



County of Santa Cruz

SHERIFF - CORONER

701 OCEAN STREET, SUITE 340, SANTA CRUZ, CA 95060

(831) 454-2985 FAX: (831) 454-2353

MARK TRACY
SHERIFF - CORONER

June 14, 2001

Agenda: June 26, 2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 510
Santa Cruz, CA 95060

MARIJUANA SUPPRESSION PROGRAM GRANT UPDATING THE RESOLUTION

Dear Members of the Board:

On April 10, 1996 your Board approved a resolution authorizing the Sheriff-Coroner to submit a grant application for the Marijuana Suppression Program through the State of California. The grant funding was for 3 years depending on available funding. We are currently completing documents for the final year of the 3 year funding cycle. The State of California has recently informed us that they have changed the required signature to include the County Administrative **Officer**. This letter is to request that your Board authorize the Sheriff-Coroner and County Administrative Officer to complete the final year grant statement for fiscal year 2001/2002.

In 2000 the Sheriffs Office Marijuana Enforcement Team successfully investigated a total of 55 marijuana cultivations, most were outdoor. The outdoor cultivations were found on public and private open space lands. The cultivations on private lands were planted without the knowledge and consent of the property owners. Such cultivations pose a risk to the public and land. These risks include potential personal injury from growers protecting their highly valued marijuana crop and environmental hazards, including ground and stream contamination due to the use of chemical fertilizer, and pesticides, clear cutting of trees and riparian corridors, diversion of water from streams for irrigation, and potential harm to native wildlife and fish. The 55 marijuana cultivation cases all involved the eradication of 30,015 plants or more and 390 pounds of processed marijuana. These marijuana cultivation investigations led to the eradication of an estimated \$30,759,000 worth of marijuana. Of these, only five individuals claimed a medical necessity. Not included in the 55 cases were approximately 6 cases where marijuana plants were not seized because of claims of medical necessity.

In 2000 the Sheriffs **Office** used a helicopter to help locate marijuana cultivations in remote areas. The helicopter was used for a total of 58 hours which represents a significant decrease from previous years. From 1996 to present, that is a 75% reduction in helicopter flight hours.

The 2001/2002 grant application requests a total of \$247,000. The Sheriffs **Office** share of that figure is \$192,851 with the remaining revenues reflected in the District Attorney's Office budget. These funds will continue the funding for 2 (2 FTE) Deputy Sheriffs and 1 (.5 FTE) Assistant District Attorney. As in previous years, funds are also budgeted for the Cannabis Eradication Program (CEP) in the amount of \$30,000 to augment enforcement efforts.

It is therefore RECOMMENDED that your Board:

1. ADOPT the attached resolution authorizing the Sheriff-Coroner and the County Administrative Officer to complete and sign the grant statement for funds for the fiscal year 2001/2002 for this marijuana suppression program grant.

Sincerely,

Steve Robbins,
Chief Deputy,
for

MARK S. TRACY
Sheriff-Coroner

Recommended:

Susan A. Mauriello

SUSAN A. MAURIELLO
County Administrator

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor _____
duly seconded by Supervisor _____

the following Resolution is adopted:

RESOLUTION AUTHORIZING THE SHERIFF-CORONER TO APPLY FOR FUNDS
DURING FISCAL YEAR 2001/2002 FOR MARIJUANA SUPPRESSION PROGRAM GRANT

WHEREAS, the Board of Supervisors of Santa Cruz county desires to undertake the project designated as the Marijuana Suppression Program grant to be fully funded by the Office of Criminal Justice Planning (hereafter referred to as OCJP).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Sheriff-Coroner of the County of Santa Cruz and the County Administrative Officer of the County of Santa Cruz is authorized, on its behalf, to submit the application for state funds for the Marijuana Suppression Program grant to the Office of Criminal Justice Planning and is authorized to execute on behalf of the Board of Supervisors of Santa Cruz County the attached Grant Application together with the MSP Program Mission statement, attached hereto and made an integral part of the grant application proposal by reference, including any extensions or amendments thereof.

BE IT FURTHER RESOLVED AND ORDERED that grant fund received hereunder shall not be used to supplant expenditures controlled by this body.

IT IS AGREED, that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability.

PASSED AND ADOPTED by the Board of Supervisors of the County Santa Cruz, State of California, this 26 day of June, 2001, by the following vote:

| | |
|----------|-------------|
| AYES: | SUPERVISORS |
| NOES: | SUPERVISORS |
| ABSENT: | SUPERVISORS |
| ABSTAIN: | SUPERVISORS |

ATTEST: _____
Clerk of the Board

Chairperson of the Board of Supervisors

APPROVED AS TO FORM:

Henry A. Oberhelman III
County Counsel 6/13/01

MARIJUANA SUPPRESSION PROGRAM

MISSION STATEMENT

Commercial growers and traffickers of marijuana pose a serious criminal problem in Santa **Cruz** County. Santa Cruz County's experience, which is not unique, is that some of these growers and traffickers of marijuana also have serious and sometimes violent crime associated with their illegal enterprises.

Because of other demands placed on our law enforcement resources by an increasing population and constrained local budgets, it essential that the County of Santa Cruz obtain funds disbursed through the Office of Criminal Justice Planning to address the problem of commercial marijuana growers and **traffickers**.

Santa **Cruz** County's FY2001/2002 Marijuana Suppression Program grant application is intended to address the County's marijuana problem in an integrated manner, which provides maximum coordination between the Sheriffs Office and the District Attorney's Office.

Cultivation and sales of any amount of marijuana in California is a felony. Generally speaking, local jurisdictions address the lower level activities through the use of existing law enforcement resources. It is the purpose and intent of the County of Santa Cruz in applying for these specific grant funds to reduce the cultivation and sales of commercial quantities of marijuana and thereby also reduce other serious and sometimes violent crime which is known to be associated with such activities. Because commercial

cultivation and sales operations and the violent crime associated with them are of such a serious nature, the Marijuana Enforcement Program will target these types of commercial cases.

The Marijuana Suppression Program utilizes the assistance of other public agencies which have access to helicopters. If not operated with an appropriate level of regard to the general public, helicopters may cause a disruption of normal levels of peace, quiet and privacy. The operation of any helicopter associated with the Marijuana Suppression Program in Santa Cruz County shall comply with the rules and regulations of the Federal Aviation Administration.

Additionally, this grant is applied for by the Board of Supervisors with the expressed understanding that nothing in the Statement of Purpose or any other section of this grant is intended to limit free speech, freedom of expression, or to target the beliefs of any group or organization, regardless of political point of view.

By applying for Marijuana Suppression Program grant funds, the County of Santa Cruz can address the serious criminal problem of commercial level marijuana growers, dealers and traffickers, with who there is known to be violent crime.

The Board of supervisors shall monitor Marijuana Suppression Program efforts through a yearly report submitted to the County Administrative Office by the Sheriff. This monitoring will provide the mechanism to assure the State and our community that these

Page 3

grant funds are utilized in a manner which will address the specific problem stated above in this Mission Statement.

This Mission Statement is not intended to restrict the Sheriff or the District Attorney in the performance of their duties, but instead is intended to add clarity regarding the purpose of the acceptance and appropriation of these grant funds and the operation of the Marijuana Enforcement Program.

This Mission Statement shall become part of the grant application.



County of Santa Cruz

Sheriff-Coroner

701 Ocean Street, Suite 340, Santa Cruz, CA 95060
(831) 454-2440 FAX: (831) 454-2353

Mark Tracy
Sheriff-Coroner

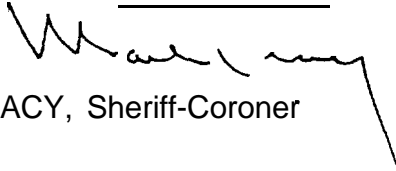
May 25, 2001

Mr. Frank Grimes, Executive Director OCJP
1130 K Street, Suite LL60
Sacramento, CA. 95814

Dear Mr. Grimes:

Enclosed you will find the Santa Cruz County Sheriffs Office RFA for the FY2001/2002 Marijuana Suppression Program grant. I would like to thank you and your office for your continued support of this endeavor. Should your staff have any questions regarding this request for application please call Sgt. Jim Hart at (831)454-3008.

