



Humboldt County Sheriff's Office

826 Fourth Street, Eureka, CA 95501

Date: 08/10/2016

From: Lt. Wayne Hanson

Subject: Marijuana Investigation

Case:

On Tuesday, 08-09-2016 Humboldt County Sheriff's Office Deputies assisted by Campaign Against Marijuana Planting (CAMP) eradicated several open field marijuana gardens located in the Blocksburg area.

Prior to yesterday's marijuana eradications, deputies conducted aerial reconnaissance in the Blocksburg area of Humboldt County on Wednesday, 08-03-2016. Deputies located what appeared to be a large open field marijuana cultivation operation on a parcel of property. Deputies through their investigation learned the owners name for the parcel of property.

The deputy then contacted the owner of the parcel via telephone on the evening of 08/03/2016. The owner of the property advised the deputy he was leasing his property. The owner of the property advised the deputy the subject leasing his property was growing marijuana. The owner said the subject leasing his property had advised him he had obtained the necessary permits from the County of Humboldt to cultivate marijuana on the property

The deputy then checked the weekly cannabis data extracts emails obtained by the Sheriff's Office, regarding, CMMLUO permit application process. The deputy discovered that a subject leasing the property from the owner had submitted two "Activity Registration Forms" on 07/28/2016 regarding the above listed parcel.

This is the lowest form of reporting, and submission of this form does not constitute a permitted cultivation operation. The form states, *"The self-reported data from the cannabis registration forms is incomplete and not verified. Some parcel numbers provided are inaccurate or do not exist. Operation descriptions and business locations are not verified. Submittal of a registration form does not mean the operator has applied for required permits. User assumes all risk for use of data other than display."*

Per the request of the property owner the deputy met with him at his residence on 08/04/2016 to discuss the situation and answer his many questions. At this time the owner of the property signed a consent to search form, and provided the deputy with a gate key and combination code for all gates located on his Blocksburg properties. The owner of the property stated based on his many conversations with the subject leasing his property he was under the impression

that the marijuana cultivation operation was legitimate. The owner of the property urged the Sheriff's Office Drug Enforcement Unit to eradicate all marijuana plants if it was determined the cultivation operation was not legitimate.

The Deputy also met with an employee with a consulting firm, who had been hired by the person who was leasing the property. The consulting firm stated they had been hired to assist with the county permit process. The consulting firm acknowledged this was not the same as having a valid permit.

The deputy attempted to contact the subject who was leasing the property via telephone; however no contact was made. The deputy left a voice message on the telephone requesting correspondence regarding this investigation. The deputy spoke with the Humboldt County Planning and Building Department via telephone regarding the cultivation operation. They confirmed no permit had been issued at that time.

On Tuesday, 08/09/2016 Officers responded to the Blocksburg property and contacted several subjects on the property. The subjects were detained in handcuffs. Officers located and eradicated over 3300 growing marijuana plants on the parcel. Both subjects advised they were under the impression the operation was legitimate; however they confirmed they had not yet obtained a valid permit.

The subjects detained did not know how many marijuana plants were currently being cultivated on the property, or how much product would be obtained from the plants. The subjects stated all marijuana was being grown for medical purposes, and would be donated to a non-local dispensary.

They also confirmed they did not have the proper permits regarding the grading and land diversion he had already implemented on the property. The subjects could not provide a viable answer for where he was obtaining the water he was utilizing at the marijuana cultivation site. The subjects advised he employed numerous employees at the cultivation site; however they refused to identify anyone by name.

The deputy asked the subjects if it was a coincidence that they submitted their application the day after the Sheriff's Office flew over his marijuana grow in a helicopter. The subjects stated it was not a coincidence, and that they submitted the application because they assumed Law Enforcement would be responding to the property and he wanted to appear legitimate.

Based on the subject's inability to provide documentation in the form of a valid Commercial Cannabis Permit, as well the deputies observations while on scene, all marijuana plants on the property were eradicated. The subjects were then released from the scene after the deputies were finished with their investigation.

Sheriff Downey would like to reassure those seeking a valid permit or involved in the permitting application process that this incident was unique in many ways. In the past few weeks the Sheriff's eradication team has verified and walked away from those cultivation sites that have been permitted or were in the application process with proper documentation. The Sheriff's Office continues to respect the application ordinance process and is working diligently with the planning department to verify the status of those who have applied for permits.

The Sheriff will continue to aggressively pursue those who cultivate marijuana outside the confines of the Humboldt County Medical Marijuana Ordinance. As a reminder the cultivation of marijuana in the State of California is a felony and prosecutable by the District Attorney's Office. Medical Marijuana is a defense only in regards to cultivation that is why it is imperative that those utilizing the Medical Marijuana ordinance have proper documentation.

It is acknowledged by those involved in the crafting and implementation of the Humboldt County Ordinance that there would be period of time where discretionary judgement would prevail. The Sheriff's Office also encourages those interested in seeking a medical marijuana permit, issued by the County of Humboldt, to do so. Law Enforcement will continue to work with the planning department to insure applicants are in compliance with the Humboldt County Ordinance.

Mike Downey
Sheriff