



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

April 11, 2002

Agenda: May 7, 2002

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, California 95060

RE: 2002 Marijuana Suppression Program funds

Dear Members of the Board:

The Sheriff's Office is requesting approval by your Board to apply for \$250,000 in Marijuana Suppression Program funds for fiscal year 2002/2003, and approval to renew the Cannabis Eradication Program grant. This letter is to provide your Board with background information regarding the Marijuana Suppression Program and related matters.

The Sheriff's Office Marijuana Enforcement Team successfully investigated a total of **43** marijuana cultivations in 2001. The outdoor cultivations were found on both public and private properties. The cultivations on private property were planted without the knowledge and consent of the owners. Such cultivations pose risks related to potential personal injury from growers protecting their highly valued marijuana crop, 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 **43** cultivation cases involved the eradication of **31,440** plants.

As your Board is aware, there are two sources of funds available to the Sheriff's Office to support marijuana eradication efforts. The Cannabis Eradication Program has been part of the Sheriff's Office budget for a number of years and generally is used to pay for overtime costs. The Marijuana Suppression Program funds are used to pay for personnel and operating expenses. Two full-time Deputy Sheriffs and one half-time Deputy District Attorney staff this program.

This year the Cannabis Eradication Program funds have been re-authorized for a total amount of **\$19,688** by the United States Department of Justice Drug Enforcement Administration. These funds are allocated to the County without the submission of a formal grant proposal or resolution.

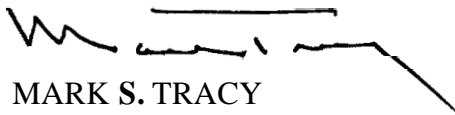
The State Office of Criminal Justice Planning (OCJP) has informed the Sheriff's Office that funds to support the Marijuana Suppression Program will, once again, be available from the Federal Edward Byrne Memorial State and Local Law Enforcement Assistance Program. The Sheriff's Office is requesting a grant award of \$250,000 for fiscal year **2002/03**.

Revenue and expenditure appropriations for both the Cannabis Eradication Program and Marijuana Suppression Program grants will be contained in the proposed fiscal year budget request.

It is therefore recommended that your Board:

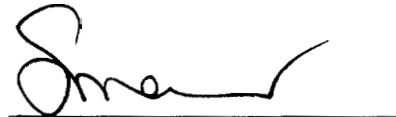
- 1) Accept and file this report on the Marijuana Suppression Program activities;
- 2) Approve the renewal of the Cannabis Eradication Program grant in the amount of **\$19,688** for fiscal year **2002/03** from the Drug Enforcement Administration;
- 3) Approve grant application for the Marijuana Suppression Program and authorize the Sheriff-Coroner and County Administrative Officer to sign the grant statement, including any extensions or amendments thereof; and
- 4) Adopt a resolution authorizing the Sheriff-Coroner to apply and accept funds during fiscal year **2002/03** for the Marijuana Suppression Program Grant and Cannabis Eradication Program Grant.

Very truly yours,



MARK S. TRACY
Sheriff-Coroner

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

cc: Auditor Controller, Sheriff-Coroner

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 AND
ACCEPT FUNDS DURING FISCAL YEAR 2002/03 FOR THE MARIJUANA
SUPPRESSION PROGRAM GRANT AND CANNABIS ERADICATION
PROGRAM GRANT.

WHEREAS, the Board of Supervisors of Santa Cruz County desires to apply to the Office of Criminal Justice Planning (hereafter referred to as OCJP) to fully fund the project designated as the Marijuana Suppression Program and to accept **\$19,688** from the United States Department of Justice Drug Enforcement Administration for marijuana related overtime expenditures.

NOW, THEREFORE, **BE IT RESOLVED AND ORDERED** that the Sheriff-Coroner 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 to receive **\$19,688** from the Drug Enforcement Administration. The Sheriff-Coroner and County Administrative Officer are authorized to execute on behalf of the Board of Supervisors of the County of Santa Cruz, a grant application together with the Marijuana Suppression Program Mission Statement, attached hereto and made an integral part of the grant application proposal by reference, including any extensions or amendments thereof throughout the duration of the grant period (July **1,2002** through June **30,2005**).

BE IT FURTHER RESOLVED AND ORDERED that the grant funds 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 the Office of Criminal Justice Planning disclaim responsibility for any such liability.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California this _____ day of _____, 2002 by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Kim E. Baskett
County Counsel 4.23.02

Distribution:

Auditor-Controller
Sheriff-Coroner
County Counsel

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 is 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 FY 2002/03 Marijuana Suppression Program grant application is intended to address the County's marijuana problem in an integrated manner, which provides maximum coordination between the Sheriff's 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 grant funds are utilized in a manner which will address the specific problem stated above in this Mission Statement. 6

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.

**GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP)
DRUG ENFORCEMENT BRANCH**

**MARIJUANA SUPPRESSION PROGRAM (MSP)
COMPETITIVE REQUEST FOR PROPOSALS (RFP)**

PART IV - PROPOSAL FORMS

**Competitive Request for Proposals (RFP)
Proposal Checklist and Required Sequence**

This checklist is provided to assist the applicant in ensuring that a complete proposal is submitted to OCJP. Failure to include any of the following elements may result in disqualification of the proposal.