Sincerely,


MARK TRACY, Sheriff-Coroner

by: Jim Hart, Sergeant
Investigations Division

cc:

GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP A301)
GRANT AWARD FACE SHEET

The Office of Criminal Justice Planning, hereafter designated OCJP, hereby makes a grant award of funds to the following **Administrative Agency (1)** Santa Cruz County Sheriff's Office hereafter designated Grantee, in the amount and for the purpose and duration set forth in this grant award.

(2) Implementing Agency Name Santa Cruz County Sheriff's Office

Contact Sergeant Jim Hart **Address** 701 Ocean Street, Rm 340, Santa Cruz Ca.

Telephone (831-) 454-2311

| | |
|--|--|
| (3) Project Title (60 characters maximum) <u>Marijuana Suppression Program</u> | (6) Award No. <u>MS99050440</u> |
| (4) Project Director (Name, Title, Address, Telephone) (four lines maximum) Lt. Terry Parker 701 Ocean Street, Room 340 Santa Cruz, Ca 95060 (831) 454-2311 | (7) Grant Period <u>07-01-01 through 06-30-02</u> (8) Federal Amount <u>\$ 247,000.00</u> (9) State Amount <u>0.00</u> |
| (5) Financial Officer (Name, Title, Address, Telephone) (four lines maximum) Kathy Samms 701 Ocean Street, Room 340 Santa Cruz, Ca 95060 (831) 454-2992 | (10) Cash Match <u>0.00</u> (11) In-Kind Match <u>0.00</u> (12) Total Project Cost <u>\$ 247,000.00</u> |

This grant award consists of this title page, the proposal for the grant which is attached and made a part hereof, and the Assurance of Compliance forms which are being submitted. I hereby certify that: (1) I am vested with authority to, and have the approval of the City/County Financial Officer, City Manager, or Governing Board Chair, enter into this grant **award** agreement; and (2) all funds received pursuant to this agreement will be spent exclusively on the purposes specified. The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statute(s), the Program Guidelines, the OCJP Grantee Handbook, and the OCJP audit requirements, as stated in this Request for Application (RFA). The grant recipient further agrees to all legal conditions and terms incorporated by reference in this RFA.

| | | | | | |
|---|---|----------------------|------|-----------------------------------|---------------|
| <p style="text-align: center;"><u>FOR OCJP USE ONLY</u></p> <p>Item:</p> <p>Chapter:</p> <p>PCA No.:</p> <p>Components No. :</p> <p>Project No.:</p> <p>Amount:</p> <p>Split Fund:</p> <p>Split Encumber:</p> <p>Year:</p> <p>Fed. Cat. #:</p> <p>Match Requirement:</p> <p>Fund:</p> <p>Program:</p> <p>Region:</p> | <p>(13) Official Authorized to Sign for Applicant/Grant Recipient</p> <p>_____ Name:</p> <p>_____ Title:</p> <p>_____ Address:</p> <p>_____ Telephone: ()</p> <p>_____ Date:</p> <p>I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">Fiscal Officer, OCJP</td> <td style="width: 50%;">Date</td> </tr> <tr> <td>_____ Executive Director, OCJP</td> <td>_____ Date</td> </tr> </table> | Fiscal Officer, OCJP | Date | _____ Executive Director, OCJP | _____ Date |
| Fiscal Officer, OCJP | Date | | | | |
| _____ Executive Director, OCJP | _____ Date | | | | |

PROJECT CONTACT INFORMATION

Applicant: Santa Cruz County Sheriff's Office

Implementing Agency (if applicable): _____

Project Title: Marijuana Suppression Program

Grant Number (to be added by OCJP): _____

Provide the name, title, address, telephone number, and e-mail address for the project contact persons named below. If a section does not apply to your project, enter "N/A."

1. The person having day-to-day responsibility for the project:

Name: Jim Hart

Title: Sergeant

Address: 701 Ocean Street, Room 340, Santa Cruz California, 95060

Telephone Number: (831) 454-3008 Fax Number: (831) 454-2353

E-MailAddress: SHF581@co.santa-cruz.ca.us

2. The person to whom the person listed in #1 is accountable:

Name: Terry Parker

Title: Lieutenant

Address: 701 Ocean Street, Room 340, Santa Cruz California, 95060

Telephone Number: (831) 454-3011 Fax Number: (831) 454-2353

E-Mail Address: SHF448@co.santa-cruz.ca.us

3. The executive director of a nonprofit organization or the chief executive officer (e.g., chief of police, superintendent of schools) of the implementing agency:

Name: Mark Tracy

Title: Sheriff

Address: 701 Ocean Street, Room 340, Santa Cruz, California, 95060

Telephone Number: (831) 454-2964 Fax Number: (831) 454-2353

E-MailAddress: SHF001@co.santa-cruz.ca.us

4. The chair of the governing body of the implementing agency: (Provide address and telephone number other than that of the implementing agency.)

Name: Tony Campos

Title: Supervisor of the 4th District

Address: 701 Ocean Street, Room 500, Santa Cruz California, 95060

Telephone Number: (831) 454-2000 Fax Number: (831) 454-3262

E-MailAddress: BDS040@co.santa-cruz.ca.us

5. The person responsible for the project from the applicant agency, if different than #1:

Name:

Title:

Address :

Telephone Number: ()

Fax Number: ()

E-Mail Address:

PROJECT SERVICE AREA INFORMATION

1. COUNTY OR COUNTIES SERVED: Enter the name(s) of the county or counties served by the project. Put an asterisk where the principal office of the project is located.

Santa Cruz County

[STAFF NOTE: Include items 2, 3 and 4 only if required by the federal funding source.]

2. U.S. CONGRESSIONAL DISTRICT(S): Enter the number(s) of the U.S. Congressional District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

17th

3. STATE ASSEMBLY DISTRICT(S): Enter the number(s) of the State Assembly District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

27th

4. STATE SENATE DISTRICT(S): Enter the number(s) of the State Senate District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

15th

- 5: POPULATION OF SERVICE AREA: Enter the total population of the service area served by the project.

246,948

CERTIFICATION OF ASSURANCE OF COMPLIANCE

***Note:** There are different requirements for state and federal funds. (Those affecting only federally funded projects are identified.)*

I, Mark Tracy hereby certify that:
(official authorized to sign grant award; same person as line 13 on Grant Award Face Sheet)

GRANTEE: Santa Cruz County Sheriff's Office

IMPLEMENTING AGENCY: Santa Cruz County Sheriff's Office

PROJECT TITLE: Marijuana Supression Program

will adhere to all of the Grant Award Agreement requirements (state and/or federal) as directed by the Office of Criminal Justice Planning including, but not limited to, the following areas:

- I. Equal Employment Opportunity
- II. Drug-Free Workplace Act of 1990
- III. California Environmental Quality Act (CEQA)
- IV. Lobbying
- V. Debarment, Suspension, and Other Responsibility Matters
- VI. Proof of Authority from City Council/Governing Board

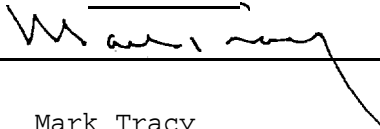
I. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

A. General EEO Rules and Regulations (state and federal)

The applicant selected for funding acknowledges awareness of, and the responsibility to comply with, the following Equal Employment Opportunity requirements by signing the Grant Award Face Sheet (OCJP A301), including this Certification of Assurance of Compliance, and submitting the application to the Office of Criminal Justice Planning (OCJP).

- 1. California Fair Employment and Housing Act (FEHA) and Implementing Regulations, California Administrative Code, Title 2, Division 4, Fair Employment and Housing Commission.
- 2. California Government Code Article 9.5, Sections 11135-1 1139.5 and Implementing Regulations, California Administrative Code, Title 22, Sections 98000-98413.
- 3. Title VI of the Civil Rights Act of 1964.

