that persons negatively impacted by substance use take up two-thirds of hospital beds in the county.
19. AODP has several options for treatment of substance users, ranging from intensive detoxification through post-detox, residential treatment, and day treatment to outpatient aftercare.
20. AODP develops and circulates drug education curricula for use in the schools and encourages community based anti-substance use activities.

Community Involvement in Suppression of Meth Use

Findings

21. Police recently arrested a local high school student for possession of meth for sale on campus.
22. That incident motivated a teacher to contact Anderson Valley community leaders and agencies and bring some 30 people together at a meeting; that led to a larger community gathering on the topic of the meth problem attended by about 300 residents. Smaller groups are

following up by getting together to learn ways to identify the problem and how to deal with it.

23. As a result, law enforcement has stepped up its presence and anti-meth activities in that community.

Recommendations

- A. Given the resources at their disposal, COMMET maintain the current emphasis on large plantings. (Findings 2, 3)
- B. For the Task Force is to be fully effective in the suppression of meth, it will need more in the way of funding and personnel. Law enforcement officials and the Board of Supervisors vigorously lobby the legislature for legislation making those available (Findings 8 & 9)
- C. Task Force personnel and the District Attorney meet and clarify for each other what steps each must take to dispel the impression that the prosecutors are functioning in such a way as to allow meth violators, particularly those arrested for sale, to avoid imprisonment. The District Attorney ensure that Task Force personnel are clear on what evidence the law requires for effective prosecution (Finding 12)
- D. Task Force personnel and representatives of other law enforcement agencies meet on a regular basis to share information and better coordinate their efforts (Finding 13)
- E. AODP continue searching out all possible sources of funding for its activities. BOS increase funding when possible (Finding 14)
- F. AODP intensify efforts to educate the community about meth in general and about drug use as a health issue (Finding 15)
- G. AODP continue educational activities in the schools, but expand those activities to the larger community, especially in ways that will reduce meth use by young adults (Finding 20)

Comment

The Grand Jury commends the personnel assigned to COMMET for their respectful approach to persons they encounter in their operations.

If the Sheriff determines that it is necessary to eradicate small patches or to go after medical marijuana plantings, it will be necessary to provide much more in the way of funding, personnel, backup, and equipment to COMMET

All agencies should encourage and cooperate with citizens' meth suppression efforts. Agencies should expand efforts to inform community residents about the meth problem and how to deal with it, and where possible provide resources for community meth suppression efforts.

Finding 17 suggests that there may be no substantial improvement of the meth problem without an upgrading of the economic and educational status of residents of the County.

Response Required

Board of Supervisors (Recommendations B & E–G & related Findings)

Mendocino County Sheriff (Recommendations A, B, & D & related Findings)

Mendocino County Task Force Governing Board (Recommendations B–D & related Findings)

District Attorney Recommendation B–D & related Findings)

Response Requested

Director, AODP (Recommendations E–G & related Findings)