- PROPOSAL COVER SHEET
- GRANT AWARD FACE SHEET, signed by the official authorized to enter into Grant Award Agreement (*General Instructions*)
- MARIJUANA STATISTICS (*Number of plants eradicated and number of arrests*)
- PREFERENCE POINTS CERTIFICATION FORM (If applicable), signed by the designated Enterprise Zone Contact (*General Instructions*)
- PROJECT NARRATIVE (*Programmatic Instructions*)
 - Problem Statement
 - Plan
 - Implementation
- PROJECT BUDGET (*General Instructions and Programmatic Instructions*)
 - Budget Narrative
 - Budget Forms - OCJP A303a, A303b, A303c
- PROPOSAL APPENDIX (*General Instructions and Programmatic Instructions*)

GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING

1130 K STREET, SUITE 300
SACRAMENTO, CA 95814
(916) 324-9112



PROPOSAL COVER SHEET

RFP PROCESS

MARIJUANA SUPPRESSION PROGRAM (MSP)

Deliver to the Drug Enforcement Branch

Submitted by:

Mark Tracy, Sheriff-Coroner
Santa Cruz County Sheriffs Office
701 Ocean Street, Santa Cmz, Ca. 95060
(831) 454-2311

2001 CALIFORNIA CANNABIS ERADICATION STATISTICS

COUNTY	ERADICATED PLANTS			ARRESTS			ASSETS SEIZED		
	INDOOR	OUTDOOR	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
Arnador	982	815	1,797	5	10	15	8,000	530,000	538,000
Butte	914	12,686	13,600	5	7	12	11,946	0	11,946
Calaveras	868	7,536	8,404	29	17	46	101,622	29,929	131,551
Colusa	0	4,924	4,924	0	0	0	0	0	0
Del Norte	97	642	739	3	0	3	11,100	0	11,100
El Dorado	235	1,822	2,057	0	31	31	0	91,245	91,245
Fresno	72	5,546	5,618	3	4	7	0	2,600	2,600
Glenn	70	2,041	2,111	0	0	0	0	0	0
Humboldt	50,132	16,021	66,153	47	30	77	2,234,432	99,692	2,334,124
Kern	0	3,853	3,853	0	1	1	0	0	0
Lake	0	11,364	11,364	0	6	6	0	0	0
Los Angeles	440	19,691	20,131	2	4	6	0	0	0
Madera	0	2,114	2,114	0	0	0	0	0	0
Mendocino	35,152	117,476	152,628	27	36	63	1,631,650	179,500	1,811,150
Merced	0	29,381	29,381	0	0	0	0	0	0
Monterey	806	5,175	5,981	6	23	29	195,120	37,084	232,204
Napa	0	12,231	12,231	0	8	8	0	7,531	7,531
Nevada	60	334	394	1	13	14	0	0	0
Orange	193	24	217	7	0	7	4,111	0	4,111
Placer	220	4,558	4,778	2	0	2	0	0	0
Plumas	145	213	358	8	0	8	0	0	0
Riverside	4,481	122,109	126,590	45	74	119	253,786	287,801	541,587
San Benito	0	18,707	18,707	0	0	0	0	0	0
San Bernardino	3,075	59,304	62,379	60	56	116	823,631	0	823,631
San Diego	2,463	316,193	318,656	37	53	90	102,600	240,000	342,600
San Joaquin	0	7,405	7,405	0	1	1	0	0	0
San Luis Obispo	288	220	508	14	4	18	85,486	0	85,486
San Mateo	0	31,197	31,197	0	0	0	0	0	0
Santa Barbara	118	5,372	5,490	13	4	17	74,904	0	74,904
Santa Clara	0	47,574	47,574	0	0	0	0	0	0
Santa Cruz	1,965	29,475	31,440	18	10	28	45,854	21,300	67,154
Shasta	4,311	10,812	15,123	5	17	22	2,240	0	2,240
Siskiyou	722	6,081	6,803	13	12	25	383,387	0	383,387
Sonoma	1,518	22,791	24,309	7	11	18	4,700	22,992	27,692
Stanislaus	0	5,306	5,306	0	17	17	0	18,424	18,424
Tehama	651	88,285	88,936	8	12	20	3,900	0	3,900
Trinity	2,219	7,447	9,666	8	10	18	0	0	0
Tulare	210	22,954	23,164	21	25	46	30,000	0	30,000
Tuolumne	100	25,710	25,810	21	7	28	16,437	1,180	17,617
Ventura	483	1,286	1,769	3	8	11	3,676	2,800	6,476
Yuba	19	134	153	3	6	9	0	0	0
TOTAL	113,009	1,086,809	1,199,818	421	517	938	6,028,582	1,572,078	7,600,660

PREFERENCE POINTS CERTIFICATION

Use this format if one is not provided by the Lead agency.

DATE: 4/15/02

TO: GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING

FROM: Community Contact
Enterprise Zone Program

SUBJECT: PREFERENCE POINTS

(check only one box)

- (5%) The applicant named below has targeted this enterprise zone for grant-related activities.
- (2%) The applicant named below has not specifically targeted this enterprise zone for grant-related activities. However, the applicant provides needed services to residents of this community.

Applicant Name: SANTA CRUZ COUNTY SHERIFF'S OFFICE

Project Name: MARIJUANA SUPPRESSION PROGRAM

Address: 701 OCEAN ST. ROOM 340, SANTA CRUZ, CA 95060

Program Zone: COUNTY OF SANTA CRUZ

I certify that I have reviewed the proposed project and that it meets the eligibility requirements for preference points as required by California Government Code Section 7082.

ANA ESPINOZA
Print Name of Enterprise Zone Contact

ENTERPRISE COMMUNITY COORDINATOR
Title

Ana Espinoza
Signature of Enterprise Zone Contact

APRIL 15, 2002
Date

CITY OF WATSONVILLE ENTERPRISE COMMUNITY
Name of Enterprise Zone Agency

P.O. BOX 50000, WATSONVILLE, CA, 95077-5000
Address

(931) 728-6171
Telephone Number

PREFERENCE POINTS CERTIFICATION

Use this format if one is not provided by the Lead agency.