All appropriate documentation must be maintained on file by the project and available for, OCJP or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the grantee may be ineligible for award of any future grants if the Office of Criminal Justice Planning (OCJP) determines that any of the following has occurred: (1) the grantee has made false certification, or (2) violates the **certification** by failing to carry out the requirements as noted above,

| CERTIFICATION | |
|---|--|
| I, the official named below, am the same individual authorized to sign the Grant Award Agreement [line 13 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bid the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California. | |
| Authorized Official's Signature: |  |
| Authorized Official's Typed Name: | <u>Mark Tracy</u> |
| Authorized Official's Title: | <u>Sheriff of Santa Cruz County</u> |
| Date Executed: | <u>5-25-01</u> |
| Federal ID Number: | <u>CA0440000</u> |
| 'Executed in the City/County of: <u>Santa Cruz</u> | |
| City/County/CBO Financial Officer's or City Manager's Signature: _____ | |
| City/County/CBO Financial Officer's or City Manager's Typed Name: <u>Susan A. Mauriello</u> | |
| City/County/CBO Financial Officer's or City Manager's Title: <u>County Administrative Officer</u> | |

2. Assurance of EEOP for Federal Grants of \$25,000-\$499,999

This implementing agency has formulated, or will formulate, implement, and maintain an EEOP within 60 calendar days of the date the Grant Award Face Sheet (OCJP A301) is signed by the Executive Director of OCJP. I also certify that the EEOP is/will be on file in the following Affirmative Action (A.A.) Office:

A.A. Officer: Dania Torres Wong

Title: Director

Address: 701 Ocean Street, Room 510, Santa Cruz, Ca. 95060

Phone: (831) 454-2488

The EEOP is available for review or audit by officials of OCJP or the Federal Government, as required by relevant laws and regulations.

Additionally, I agree to submit a copy of said EEOP to OCJP (Attention: EEO Compliance Officer) within 60 calendar days of the Executive Director's signature on the OCJP A30 1.

3. Federal Grants of \$500,000 and Above

All applicants for federal grant funds of \$500,000 or more will submit a copy of their EEOP (developed for the implementing agency), or federal letter of compliance, to OCJP with the second stage application forms.

4. EEOP Updates for Continuing Federal Grants

Projects that have previously received a total of \$25,000 or more in federal grants, or a single award in the amount of \$500,000 or more, and have an approved EEOP on file with OCJP, are required to submit an annual update of their EEOP if funds are continued. The timeframe for EEOP updates are the same as identified in Section B, 2 and 3 above.

C. The following apply to all OCJP grantees:

1. In addition to this Certification, all OCJP grantees must have a current EEO Policy Statement, established by their agency, posted in a prominent place accessible to employees and applicants; and
2. The poster entitled "Harassment or **Discrimination** in Employment is Prohibited by Law" also must be posted in a conspicuous location accessible to employees and applicants. This poster may be obtained from the local office of the Department of Fair Employment and Housing.

1. PROBLEM STATEMENT

A. DESCRIPTION OF THE COUNTY

Santa Cruz County is located on the Monterey Bay and is surrounded by San Mateo County, Santa Clara County, San Benito County and Monterey County. Santa Cruz County is geographically the second smallest County in the State with 439 square miles. The population of Santa Cruz County is approximately 247,000. The population of the county is broken down in the following figures:

| | |
|------------------------------|---------------|
| *Unincorporated County | 136,800-54.6% |
| *Santa Cruz City.. | 54,600-21.8% |
| *Watsonville City.. | 37,150-14.8% |
| *Capitola City.. | 11,050-4.4% |
| *Scotts Valley City.. | 10,550-4.2% |

Santa Cruz County is mostly rural with a vast coast line and remote mountainous areas. Many parts of Santa Cruz County are now bedroom communities for people working in Santa Clara County's Silicon Valley. The economic composition of the residents vary from low income families to highly paid corporate executives working in the computer industry. The Pajaro Valley (Watsonville area) is home for many farm laborers and migrant workers.

For some residents, the marijuana culture in our County is not a hobby, but a way of life. We have found over the years that a significant number of people in our County make their income from growing and selling marijuana. Marijuana cultivators and dealers who have been arrested in the past range in age from teenagers to people in their

70's. The underlying reason for a majority of growers and dealers participating in their illegal ventures is greed. We have been told by many of these people that growing and selling marijuana affords them a comfortable lifestyle without having to work a forty hour work week.

The misconception that marijuana is a "benign" or "soft" drug permeates throughout the community and criminal justice system. For example, a commercial grower involved with cultivating 100 marijuana plants and is a first time offender typically receives a similar jail sentence as a street corner dealer who is caught selling a quarter gram of heroin or cocaine.

We need to continue to educate the community and the courts that marijuana cultivation and sales is a continuing criminal enterprise that includes money laundering, tax evasion and sometimes violence. The Sheriff's Office has recently investigated several home invasion robberies where the motive was the theft of marijuana.

B. PROBLEMS AND NEEDS

Plant seizures, weapon seizures and asset seizures have all risen or remained consistently high during the past five years. Much of this success can be attributed to the MSP Grant and the fact that we have two full time marijuana detectives, one full time sergeant and a half time marijuana prosecutor dedicated to the program. Because of current staffing issues and other projects it is impossible for the Sheriff's Office to fund two detectives without the assistance of this grant. Further, if it were not for the MSP Grant, cases that are submitted to the District Attorney's Office would be prosecuted by a variety of deputy district attorney's, thereby precluding consistent sentencing guidelines.

It is difficult, if not impossible, to accurately estimate the availability of marijuana to the community. However, with current prices holding steady at \$4,200.00 to \$5,000.00 a pound, it is believed that our program is making a significant impact by reducing the supply of locally grown marijuana to the community. By continuing our air surveillance program in the summer months, we have significantly reduced the number of outdoor marijuana plants being confiscated.

C. ANTICIPATED IMPACT

The Sheriff's Office will meet the needs of the County on several levels. From the enforcement side the Marijuana Enforcement Team will continue to search for outdoor marijuana cultivations in the spring and summer months. Team members will focus their activity on indoor growers and traffickers in the fall and winter months. It would appear that team members are impacting the County by reducing the number of outdoor cultivations and driving the growers indoors.

Team members will provide marijuana related training to other deputies as well as outside law enforcement agencies. Team members will work closely with the assigned deputy district attorney to insure that strict prosecutions continue with cases generated by team members.

By eliminating the number of outdoor cultivations, the Marijuana Enforcement Team will reduce the amount of marijuana being made available to the community. Through training and coordination with the District Attorney's Office the quality of cases will continue to increase and stricter sentences will be handed down to commercial marijuana growers and dealers.

D. PROPOSITION 215

The Compassionate Use Act of 1996 has had minimal impact on the day to day operations of the Sheriffs Office Marijuana Enforcement Team. The goal of the Marijuana Enforcement Team is to disrupt the flow of locally grown marijuana from the commercial growers/dealers to the community and schools. In order for a person to be protected under the umbrella of 11362.5 H&S, the amount of marijuana being grown must be for personal consumption. Because the Marijuana Enforcement Team's intention is to investigate commercial growers, very few personal use medical cases are investigated.

A protocol has been implemented within the Sheriffs Office for instances where true medical cases are found. When a person is found in possession of a small number of marijuana plants and has a serious medical condition the investigating deputy inquires about the following:

1. The nature of the person's illness.
2. Their doctor's written recommendation. If no written recommendation exists, the person is asked for the name of the doctor that recommended marijuana use.
3. The deputy obtains a random sample of the marijuana plant(s) and later places the sample into evidence.
4. The Deputy writes a report documenting the incident and attaches any relevant medical documentation to the report.
5. In a case where a patrol deputy locates a medical marijuana case, the patrol deputy contacts a Marijuana Enforcement Team member and advises the team

member of the facts surrounding the case.

If a person is found in possession of marijuana plants and claims he/she is a Primary Care Giver the investigating deputy inquires about the name of the serious ill person that the care giver is responsible for. The deputy asks relevant questions including what the day to day responsibilities of the Primary Care Giver are to the ill person.

As in most instances, the Sheriffs Office investigates these types of cases with the spirit of the law in mind.

PLAN

OBJECTIVE LE-1

Members of the Marijuana Enforcement Team will network with the California Air National Guard, the Drug Enforcement Administration and the Sheriff's Office Air Squadron to utilize resources that are available to fly air reconnaissance in the spring and summer months for outdoor marijuana gardens. Once a substantial number of marijuana gardens are located, team members will utilize CAMP (Campaign Against Marijuana Planting) and other local resources to eradicate the outdoor marijuana sites. This will effectively reduce the supply of marijuana that would otherwise be made available to local communities and schools.

In the fall and winter months, team members will focus their work effort towards locating commercial indoor marijuana cultivations and commercial traffickers. Using tips from citizens and informants, as well as other investigative techniques, team members will acquire information that will allow them to locate and stop the influx of marijuana to Santa Cruz County.

Team members will utilize resources from the Drug Enforcement Administration and local agencies to assist them with both their indoor and outdoor marijuana investigations. The DEA will be notified of the existence of large level cases and will have the option of adopting cases for federal prosecution.

Team members will coordinate with the assigned deputy district attorney in cases where search warrants are needed and arrests are likely. Team members will document their investigations by writing reports, taking photographs, video taping the crime scene

and making evidence available to the assigned deputy district attorney so that thorough prosecution is possible.

Team members will continue to be trained in all facets of marijuana investigation and court room testimony. This training will insure that quality cases will be submitted to the assigned deputy district attorney for prosecution.

| | PROJECTED NUMBER |
|---|---------------------------------|
| 1. Indoor marijuana cultivation sites detected | <u>15</u> |
| 2. Indoor marijuana cultivation sites eradicated | <u>15</u> |
| 3. Outdoor marijuana cultivation sites detected | <u>30</u> |
| 4. Outdoor marijuana cultivation sites eradicated | <u>30</u> |
| 5. Marijuana plants confiscated | 15,000 <u> </u> |
| 6. Processed marijuana (in pounds) confiscated | <u> </u> 100 <u> </u> |

PLAN

OBJECTIVE LE-2

Marijuana enforcement Team members will locate commercial marijuana cultivations and marijuana trafficking organizations utilizing a variety of investigative techniques. Outdoor cultivations will be located via overflights, citizen tips and informants. Indoor cultivations will be discovered via citizen tips and informants.

Once a commercial marijuana grow or a trafficking organization has been identified, team members will conduct surveillance, obtain court orders and deliver subpoenas for relevant information about the case they are working. Team members will consult with other agency's data bases for information about the suspect(s) in their case. When appropriate, team members will contact WSIN (Western States Intelligence Network) for information about the organization they are investigating.

Once all pertinent information has been collected and probable cause has been established team members will obtain search warrants for the location the suspect's are utilizing to conduct their illegal enterprise. The assigned deputy district attorney will assist with search warrant preparation and provide legal advice to team members.

After team members obtain a search warrant, they will plan the execution of the warrant so that the warrant is served safely and effectively. All evidence will be collected and booked into the Sheriffs Office property room. Any assets that were determined to be derived from the sale of controlled substances will be seized and asset forfeiture proceedings initiated. Team members will interview all suspects and witnesses and then

write a detailed report outlining the facts of the case. The written reports will then be delivered to the assigned deputy district attorney for review and prosecution.

If a case is found to be substantial the Drug Enforcement Administration will be notified and given the option of adopting the case for federal prosecution. If a case is adopted by the federal government all evidence and assets will be turned over to the federal agent in charge of the case.

When appropriate, the Sheriffs Office Press Information Officer will be notified of significant seizures and arrests. The Press Information Officer will determine how information about the case will be disseminated to the media.

PROJECTED NUMBER

| | |
|---|--------------|
| 1. Investigations initiated for marijuana cultivation and trafficking | _____50_____ |
| 2. Investigations resulting in arrests | _____40_____ |
| 3. Search warrants served | _____25_____ |
| 4. Total arrests | _____50_____ |
| 5. Referrals for prosecution | - 45 - |

PLAN

OBJECTIVE LE-3

During the service of a search warrant or during a consent search team members will examine financial documents of the marijuana grower/dealer. Team members will look through the suspect residences for cash, safety deposit box keys, pay/owe sheets and any other instrument that could have value to the marijuana grower/dealer.

When assets are found that are reasonably believed to be derived from the sale of marijuana, team members will initiate an asset forfeiture investigation. Team members will conduct a financial interview with the suspect and ascertain the suspect's actual legitimate income. Team members will serve the suspect with asset forfeiture paper work and then deliver the forms to the Deputy District Attorney in charge of asset seizure cases.

When U.S. currency is seized, team members will either place the money into evidence or deliver the currency to the Investigations Sergeant in charge of asset seizure cases. The Investigations Sergeant will then place the cash into the Sheriff's Office Pre-litigation Account. If a vehicle is seized, team members will temporarily store the vehicle at a local tow yard. Team members will then contact Nationwide Auction and request the vehicle be picked up for long term storage. After the case has been adjudicated, Nationwide Auction will sell the vehicle and send the proceeds to the Sheriff's Office for disbursement.

When the Drug Enforcement Administration adopts a Marijuana Enforcement Team case, all assets will be turned over to the DEA agent in charge of the case. Team

members will monitor the status of the prosecution and keep in contact with the agent in charge of the case.

PROJECTED NUMBER

- | | |
|---|-------------------|
| 1. Investigations resulting in asset seizures | _____20_____ |
| 2. Estimated dollar value of real property seized | ___\$50,000.00___ |
| 3. Estimated dollar value of personal property seized | ___\$25,000.00___ |
| 4. Amount of cash seized | ___\$50,000.00___ |

PLAN

OBJECTIVE LE-4

To insure that Marijuana Enforcement Team members are highly trained skilled investigators the current training plan calls for both team members to have successfully completed the DEA Overflight School. The current team members have also successfully completed the DEA Indoor/Outdoor Marijuana Investigators School. Both team members and the attended the annual California Narcotic Officers Association (CNOA) conference and the annual Campaign Against Marijuana Planting (CAMP) conference.

In the past, team members have provided formal training to other Sheriffs Office employees and have taught at POST (Police Officers Standards and Training) certified classes.

For the upcoming grant cycle, team members will continue to attend the annual CNOA and CAMP conferences. If the DEA or DOJ offer an advanced marijuana investigators school team members will be encouraged to attend. If there is a change in personnel, the new team member will attend the DEA Overflight School and the DEA Indoor/Outdoor School. However, as of this writing no personnel changes are anticipated during this funding cycle.

Team members will continue to provide marijuana related training to patrol personnel and outside agencies as requested. Deputies will be encouraged to assist team members with the service of search warrants and the eradication of outdoor marijuana gardens. When this occurs, team members will provide training to personnel while in field.

On going communication between the assigned Sheriffs Office personnel and the assigned deputy district attorney will ensure that both the enforcement and prosecution sides of the grant learn the same information.

PLAN

OBJECTIVE LE-5

Marijuana Enforcement Team members will provide information to the public about the dangers of marijuana. This will be done using the media via press releases, attending community forums and providing presentations to local schools, clubs and churches. Team members have attended similar functions in the past and have been well received.

When a significant case occurs the Sheriffs Office Press information Officer will be advised and provide the media with a press release and/or on camera statement.

The Sheriffs Office currently has an effective DARE program in, place throughout the County that educates local children about the dangers of drugs and violence.

PROJECTED NUMBER

Educational forums/presentations

- 3 -

OBJECTIVE D.A.-I:

Increase the conviction rate of felony marijuana cultivators and traffickers.

The District Attorney's Office has currently assigned an experienced MSP prosecutor who works with the Sheriff's Office and other law enforcement agencies on marijuana cultivation cases. That attorney is generally responsible for vertically prosecuting MSP cultivation cases which are referred by law enforcement. This task involves helping to evaluate potential referrals at the investigative and pre-arrest stages, as well as handling court appearances at arraignments, Grand Jury sessions, and/or preliminary hearings, pretrial proceedings, trials, sentencing hearings, diversion review hearings and probate/parole violation hearings.

The successful prosecution of felony marijuana cultivators and traffickers requires a knowledgeable and specially skilled prosecutor to understand the complexities of the trade and the specific legal issues common to marijuana growing and dealing. A prosecutor specializing in MSP cultivation cases can better assist the Sheriff's Office Marijuana Suppression Team as well as other agencies in successfully prosecuting cases through the courts via vigorous vertical prosecution of new referrals from arraignment through sentencing and an aggressive pursuit of probation and parole violations against previous violators who reoffend.

The recent trend toward greater indoor versus outdoor marijuana growing will require a greater degree of focus and greater resource commitment to maintain and increase the conviction rates already achieved. Detection will be 'a greater problem, requiring improved pre-arrest strategies and the use of soundly prepared search warrants. The pervasive sympathy toward marijuana use and cultivation in this community requires a specially designated MSP prosecutor who can develop advocacy techniques to overcome these underlying prejudices.