DATE: 4/15/02

TO: GOVERNORS OFFICE OF CRIMINAL JUSTICE PLANNING

FROM: Community Contact
Enterprise Zone Program

SUBJECT: PREFERENCE POINTS

(check only one box)

- (5%) The applicant named below has targeted this enterprise zone for grant-related activities.
- (2%) The applicant named below has not specifically targeted this enterprise zone for grant-related activities. However, the applicant provides needed services to residents of this community.


Applicant Name: Santa Cruz County Sheriff's Office

Project Name: Marijuana Suppression Program

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

Program Zone: County of Santa Cruz

I certify that I have reviewed the proposed project and that it meets the eligibility requirements for preference points as required by California Government Code Section 7082.

<u>LAURA S. GALLARDO</u>	<u>SR. ADMINISTRATIVE ANALYST</u>
Print Name of Enterprise Zone Contact	Title
	<u>April 15, 2002</u>
Signature of Enterprise Zone Contact	Date

CITY OF WATSONVILLE
Name of Enterprise Zone Agency

250 Main St. POBox 50000 WATSONVILLE, CA 95077-5000

Address
(831) 728-6014
Telephone Number

PROJECT NARRATIVE

1. PROBLEM STATEMENT

A. Description of the County

Santa Cruz County is located on the Monterey Bay. It is bordered, or surrounded, by four other counties: San Mateo, Santa Clara, San Benito and Monterey. Geographically, Santa Cruz County is the second smallest county in the state with a total of **439** square miles. Of this area, the Sheriff's Office **has** the law enforcement responsibility for approximately **419** square **miles**. Although, there is many small communities scattered throughout the county, it remains predominantly rural with vast, rugged and remote coastline and mountainous areas.

The population of Santa Cruz County is approximately **255,602** according to **2000** US Census Bureau figures. The population **of** the county is divided into the following figures:

*Unincorporated County.....	135,326	52.9%
*Santa Cruz City.....	54,593	21.4%
*Watsonville City.....	44,265	17.3%
*Capitola City.....	10,033	3.9%
*Scotts Valley City.....	11,385	4.5%

Ethnically, Santa Cruz County is divided into the following categories:

White	65.5%
Hispanic	26.8%
Asian	3.3%
Two or more races	2.6%
Black of African American	0.8%
Some other race	0.3%
Native Hawaiian or Pacific Islander	0.1%

Many communities and cities in the county are bedroom communities for people employed in Santa Clara County's Silicon Valley. As a result, the economic composition of the residents is diverse. It varies widely from low-income farm working families to highly paid corporate executives employed in the computer industry. Recent figures indicate the current median income for a family of four is \$69,000 and the median cost of a home is \$420,000.

The Watsonville area, which encompasses the agriculturally rich Pajaro Valley, is the home for many farm laborers. Historically, the majority of the county's Hispanic residents live in Watsonville. The population of the county increases tremendously as migrant farm workers return for the agricultural season and the tourists, who utilize the county's beaches and other attractions such as the "Beach Boardwalk," during the Spring through Summer months.

B. Problem

The misconception that marijuana is a "benign" or "soft" drug permeates throughout the community and criminal justice system in Santa Cruz County. This is one of the several key factors that contribute to the marijuana cultivation and trafficking problem.

For some residents, the marijuana culture is a way of life. We have found over the past seven years as participants in the Marijuana Suppression Program that a significant number of people in our county make their income from growing and selling marijuana. In the past, marijuana cultivators and dealers who have been arrested 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." Many of these people explain growing and selling marijuana affords them a Comfortable lifestyle without having to work a forty-hour workweek. Growing and selling marijuana also enhances one's ability to live in Santa Cruz County, which has one of the most expensive housing markets in the nation. In addition to being profitable, the criminal penalties for marijuana related crimes, on the state level, are light compared to the so-called "hard drugs" like cocaine, methamphetamine or heroin.

Continuing to educate our community and local courts that marijuana cultivation and sales are a **criminal** enterprise which may include money laundering, tax evasion, environmental damage and pollution, and violence to name a few is extremely important.

In the past, the Sheriffs Office has investigated several home invasion robberies where the motive was the theft of marijuana. During the recent Christmas Holiday, one of these robberies resulted in a homicide. This type **of** case is not a new occurrence in our county. Homicides and other crimes of violence have been documented related to marijuana cultivation and possession, or the monetary proceeds derived from such.

Conditions **for** outdoor marijuana cultivation in Santa Cruz County are ideal. The climate is extremely moderate; an ample water supply **is** available, the terrain **is** mountainous and rugged with dense foliage, and many areas are protected from aerial overflights as a direct result of the fog. The National Guard has often cancelled our scheduled flight time due to the fog. Outdoor marijuana cultivation sites near the coast cannot be easily detected. In September, seizures of almost 21,000 plants from a “Mexican National” cultivation were eradicated by Sheriffs Office staff and CAMP personnel in the Santa Cruz Mountains. This was only because the fog cleared. To date, it is the largest outdoor cultivation seizure in county history.

The Sheriffs Office has a long history of marijuana suppression efforts dating back to mid 1980’s. This was a direct result of federal and state funding. Historically, the Santa Cruz County Sheriffs Office has always relied upon this type of funding. Recently, the voters repealed the county’s utility tax. This adversely effects the Sheriff’s Office budget since this represents a major loss of funding for the county.

C. Needs

Over the past seven years, the Marijuana Suppression Program Grant funding has been awarded to Santa Cruz County. **As** a direct result of this funding, team members have been able to produce higher or consistently high plant seizures, weapon seizures and asset seizures. The success can be attributed to

the MSP Grant. The grant allows the office to staff two full time marijuana detectives, one full time sergeant and a half time marijuana prosecutor dedicated to the goals of the grant and the continuing education of our community and court system regarding marijuana.