We anticipate the great majority of cultivation cases referred for prosecution will continue to be generated by the Sheriffs Office Marijuana Suppression Team. Continuing referrals are expected from police agencies operating within their own jurisdictions and from the county-wide Interagency Narcotics Enforcement Team (SCCNET). Street level sales of marijuana is a continuing problem within the downtown Santa Cruz area. The large supply of marijuana available for resale, and the perception that Santa Cruz courts are lenient in this area, attract transients to our county who support themselves by selling marijuana in the downtown Santa Cruz area. All felony cultivation cases will continue to be handled by the project attorney, regardless of the referring agency.

The projected number of referrals and cases accepted reflect the anticipate caseload for the upcoming grant year.

Adequate **case tracking** is assured through five complementary data capture methods:

1. A case intake log and disposition log for all referred cases for filing is maintained throughout the grant term;
2. Defendant data forms for each defendant accepted into the grant program;'
3. An office mainframe based case management system (PROFILE) is used to capture the court's minute orders subsequent to each court appearance in all cultivation cases;²
4. Actual case files for each defendant; and

¹ Since prosecutions are conducted against named individuals, each person referred to the District Attorney's Office is counted as a separate case.

² Profile is an online system which can be accessed by both District Attorney and Sheriff personnel. It is used to keep project personnel apprized of future court events and appearance dates (historical data is also maintained), and also tracks referring agency, charges and defendants (including aliases), case dispositions and sentences imposed.

5. Daily timesheets recording the assigned prosecutor's time spent on grant related activity or case.

The District Attorney component of the project is managed through the "in kind" efforts of a senior supervisory assistant district attorney. He/she is primarily responsible for overall quality of the prosecution effort. In addition, the District Attorney's Grant Compliance Monitor works "in kind" to assure compliance with OCJP program and documentation requirements.

OBJECTIVE DA-1 : Increase the conviction rate of felony marijuana cultivators and traffickers.

| | | PROJECTED NUMBER |
|----|--|------------------|
| 1. | Cultivators and traffickers referred for prosecution | <u>180</u> |
| 2. | Complaints filed | <u>155</u> |
| 3. | Prosecutions resulting in convictions | <u>150</u> |

OBJECTIVE: D.A.-II:

Provide specialized services to law enforcement personnel to improve the quality of marijuana prosecution efforts.

The project attorney is assigned to work with the Sheriffs Office and other law enforcement agencies on the MSP grant. His/her duties include assisting in the preparation of search warrants, meeting with law enforcement personnel on pre-arrest strategies, providing the other necessary legal assistance and training, and participating in the D.A.R.E. Program. The need for a project attorney who provides exclusive work on MSP cases continues to be advisable because of the change in the "growing season" from seasonal to year round and the continually "growing" sophistication of the marijuana cultivators. The relatively recent onset of the medical marijuana defense has also highlighted the need for the specially assigned prosecutor to assist law enforcement personnel and better prepare for trial where this defense is made.

The use of a project attorney allows the District Attorney's Office to provide enforcement personnel with timely and specialized legal services on an as-needed. basis, greater continuity between cases, expedient warrant preparation efforts and minimized legal challenges to cases which proceed. to litigation.

Since marijuana use and cultivation is a highly charged political and social issue in our county, the availability of the project attorney to law enforcement on prevention and eradication policies and pre-arrest strategies is critical. In addition, legal training is provided to the Sheriffs cultivation team on an ongoing basis. Most of this training is informal and will be delivered through contact with the project attorney on the cases prosecuted under the grant. Occasionally, more structured and formal training will be offered, focused on topics common to marijuana enforcement efforts.

The project attorney has and will continue to accompany the law enforcement personnel during the execution of select search warrants.

Coordination of efforts with the federal authorities will also be continued during the new grant period.

All warrant requests pursued under the proposed grant will be handled by the project attorney.³ Current practices within this county provide that any sitting judge may sign a cultivation related search warrant. As a policy objective, the project attorney will continue to seek to have all search warrants signed only by judges sitting on felony criminal calendars.

All law enforcement agencies are advised of the project attorney's status and availability on grant related cases. The project attorney will coordinate county-wide meetings and communications between the Marijuana Suppression Units of all local law enforcement agencies.

The project attorney is designated to be available on grant cases from the early stages, including search warrant preparation and pre-arrest strategy meetings through the conclusion of the case to time of sentencing and even beyond in the event of probation violation proceedings. The project attorney will remain available at all times for on-site presence during execution of search warrants and on-scene legal assistance.

Contact with all law enforcement personnel involved in cultivation cases in this jurisdiction will occur on a daily basis and also occurs periodically throughout the year with similar personnel in other jurisdictions as the occasion arises.

Liaison is also provided at the supervisory level through ongoing communication between the office's senior supervisory assistant district attorney and management personnel in the law enforcement personnel agencies. Liaison is further promoted through multi-agency access to the case status and appearance information provided by the District Attorney's mainframe based automated case tracking system (PROFILE).

The **procedure** that will be established to provide specialized services to law enforcement personnel are the following:

1. Daily contact with law enforcement personnel.

³ The District Attorney's Office has designated an alternate to provide all grant related services should the regular project attorney become unavailable for periods of sickness or **vacation**. OCJP will be properly advised should this be required.

2. Law enforcement personnel to call project attorney to apprise of upcoming need for search warrant.
3. Project attorney to monitor progress on search warrant.
4. Project attorney to review all search warrants before submission to magistrate.
5. Project attorney to attend the scene of execution of search warrant on select cases.
6. Project attorney will submit investigation request to pertinent law enforcement personnel.
7. Project attorney to notify pertinent law enforcement personnel of filing decisions.
8. Project attorney to coordinate with law enforcement personnel on trial preparation and efforts.
9. Project attorney to notify and discuss all intended dispositions with pertinent law enforcement personnel.
10. Project attorney to communicate with pertinent law enforcement personnel for input on sentencing recommendations and issues.
11. Project attorney shall periodically attend law enforcement personnel roll call.

OBJECTIVE DA-2: Provide specialized services to law enforcement personnel to improve the quality of marijuana prosecution efforts.

| | PROJECTED NUMBER |
|---|------------------|
| 1. Coordination meetings with law enforcement personnel | <u>1 00*</u> |
| 2. On-scene legal assistance (OPTIONAL) | <u>10</u> |

* Excluding on-scene legal assistance.

OBJECTIVE: D.A.-III:

Forfeit the assets of marijuana cultivators and traffickers.

All marijuana cultivation cases that are referred from law enforcement agencies are closely examined by a non-grant prosecutor assigned to handle asset forfeiture cases for the purpose of determining their asset forfeiture potential. That attorney aggressively prosecutes all asset forfeiture cases referred by law enforcement. Particular attention is given to cases in which cash or property is seized at the time of arrest. In addition, the project attorney provides legal advice to law enforcement personnel at pre-arrest strategy meetings on the subject of potentially forfeitable assets which may also have evidentiary value (e.g., computer equipment used by violators to help facilitate their growing and trafficking operations).

The **asset forfeiture procedure** and actions taken on marijuana cultivators and traffickers in the county consist of the following:

1. Asset seizures made by participating law enforcement agency.
2. Pertinent documentation submitted to asset forfeiture prosecutor in conjunction with the criminal prosecution.
3. Asset forfeiture prosecutor closely coordinates with project attorney in the handling and disposition of asset forfeiture cases in conjunction with the criminal case.
4. Asset forfeiture prosecutor also regularly confers with law enforcement agencies and provides training as necessary regarding asset forfeiture.
5. Asset forfeiture prosecutor either initiates non-judicial forfeiture or judicial forfeiture as appropriate and follows the case to completion.
6. Asset forfeiture data is maintained by the asset forfeiture and project attorneys.

Data maintained includes name of case, referring agency, number of forfeitures and amount of money forfeited.

7. Upon completion of an asset forfeiture case, component agencies notified by the project prosecutor for timely and proper distribution of seized assets.

Objective D.A.-IV:

Improve the prosecution of marijuana cases through specialized training.

The project attorney will complete the minimum of twelve hours of continuing legal education during the project year. In addition, s/he will receive specific training related to this initiative by attending an OCJP training conference, in the state's Campaign Against Marijuana Planting (CAMP) conference, and the CNOA institute.

The project attorney will regularly provide in-service training to other prosecutors in the office relating to possible legal issues and appropriate dispositions in non-MSP grant and marijuana prosecutions and diversion cases.