As a result of current staffing issues, limited county resources and other projects, it is impossible for the Sheriff's Office to fund two detectives without the assistance of this grant. The available staff, predominantly patrol deputies, would be assigned all marijuana related cases. Unfortunately, most patrol deputies lack the training and expertise to investigate these types of cases thoroughly. Further, if it were not for the MSP Grant, all the cases submitted to the District Attorney's Office would be prosecuted by a variety of deputy district attorney's. The consistent prosecution guidelines that have been established, as a direct result of the Marijuana Suppression Program, would fall by the wayside.

Without Marijuana Suppression Program funding, the Sheriff's Office will be adversely affected on several levels. From the enforcement side, the search for outdoor marijuana cultivations in the spring and summer months would be on an ad hoc basis if at all. Focus on indoor growers, which takes substantial investigative time and specialized training, would also be detrimentally affected. Marijuana related enforcement training to other deputies as well as outside law enforcement agencies would be terminated. Coordination with the District Attorney's Office in prosecuting marijuana related crimes would also be greatly affected.

D. Statistics and Trends

From January 1, 2001 through December 31, 2001, MSP team members were responsible for the eradication of 31,440 marijuana plants, the arrest of 28 suspects and the seizure of \$67,154 as a result of asset forfeiture proceedings. According to the DEA's 2001 California Cannabis Eradication Statistics, Santa Cruz County was ranked 8th in two categories, total plants eradicated and arrests, and 12th in assets seized. It is important to note that Santa Cruz County is the second smallest county in the state with only

two full-time Sheriffs deputies assigned to marijuana enforcement activities. These statistics highlight the marijuana problem in Santa Cruz County.

Significant trends, which are of great concern to the Sheriffs Office, are the increased number of arrests for possession of marijuana and possession of marijuana for sales by our **High** School Student Resource Deputies. Smoking marijuana on the county’s high school campuses is a common everyday occurrence. A second trend observed was the identification of **six (6)** “Mexican National” outdoor marijuana cultivations. This is an increase of over 100% the previous year. Firearms were located at some of these sites indicating growers intended to protect themselves and their illegal crop. This greatly increases the risk to our community. The Santa **Cruz** mountains are very popular recreational areas with many county parks, state parks, hiking and bicycling trails. Public encounters with armed marijuana growers are a real possibility and an increasing threat. The organized criminal element has discovered the benefits of Santa Cruz County when it comes to cultivating marijuana outdoors.

E. Meeting the needs of the County through OCJP Funding

This proposal will meet the needs of the county through OCJP funding by continuing a successful ongoing program, which would otherwise be eliminated without these resources. It is difficult, if not impossible to accurately estimate the availability of marijuana to county residents. However, it is clear the Marijuana Suppression Program is making, and has made, a significant impact by the eradication of marijuana plants, arrests of suspects and seizure of assets gained from this **illegal** activity. The supply of marijuana **has** been reduced in our community. We know, based upon interviews with local growers and consumers, that the Marijuana Suppression Program **has** been successful. Evidence of this can be seen each year by the availability and street prices of marijuana locally. It is imperative that OCJP fund the Marijuana Suppression Program so this trend is not reversed. Dedicated enforcement is the key component, acting to both enforce the laws relating to marijuana and to serve as a deterrent to those who might otherwise become involved in this profitable illegal enterprise.

2. PLAN

Objective LE-1

Members of the Marijuana Enforcement Team will network with the California Air National Guard and utilize resources that are available to fly air reconnaissance in the Spring and Summer months to detect the location of outdoor marijuana gardens. Once a substantial number of marijuana gardens are located, team members will utilize CAMP (Campaign Against Marijuana Planting) personnel 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 large level 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 into Santa Cruz County.

Team members will utilize resources from the Drug Enforcement Administration (DEA) 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 required and/or arrests are likely. Team members will complete written reports and process crime scenes by taking photographs and videotape.

In an effort to insure a thorough prosecution effort, team members will assist the assigned deputy district attorney. When required, they will conduct follow up investigations and make evidence available for the assigned deputy district attorney to review.

Team members will be trained continuously in all facets of marijuana investigation and courtroom 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	<u>20,000</u>
6. Processed marijuana (in pounds) confiscated	<u>100</u>

2. 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 over flights, 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 databases for information about the suspect(s) in their case. When appropriate, team members will contact the Western States Intelligence Network (WSIN) 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 or storage facility. If any assets determined to be derived from the sale of controlled substances, they will be seized and asset forfeiture proceedings initiated. Team members will interview all suspects and witnesses, complete their investigation and then write a detailed report outlining the facts of the case. Upon completion, the written reports will be delivered to the assigned deputy district attorney for review and prosecution.

If a case is found to be substantial, the Drug Enforcement Administration (DEA) will be notified and given the option of adopting the case for federal prosecution. If the federal government adopts a case, 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

2. 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 suspect(s) residences for cash, safety deposit box keys, pay/owe sheets and any other instruments 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 assigned the responsibility of asset seizure cases. The Investigations Sergeant will then deposit the cash into the Sheriffs 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 Sheriffs 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	<u>20</u>
2. Estimated dollar value of real property seized	<u>\$50,000.00</u> —
3. Estimated dollar value of personal property seized	<u>\$25,000.00</u>
4. Amount of cash seized	<u>\$50,000.00</u>

2. PLAN

Objective LE-4

To insure that Marijuana Enforcement Team members are highly trained skilled investigators, the current training plan has been developed by the Sheriffs Office. Assigned team members will successfully complete the DEA Overflight Training Course and an Indoor/Outdoor Marijuana Advanced Investigators Training Course. Team members will attend the annual California Narcotic Officers Association (CNOA) Annual Conference and the annual Campaign Against Marijuana Planting (CAMP) Planning Seminar and Training Critique.

In the past, team members have provided formal training to other Sheriffs Office employees and other law enforcement agencies in Santa Cruz County. In addition, they have participated, as instructors, at Police Officers Standards and Training (POST) certified training courses.

For the upcoming grant cycle, team members will continue to attend the annual CNOA Conference and CAMP Planning Seminar and Training Critique. If the DEA, DOJ or POST offers an advanced marijuana investigators training course, team members will attend. If there is a change in personnel, the new team member will attend the DEA Overflight Training Course and an Indoor/Outdoor Advanced Investigator Marijuana Training Course.

A new team member will be attending the Indoor/Outdoor Advanced Marijuana Investigator's Training Course during this funding cycle. 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 indoor and outdoor marijuana gardens. When this occurs, team members will provide training to personnel while in field.

In addition, team members are available to assist any Deputy requesting training/assistance with any type of marijuana related investigation. For example, the preparation of a search warrants, proper investigative techniques, etc.

Communication between the assigned Sheriffs Office personnel and the assigned deputy district attorney will be an on going process. **As** a result, both the enforcement and prosecution sides of the grant will learn and share the same information.

2. PLAN

Objective LE-5

Marijuana Enforcement Team members will provide the public with up to date and factual information about the dangers of marijuana. This will be accomplished utilizing the media via press releases/on camera statements, attending community forums, and providing informative and educational presentations to local schools, junior colleges, clubs, community groups and churches. In the past, team members have attended and actively participated in these types of functions. They have been well received by the audiences.

When a significant case occurs, the Sheriff's Office Press Information Officer (PIO) will be notified. The PIO will provide the media with a press release and/or on camera statement regarding the marijuana related case.

The Sheriff's Office has an effective DARE program in place throughout the County's school system, Its purpose is to educate local children about the dangers of drugs and violence. Currently, team members actively assist the assigned DARE Deputy with any information regarding resources available from other agencies, such as the National Guard and DEA, who have a Drug Reduction Awareness Resources available to local law enforcement agencies.

PROJECTED NUMBER

Educational forums/presentations

3

2. PLAN

OBJECTIVE D.A.-I:

Increase the conviction rate of felony marijuana cultivators and traffickers.

The District Attorney's Office has assigned an experienced MSP prosecutor who will continue working with the Sheriffs Office and other law enforcement agencies on the prosecution of marijuana cultivation and trafficking. That attorney is responsible for all vertically prosecuting of MSP cultivation cases. The grant attorney will evaluate potential referrals at the investigative and pre-arrest stages, as well as handling court appearances at arraignments, 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. The referral of all MSP cases to a single attorney will ensure proper and consistent treatment of all MSP cases.

The recent trend toward greater indoor versus outdoor marijuana growing will require a greater degree of focus and greater resource commitment to increase the conviction rates. The pervasive sympathy toward marijuana use and cultivation in this community requires a prosecutor who can develop advocacy techniques to overcome these underlying prejudices. 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 solely through selling marijuana.

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
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.

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.

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 Sheriff's Office and other law enforcement agencies on the MSP grant. His/her duties include assisting in the preparation of search warrants, frequent meetings with law enforcement personnel on pre-arrest strategies, providing the other necessary legal assistance and training, and participating in the D.A.R.E. and other community education programs. 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 improper use of the "Medical Marijuana" defense has also highlighted the need for the specially assigned prosecutor to assist law enforcement personnel and to effectively address this issue during all process of prosecution. The presence of the project attorney allows the District Attorney's Office to provide law enforcement personnel with timely and specialized legal services on an as-needed basis, greater continuity between cases, and expedient warrant preparation efforts.

Since marijuana use and cultivation is a highly charged political and social issue in our county, it is essential that the project attorney and law enforcement personnel are up to date on the status of medical marijuana and search and seizure law as well as strategies in the prevention and eradication of marijuana cultivation and trafficking. In addition, legal training is provided to the Sheriff's 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.

The project attorney has and will continue to accompany the law enforcement personnel during the execution of select search warrants as well as on-scene legal assistance. Coordination of efforts with the federal authorities will also be continued during the new grant period. All search warrant requests as well as any bail review 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. 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:



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.

1. Daily contact with law enforcement personnel.
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>150*</u>
2.	On-scene legal assistance	<u>20</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 seizable assets which may also have evidentiary value (e.g., computer equipment used by violators to help facilitate their growing and trafficking operations).

In coordination with the non-grant prosecutor and the MSP law enforcement personnel, the MSP Project Prosecutor will also aggressively pursue the recovery of expenses for the investigation and prosecution of the cultivation and trafficking of marijuana allowed under Health & Safety Code Sections 11470.

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.
8. The Project prosecutor will aggressively pursue the recovery of expenses of seizing, eradicating and destroying the marijuana allowed under Health and Safety Code Section 11470.

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 California Narcotics Officers Association trainings.

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 24
- 2. Training provided to share information with others 3
(cross-training)

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.

PROJECTED NUMBER

- 1. Prevention forums conducted in conjunction with law enforcement.

10

3. IMPLEMENTATION

3 a. Organizational Description

The Anti-Drug Abuse Steering Committee is comprised of 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-six sergeants. There are three bureaus within the Office:

1. Operations
2. Detention and
3. Administration.

The personnel assigned to MSP program are assigned to the Investigation Division of the Operations Bureau. Team members will work independently from the Santa Cruz County Narcotic Enforcement Team (SCCNET). The two MSP funded Deputies will be supervised by an Investigations Sergeant. This Sergeant will report to the Investigations Lieutenant. The Operations Chief Deputy, who will report to the Sheriff regarding the Marijuana Suppression Program, supervises the Investigations Lieutenant.