The project attorney will provide specific training in the areas of search and seizure law to members of the Sheriffs Marijuana Suppression Team and other law enforcement agencies involved in the suppression of marijuana cultivation. (Refer to Objective D.A.-II)

The project attorney's attendance at OCJP, CAMP and CNOA training conferences which are generally multi-disciplinary in scope and attended by numerous other criminal justice agencies and components, will provide cross training with other agencies.

OBJECTIVE DA-4: Improve the prosecution of marijuana cases through specialized training.

| | PROJECTED NUMBER |
|--|------------------|
| 1. Training hours received | <u>24</u> |
| 2. Trainings provided to share information with others (cross-training) | <u>3</u> |

Objective D.A.-V:

Provide information to the public to prevent illegal use of marijuana.

The project attorney will fully participate in all the educational and awareness forums conducted by the law enforcement component. These will include, but not be limited to, presentation at D.A.R.E. classes, program contributions during Sheriffs "Media Days," and presentations at various community forums. See Objective L.E.-V for more complete narrative description of these activities.

The project attorney will also respond to specific community needs and concerns related to marijuana based offenses which raise particular issues and problems for the particular constituency such as the downtown business merchants or mall/shopping center merchants.

The project attorney will also continue to educate the public on the limits of the medicinal marijuana defense which remains a big political, if not legal, issue in this county.

OBJECTIVE DA-5: Provide information to the public to prevent illegal use of marijuana. **(OPTIONAL)**

PROJECTED NUMBER

1. Prevention forums conducted in conjunction with law enforcement.

10

IMPLEMENTATION

A. ORGANIZATIONAL DESCRIPTION

Members of the Anti-Drug Abuse Steering Committee include members of the County Law Enforcement Agencies Chiefs Association. The Sheriff, the District Attorney and the Chief Probation Officer are all members of this organization.

The Sheriff and the District Attorney will jointly consider, no less than once a month, the overall operation of the MSP program. The Sheriff and the District Attorney will examine any specific issues that may arise at the operating level.

The Sheriffs Office will be the implementing agency for the MSP grant. The Sheriffs Office has 140 sworn personnel and over 320 employees. The Sheriff is the chief law enforcement officer in the County. The Sheriffs Office has three chiefs, eight lieutenants and twenty-four sergeants. There are three bureaus within the Office (Operations, Detention and Administration).

The MSP program will work out of the Investigation Division of the Operations Bureau. Team members will work separate from the County Narcotic Enforcement Team. The two MSP funded Deputies will be supervised by an Investigations Sergeant, who will report to the Investigations Lieutenant. The Investigations Lieutenant will be supervised by the Operations Chief Deputy, who will report to the Sheriff.

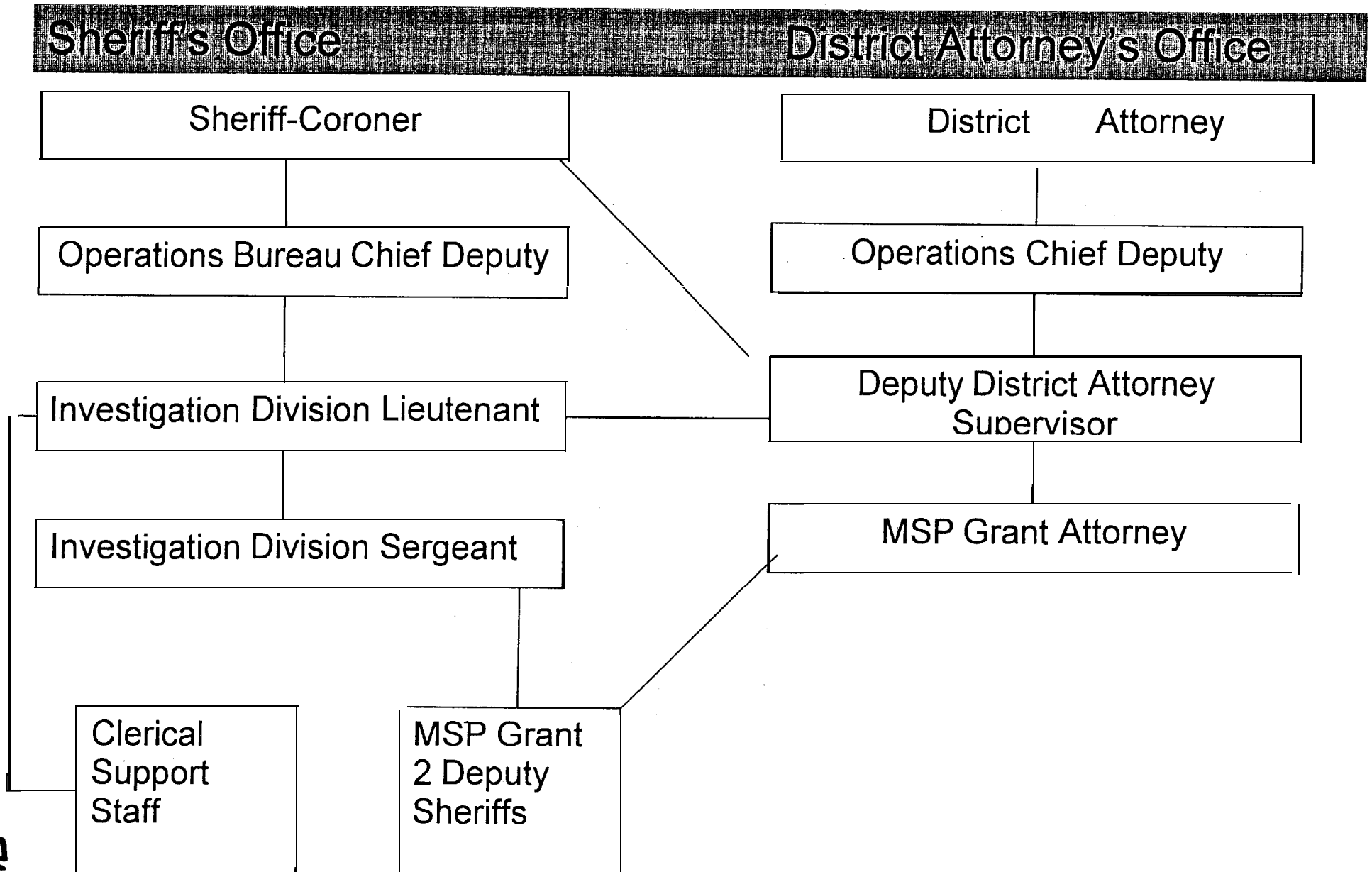
The assigned Deputy District Attorney will be supervised by the District Attorney's Office Chief Deputy of Operations. The Chief Deputy of Operations will report to the District Attorney.

The two assigned Deputy Sheriffs and the 50% funded Deputy District Attorney will be funded by MSP monies. All secretarial and administrative assistance will be provided by the Sheriffs Office and District Attorney's Office on an "in kind" basis.

The Investigations Sergeant who supervises the two grant funded Deputies will be responsible for insuring that all administrative responsibilities are completed in a timely manner.

Operational Chart

Santa Cruz County



IMPLEMENTATION

C. WORKING RELATIONSHIPS

The assigned personnel from the Sheriffs Office and District Attorney's Office will work in unison to insure the success of the MSP program. The Sheriffs Office will be responsible for the investigation of commercial marijuana related cases. The Sheriffs Office will also be responsible for the day to day operations and management of the grant, as well as fulfilling all reporting requirements. The Sheriffs Office will provide administrative support to the MSP program by monitoring the success of the program, providing clerical support and managing the grant finances.

The District Attorney's Office will assign one deputy district attorney with felony trial experience to the grant fifty percent of the time for the twelve month grant period. The assigned deputy district attorney will vigorously prosecute those marijuana related cases referred by the assigned deputy sheriffs. The deputy district attorney assigned to the grant will be available to the assigned deputy sheriff's during normal working hours and will be on-call during non-working hours. In addition to prosecuting cases, the assigned deputy district attorney will assist team members with the preparation of search warrants, attend marijuana related schools and seminars and assist with community awareness presentations.

The Operations Chief Deputy District Attorney and the Sheriffs Office Chief Deputy will meet quarterly to monitor the effectiveness of communications and assure that the objectives of the grant are being met.