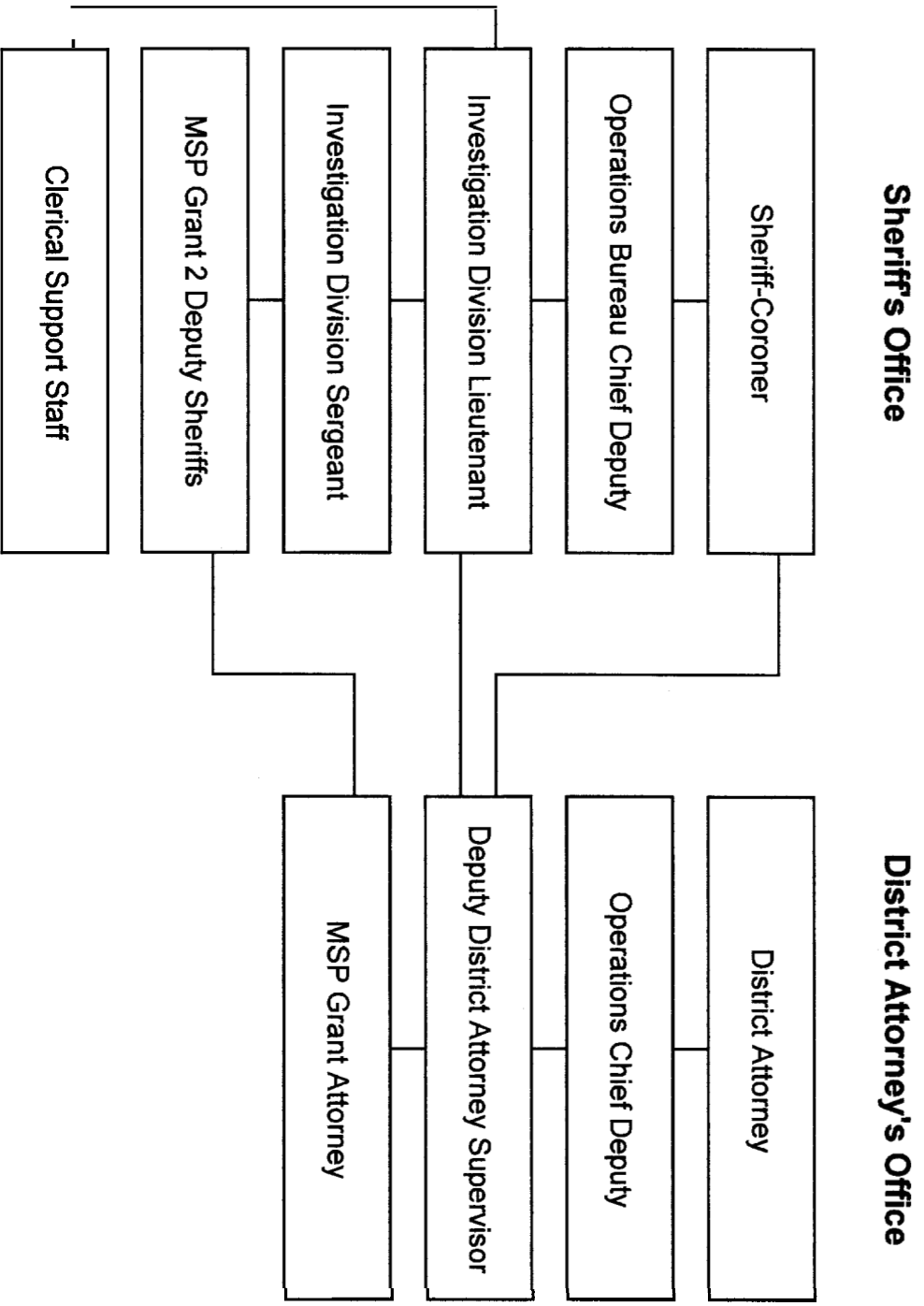
The Chief Deputy of Operations for the District Attorney's Office will supervise the assigned Deputy District Attorney. The Chief Deputy of Operations will report to the District Attorney.

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 assigned to supervise the two grant funded Deputies will be responsible for insuring that all administrative responsibilities, tasks and projects are completed in a timely manner.

Organizational Chart

Santa Cruz County



3. IMPLEMENTATION

3 c. Grant Job Descriptions

The Sheriffs Office will assign two highly trained 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; document 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 cultivations, sales and trafficking cases investigated by the Marijuana Suppression Program's assigned deputy sheriffs.

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 first 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 \$20,580 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 more information, 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 Campaign Against Marijuana Planting (**CAMP**) Planning Seminar and Critique and the California Narcotic’s Officer’s Association’s (CNOA) Annual 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 Campaign Against Marijuana Planting (CAMP) Planning Seminar and Critique and the California Narcotic’s Officer’s Association’s (CNOA) Annual 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.

ATTACHMENT A

CONFIDENTIAL FUNDS JUSTIFICATION

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

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

In order to insure the integrity of the Marijuana Suppression Program, the Investigation Sergeant in charge of the assigned deputies will pre-approve all confidential fund expenditures. No less than two Sheriff's Office employees will witness all expenditures of this fund. In addition, 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.

BUDGET CATEGORY AND LINE ITEM DETAIL		COST
B. Operating Expenses		
5. MISC. OFFICE SUPPLES = \$2,933.00 This expense includes the purchase of office related items including evidence packaging material and drug tests kits.		\$2,933.00
6. FILM AND DEVELOPING = \$1,200.00 This expense includes the purchase of rolls of high speed 35 mm film used during overflights and evidence collection and the developing of that film.		\$1,200.00
7. W O R M S = \$3,000.00 This expense includes uniforms, boots, eradication supplies, safety gear and safety equipment.		\$3,000.00
8. AIR FLIGHT.....= \$750.00 This expense includes aircraft rental and fuel charges.		\$750.00
9. DISPOSAL OF SEIZED PROPERTY AND EVIDENCE.... = \$200.00 This expense includes truck rental, gasoline and towing charges incurred as a result of disposal of seized property and evidence.		\$200.00
TOTAL		\$28,231.00

48

BUDGET CATEGORY AND LINE ITEM DETAIL				
C. Equipment				COST
CATEGORY TOTAL				\$00.00
PROJECT TOTAL				\$250,000.00
FUND DISTRIBUTION	FEDERAL	STATE	CASH MATCH	IN-KIND MATCH
1. Amount of Funds				
2. Percentage of Funds				

70

3. IMPLEMENTATION

3. d Operational Agreement: Marijuana Suppression 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 in conjunction 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.

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, 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

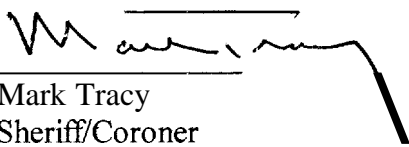
This agency will assign one deputy district attorney, with felony trial experience, to the Marijuana Suppression Program halftime for the twelve-month period. It will be the responsibility of this project attorney to pursue the prosecution component objectives listed in the grant application. The project 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 updates. 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 Sheriff's 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 22th day of April 2002.

By 
Mark Tracy
Sheriff/Coroner
Santa Cruz County

By 
Kathryn Cahlis
District Attorney
Santa Cruz County

3. IMPLEMENTATION

3 d. 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 sheriffs 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 training courses, seminars and assist with community awareness presentations.

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

**REPORTING ALIEN CONVICTIONS
TO THE
IMMIGRATION AND NATURALIZATION SERVICE (INS)**

This is to certify that I have read, understand, and agree to abide by the California's Plan to Report Alien Convictions to INS. Specifically, I ensure that criminal justice agencies in the county will perform the following functions:

- Notify INS, at the time of booking, when a suspected alien is arrested, and
- Notify INS within 30 days of a felony or deportable misdemeanor conviction of an alien.

Noncompliance with the above mandate may result in the following:

- Temporary withholding of cash payments to the project pending corrections or more severe enforcement action by the Office of Criminal Justice Planning;
- Disallowance of use of funds for all or part of the cost of the project;
- Suspension or termination of the current award for the grantee's program;
- Withholding further awards to California's Anti-Drug Abuse Enforcement Program; or
- Other legal remedies

Project Director: _____

Date: _____

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 Sheriffs Office
IMPLEMENTING AGENCY: Santa Cruz County Sheriffs Office
PROJECT TITLE: Marijuana Suppression 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 11135-11139.5 and Implementing Regulations, California Administrative Code, Title 22, Sections 98000-98413.
- 3. Title VI of the Civil Rights Act of 1964.

- 4. Title V, Section 504 of the Rehabilitation Act of 1973 (29 USCS Section 974) and Federal Department Regulations on its implementation; Government Code Section 4450, et seq.
- 5. Subtitle A, Title II of the Americans with Disabilities Act (ADA), 42 USC Sections 12131-12134 and U.S. Department of Justice implementing regulations, 28 CFR, Part 35.
- 6. U.S. Department of Justice Regulations, 28 CFR, Part 42, Equal Employment Opportunity, Policies and Procedures -- **applies to federally funded grants only.**

Federal and state agencies have the legal right to seek enforcement of the above items of this assurance of compliance.

All appropriate documentation must be maintained on file by the project and available for *OCJP* or public scrutiny upon request. Violation of these provisions may result in withholding of grant funds by *OCJP*.

B. The following apply to federally funded grants only:

Note: Effective Fiscal Year 1992/93, the Federal criteria and requirements apply to the "implementing agency" responsible for the day-to-day operation of the project (e.g., Probation Department, District Attorney, Sheriff).

- 1. Criteria for Federal EEO Program Requirements for Grants in the Amount of \$25,000-\$499,999. (Does not apply to community-based organizations),

Federal regulations require qualified recipient agencies of federal financial assistance to prepare an Equal Employment Opportunity Program (EEOP) upon meeting all of the following criteria:

- a. Grantee has 50 or more employees.
- b. Grantee has received a total of \$25,000 or more in grants or subgrants since 1968.
- c. Grantee has a service population of 3% minority representation (If less than 3% minority population, the EEOP must be prepared to focus on women).

The EEOP must be developed for the implementing agency responsible for the day-to-day operations of the program.

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: Ajita Patel

Title: Equal Employment Opportunity Officer

Address: 701 Ocean St. #510, Santa Cruz, CA 95060

Phone: 831-454-2962

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 A301.

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.