IMPLEMENTATION

E. GRANT JOB DESCRIPTIONS

The Sheriffs Office will assign two highly trained top step deputy sheriffs to the Marijuana Suppression Program. The assigned deputies will be fully funded by the grant and will only work marijuana related cases. The assigned deputies will investigate commercial marijuana growers, dealers and traffickers utilizing a variety of investigative techniques including, but not limited to, aerial reconnaissance, surveillance and working with informants and citizens. The assigned personnel will write search warrants, documents cases with written reports, provide expert testimony in court and work closely with the assigned deputy district attorney to insure thorough prosecution of suspects. The assigned personnel will report to an Investigations Sergeant, who will monitor the progress of the grant, as well as the-assigned personnel's cases. The Investigations Sergeant will provide assistance when necessary and insure that the assigned personnel have the resources they need to meet their objectives and goals.

The District Attorney's Office will assign one deputy district attorney half time for the twelve month period to the Marijuana Suppression Program. The assigned deputy district attorney will be an experienced lawyer with felony trial experience. The project attorney will participate in the investigation of all major marijuana cultivation, sales and trafficking cases generated by the Marijuana Suppression unit.

The project attorney's primary responsibilities will be the vertical prosecution of all commercial marijuana cultivators, dealers and traffickers. Specialized services provided by the project attorney will include training in search and arrest warrant

preparation, investigating and arrest strategies and legal update. The project attorney and the assigned deputy sheriffs will keep in continual communication regarding current investigations and pending court cases. The project attorney will report directly to the Operations Chief Deputy District Attorney.

BUDGET NARRATIVE

The budget for the third year of the Santa Cruz County Sheriffs Office Marijuana Suppression Program will pay for two full time deputy sheriffs and one half time deputy district attorney. The assigned personnel will work on marijuana related cases exclusively during their normal working hours. In addition to paying for salaries and benefits, the proposed budget requests \$22,992.00 in overtime funds. Administrative costs and audit expenses will cost the grant about 6% of the anticipated revenue. One thousand dollars will be budgeted for confidential fund expenditures (for further see the attached justification).

The two deputy sheriffs assigned to the program will be experienced investigators. Their duties will include the eradication of marijuana grown both indoors and outdoors, investigate major marijuana dealers and traffickers, prepare and serve search warrants, initiate asset forfeiture proceedings and provide marijuana related training to other deputies and law enforcement officials. The two assigned deputies will attend the annual CAMP and CNOA conferences.

The half time deputy district attorney will work on Marijuana Suppression Program cases and other grant related duties during the periods of time he is funded by the grant. The deputy district attorney will also provide additional work hours as needed in support of the program objectives as an "in-kind" contribution to the County. The assigned deputy district attorney will keep accurate tracking of the amount of time he spends on grant related duties. The deputy district attorney assigned to the program will be an experienced felony trial attorney. The assigned attorney will assist the assigned

sheriffs deputies with search warrant preparation, asset forfeiture proceedings and case planning. The grant attorney will vertically prosecute those cases that the assigned deputies refer to him. The assigned grant attorney will attend the annual CNOA and CAMP conferences. The two assigned deputies and the assigned deputy district attorney will meet on a regular basis to ensure consistent communication.

As of this writing we do not anticipate any subcontracts or unusual grant expenditures.

| BUDGET CATEGORY AND LINE-ITEM DETAIL | | | | | | | | | |
|---|-------------------------------|-----------|------------------------------|-----------|----------------------------------|-----------|-------|---------|--------------------------------------|
| A. Personal Services - Salaries/Employee Benefits | COST | | | | | | | | |
| <p>SALARIES (District Attorney's Office)</p> <p>One level three Deputy District Attorney (half time for twelve months).</p> <p>SALARY:</p> <p>26 pay periods at \$38.03 per hour= \$79,102</p> <p style="text-align: right;">Total \$79,102</p> <p>Halftime salary \$79,102 X .50= \$39,551</p> <p>BENEFITS :</p> <table> <tr> <td>A. Retirement @ .50 X \$6,518</td> <td>= \$3,259</td> </tr> <tr> <td>B. Insurance @ .50 X \$3,389</td> <td>= \$1,695</td> </tr> <tr> <td>+ C. OASDI @ .0765 X \$45,366.00</td> <td>= \$3,471</td> </tr> <tr> <td style="text-align: right;">Total</td> <td>\$8,425</td> </tr> </table> | A. Retirement @ .50 X \$6,518 | = \$3,259 | B. Insurance @ .50 X \$3,389 | = \$1,695 | + C. OASDI @ .0765 X \$45,366.00 | = \$3,471 | Total | \$8,425 | <p>\$39,551.00</p> <p>\$8,425.00</p> |
| A. Retirement @ .50 X \$6,518 | = \$3,259 | | | | | | | | |
| B. Insurance @ .50 X \$3,389 | = \$1,695 | | | | | | | | |
| + C. OASDI @ .0765 X \$45,366.00 | = \$3,471 | | | | | | | | |
| Total | \$8,425 | | | | | | | | |
| TOTAL | See Next Page | | | | | | | | |

| BUDGET CATEGORY AND LINE-ITEM DETAIL | |
|---|---|
| A. Personal Services - Salaries/Employee Benefits | COST |
| <p>SALARIES (Sheriff's Office)</p> <p>Two full time top step Deputy Sheriff's for 12 months. The below noted figures represent the total salaries and benefits for two Deputies.</p> <p>SALARY:</p> <p>26 pay periods @ 28.83 per hour x 2 \$119,933</p> <p>BENEFITS:</p> <p>A. PERS Retirement \$54,517 x .11425 x 2 \$12,508.00</p> <p>B. OASDI \$54,517.00 x .0145 x 2 \$1,582.00</p> <p>C. Insurance \$6,881.00 x 2 \$13,762.00</p> <p style="text-align: right;">Total \$27,851</p> <p>OVERTIME:</p> <p>In order to successfully investigate the increasing number of indoor marijuana cultivation investigations the following overtime budget is needed.</p> <p>531 hours at \$43.25 \$22,992</p> | <p>\$119,933.00</p> <p>\$27,851.00</p> <p>\$22,992.00</p> |
| TOTAL | \$218,752.00 |

| BUDGET CATEGORY AND LINE-ITEM DETAIL | | |
|--|-------------|---------------|
| B. Operating Expenses | | COST |
| 1. Travel | | |
| A. CNOA Conference (based on four days) (3) | | \$2,816.00 |
| Registration @ \$250.00 each | =\$750.00 | |
| Lodging @ \$79.00 per night (2 rooms) | =\$632.00 | |
| Travel @ \$250.00 each | =\$750.00 | |
| Car rental @ \$75.00 per day | =\$300.00 | |
| Per diem @ \$32.00 a day each | =\$384.00 | |
| Total | =\$2,816.00 | |
| B. CAMP Conference (based on 4 days) (4) | | \$3,332.00 |
| Registration @ \$175.00 each | =\$700.00 | |
| Lodging @ \$79.00 per night (3 rooms) | =\$948.00 | |
| Travel @ \$250.00 each | =\$1,000.00 | |
| Car rental @ \$75.00 per day | =\$300.00 | |
| Per diem @ \$32.00 per day each | =\$384.00 | |
| Total | =\$3,332.00 | |
| 2. INDIRECT COST/ADMINISTRATIVE OVERHEAD | | \$12,100.00 |
| This cost is based on 5% of the total grant expenditures minus equipment cost. | | =\$12,100.00 |
| 3. AUDIT EXPENSE | | \$2,500.00 |
| Flat rate fee of \$2,500.00 | | =\$2,500.00 |
| 4. CONFIDENTIAL FUNDS | | \$1,000.00 |
| These funds will be used as described in the Confidential Fund narrative attached in the Appendix and labeled as Attachment A. | | =\$1,000.00 |
| TOTAL | | See Next Page |

| BUDGET CATEGORY AND LINE-ITEM DETAIL | | |
|---|-------------|-------------|
| B. Operating Expenses | | COST |
| 5. MISC. OFFICE SUPPLIES | =\$2,000.00 | \$2,000.00 |
| These funds will be used to purchase office related items including evidence packaging material and drug test kits. | | |
| 6. FILM AND DEVELOPING | =\$3,000.00 | \$3,000.00 |
| This expense includes the purchase of rolls of high speed 35 mm film used during overflights and evidence collection. | | |
| TOTAL | | \$26,748.00 |

PROJECT SUMMARY

1. PROJECT YEAR

☐ New
☐ Year 2
☒ Year 3
☐ Other _____

2. PROJECT TITLE

Marijuana Supression Program

3. GRANT PERIOD

July 1, 2001 To
June 30, 2002

4. APPLICANT

Name: Santa Cruz County Sheriff's Office Phone: (831) 454-2311
 Address: 701 Ocean Street, Rm 340 Santa Cruz, Ca. 95060
 Fax #: (831) 454-2353

5. FUNDS REQUESTED

\$ 247,000.00

6. IMPLEMENTING AGENCY

Name: Santa Cruz County Sheriff's Office Phone: (831) 454-2311 Fax #: (831) 454-2353
 Address: 701 Ocean Street, Pm340 Santa Cruz, Ca. 95060

7. PROGRAM DESCRIPTION

Using MSP funding, the Santa Cruz County Sheriff's Office will dedicate two full time detectives and the District Attorney's Office will dedicate one half time attorney to investigate and prosecute commercial marijuana growers and traffickers. Utilizing a variety of investigative techniques including aerial overflights, informants, citizen tips, and other methods, the Sheriff's Office will reduce the production and flow of locally grown marijuana to our communities and schools. Once an investigation is completed, the case will be sent to the District Attorney's Office for aggressive vertical prosecution.'

8. PROBLEM STATEMENT

Due to lack of resources within the Sheriff's Office and District Attorney's Office, MSP funding is needed to discourage the cultivation and trafficking of marijuana in Santa Cruz County. Due to Santa Cruz County being mostly rural, having a mild climate, and generally a liberal drug philosophy among local residents, marijuana cultivation and trafficking continues to be a problem in the community.

9. OBJECTIVES

The assigned personnel will utilize outside resources such as the California National Guard, the Drug Enforcement Administration, and the Sheriff's Office Air Squadron, for aerial assistance in the summer and fall in order to locate clandestine cultivation sites. Detectives will utilize informants and citizens to locate commercial cultivators and traffickers. The District Attorney's Office will assist investigators with search warrant preparation and prosecute cases when submitted. All assigned grant personnel will attend training sessions to stay informed of current drug trends.

10. ACTIVITIES

MSP detectives will keep constant pressure on local cultivators and traffickers through aerial observation, citizen tips, informants, and information garnered from outside agencies. Completed investigations will be sent to the assigned Deputy District Attorney for review and prosecution.

11. CATEGORY

- N/A
-

12. PROGRAM AREA

- 2
-

13. EVALUATION

The project director and the project manger will closely monitor the progress of the program to ensure that all goals are met. The assigned sergeant will work with the grant funded detectives on a daily basis to assist when needed. Sheriff's Office personnel will keep in coomunication with the assigned deputy district attorney.

14. NUMBER OF CLIENTS TO BE SERVED

246,948

15. PROJECTED BUDGET

| | Personnel Services | Operating Expenses | Equipment | TOTAL |
|--|--------------------|--------------------|-----------|-----------|
| Funds Requested | | | | |
| | \$218,752 | \$26,748 | \$1,500 | \$247,000 |
| Other Grant Funds | | | | |
| | \$30,000 | | | \$30,000 |
| Other Sources (list in-kind, fees, etc.) | | | | |
| DEA CEP Grant | | | | |
| | | | | |
| | | | | |
| | | | | |
| | \$248,752 | \$26,748 | \$1,500 | \$277,000 |

16. NAME OF RESPONSIBLE OFFICIAL

Signature: Mark Tracy

Date: 5-22-01

Typed Name: Mark Tracy

Title: Sheriff/Coroner

Operational Agreement

MARIJUANASUPPRESSION PROGRAM

The County of Santa Cruz has applied to the State of California Office of Criminal Justice Planning for grant funding to support a project entitled, "Marijuana Suppression Program". This Operational Agreement, entered into connection with the application, documents the intention of its signatories to cooperate towards the mutual goal of apprehending and prosecuting those individuals who are involved with the cultivation, trafficking, distribution and sales of marijuana. a

The following individuals are hereby designated as principals in the execution of the above mentioned project.

Mark Tracy
Sheriff/Coroner
Santa Cruz County

Kathryn Canlis
District Attorney
Santa Cruz County

The activities specified in the attached grant application are hereby incorporated into this Agreement, and are considered binding upon the signatories to this agreement. The following is offered in summation.

1. The Santa Cruz County Sheriffs Office

This agency will be responsible for the law enforcement field operations and the day to day supervision and management of the program. The Operations Chief Deputy will assure compliance with all legal and programmatic requirements of an operations nature, and will be responsible for the achievement of the performance goals described in this application.

Additionally, while providing the investigative and enforcement personnel for this grant, this agency will be generally responsible for providing administrative support to the project. Specific duties include, but are not limited to: monitoring project operations; facilitating support in the area of enforcement; investigation and clerical personnel; financial management and equipment acquisition.

It will be the responsibility of this agency to fulfill all reporting requirements for this grant.

The Operations Chief Deputy will be responsible to insure open and continual communications with the District Attorney's Office. This communication link will provide for a coordinated enforcement and prosecution effort.

2. The Santa Cruz County District Attorney's Office

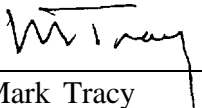
This agency will assign one deputy district attorney with felony trial experience to the Marijuana Suppression Program half time for the twelve month period. It will be the responsibility of this project attorney to pursue the prosecution component objectives listed in the grant application. The project attorney's responsibilities as a member of the Marijuana Suppression Program will be to participate in the investigation of all major marijuana cultivation, sales and trafficking cases generated by the Marijuana Suppression Program and other County law enforcement agencies. The project attorney will be available during working hours to the Marijuana Suppression unit and carry a pager during non-working hours so as to be available at the initial stage of an investigation to provide legal assistance for the charges of any other legal issues that may arise.

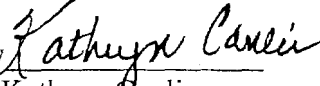
In addition, the project attorney's primary responsibilities will be the vertical prosecution of all major marijuana cultivations, sales and trafficking cases. When scheduling does not permit vertical prosecution the project attorney will be responsible for supervising the cases and managing the best possible conviction and sentence in each one. Specialized services provided by the project attorney will include training in search and arrest warrant preparation, investigative and arrest strategies and legal update. The attorney will also assist other members of the Marijuana Suppression unit in providing training to other deputy district attorney's and law enforcement officers.

The project attorney will seek cross-designation in federal court and/or establish a working liaison with the U.S. Attorney's Office to facilitate asset forfeiture proceedings in marijuana cultivation, sales and trafficking cases in order to secure quicker resolutions with greater amounts of assets forfeited.

The project attorney will report directly to the Operations Chief Deputy District Attorney. They will meet on a regular basis in order to monitor the progress on the achievement of the program objectives. The Operations Chief Deputy District Attorney will meet quarterly with the Sheriffs Office Chief Deputy to monitor the effectiveness of communications and assure that the objectives of the grant are being met.

Executed at Santa Cruz, California on this 29th day, of May, 2001.

By 
Mark Tracy
Sheriff/Coroner
Santa Cruz County

By 
Kathryn Canlis
District Attorney
Santa Cruz County

ATTACHMENT A

CONFIDENTIAL FUNDS JUSTIFICATION

The use of confidential informants and citizens is necessary when investigating indoor marijuana cultivations and marijuana traffickers. Most confidential informants request payment for the information they provide. The Sheriffs Office is requesting the use of \$1 ,000.00 for confidential fund expenditures.

These funds will be used to pay informants for marijuana related informatidn and for personnel assigned to the program to purchase marijuana in an undercover capacity. Due to budgetary shortfalls the Sheriffs Office does not have money available for this expense.

In order to insure the integrity of the Marijuana Suppression Program, the Investigatibn Sergeant in charge of the assigned deputies will pre-approve all confidential fund expenditures. All expenditures of this fund will be witnessed by no less than two Sheriffs Office employees and a report will be written documenting each expenditure.

The Program Manager will review the status of the confidential fund monthly and audit the fund yearly.

The Project Director has read all OCJP guidelines and policies regarding this fund and assures they will be strictly adhered to.

DISBURSEMENT OF CONFIDENTIAL FUNDS

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential expenditures as set forth in the OCJP guidelines.

5-29-01
Date

W. Martin
Project Director