II. CALIFORNIA DRUG-FREE WORKPLACE ACT OF 1990 AND FEDERAL DRUG FREE WORKPLACE ACT OF 1988 REQUIREMENTS

The above-named organization(s) will comply with the California Drug-Free Workplace Act of 1990 of California Government Code Section 8355, et seq., and the Federal Drug-Free Workplace Act of 1988, and implemented as 28 CFR, Part 67, Subpart F, for grantees, as defined in 28 CFR, Part 67, Sections 67.615 and 67.620 by:

- A. Publishing a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required in Government Code Section 8355(a).
- B. Establishing a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
 - 1. The dangers of drug abuse in the workplace;
 - 2. The organization's policy of maintaining a drug-free workplace;
 - 3. Any available counseling, rehabilitation and employee assistance programs;
 - 4. Penalties that may be imposed upon employees for drug abuse violations.
- C. Providing as required by Government Code Section 8355(c) that every employee who works on the proposed grant:
 - 1. Will receive a copy of the company's drug-free policy statement;
 - 2. Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.
- D. Notifying the employee in the statement required that, as a condition of employment under the grant, the employee will:
 - 1. Abide by the terms of the statement;
 - 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
- E. Notifying the agency, in writing, within ten (10) calendar days after receiving notice as required above from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, and title to: Department of Justice, Office of Justice Programs, **ATTN: Control Desk**, 633 Indiana Avenue, N.W., Washington, DC 20531. Notice shall include the identification number(s) of each affected grant.

- F. Taking one of the following actions, within 30 calendar days of receiving notice, with respect to any employee who is so convicted:
1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above requirements.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The above-named organization(s)/individual(s) will comply with the California Environmental Quality Act (CEQA) requirements as stated in the Public Resources Code, Division 13, Section 21000 et seq. and all other applicable rules and regulations.

All appropriate documentation will be maintained on file by the project and available for OCJP or public review upon request.

IV. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented as 28 CFR, Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR, Part 69, the applicant certifies that:

- A. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers [including subgrants, contracts under grants and cooperative agreements and subcontract(s)] and that all subrecipients shall certify and disclose accordingly.

V. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (applies to federally funded grants only)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR, Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR, Part 67, Section 67.510, the applicant certifies that it and its principals:

- A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency.
- B. Have not, within a three-year period preceding this application, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- C. Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with, commission of any of the offenses enumerated above.
- D. Have not, within a three-year period preceding this application, had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

VI. PROOF OF AUTHORITY FROM CITY COUNCIL/GOVERNING BOARD

The above named organization accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The Applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of *OCJP*, and that any cash match will be appropriated as required. 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 of any such liability. Be it further resolved that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

The Applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

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 bind 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: Mark Tracy

Authorized Official's Title: Sheriff of Santa Cruz County

Date Executed: _____

Federal ID Number: CA0440000

Executed in the County of Santa Cruz

City/County/CBO Financial
Officer's or City Manager's Signature: _____

City/County/CBO Financial
Officer's or City Manager's Typed Name: Susan A. Mauriello

City/County/CBO Financial
Officer's or City Manager's Title: County Administrative Officer

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NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA for the reason(s) which have been checked on this document.

Application Number: N/A
Assessor Parcel Number: N/A
Project Location: County of Santa Cruz

Project Description: The Marijuana Suppression Program, funded by a grant award from the Office of Criminal Justice Planning (MS01070440), investigates and prosecutes marijuana related crimes at both the misdemeanor and felony levels. Program staff are primarily responsible for the detection and eradication of outdoor and indoor cultivations of marijuana within the County of Santa Cruz. Outdoor cultivation sites are accessed via helicopter or on foot to minimize alterations to the land.

Person or Agency Proposing Project: Sheriffs Department

Staff Contact and Phone Number: Sergeant A. T. Nobor, (831) 454-3008

- A. The proposed activity is not a project under CEQA Guidelines, Section 15304.
- B. **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgement.
- C. **Statutory Exemption** other than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structures | <input type="checkbox"/> 19. Annexation of Existing Facilities/Lots for Exempt Facilities |
| <input checked="" type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitation | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Functional Equivalent to EIR | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

E. Lead Agency Other Than County:

The Marijuana Suppression Program is exempt from CEQA because it involves only minor alterations to the land as allowed under Section 15304. This section provides for a class of exemptions that consist of: "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes."

Environmental Coordinator: Quinn Slater for Ken Hart Date: April 2, 2002

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**BYRNE-FUNDED PROJECTS
CERTIFICATION OF COMPLIANCE
METHAMPHETAMINE LABORATORY OPERATIONS**

This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratories, including the seizure and/or removal of clandestine methamphetamine laboratories [hereinafter, "methlab operations"].

The United States Environmental Protection Agency (USEPA) has determined that, "law enforcement responsibilities terminate when the law enforcement official notifies the property owner of record, the state, and the local environmental or public health agencies in writing of a possible site contamination at a clandestine lab."

Law enforcement personnel may seize as evidence and remove any bottles, cans, jugs and other containers, as well as contaminated apparatus and chemical samples from a clandestine drug site, however, law enforcement agencies are not responsible for the cleanup/remediation of any rooms, buildings or surrounding environments, including septic systems, rivers, streams or contaminated soils.

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

GRANTEE: Santa Cruz County Sheriffs Office

IMPLEMENTING AGENCY: Santa Cruz County Sheriffs Office

PROJECT TITLE: Marijuana Suppression Program

(Check one of the following four boxes)

Will **not** accept the Byrne funds for the period of July 1, 2002 to June 30, 2003.

OR

Will accept the Byrne funds for the period of July 1, 2002 to June 30, 2003, but will not use them in the **seizure or removal** of clandestine methamphetamine laboratories.

OR

Will accept the Byrne funds for the period of July 1, 2002 to June 30, 2003, and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Grantee will provide medical screening of personnel assigned or to be assigned by the grantee to the seizure of clandestine methamphetamine laboratories;

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2. Grantee will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure of clandestine methamphetamine laboratories;
3. Grantee will equip personnel, as determined by their specific duties, with OSHA required protective wear and other required safety equipment;
4. Grantee will notify the Department of Toxic Substances Control (DTSC), and send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized; and
5. Grantee will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:
 - (i) Respond to the minor's health needs that relate to methamphetamine toxicity;
 - (ii) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;
 - (iii) Arrange for medical testing for methamphetamine toxicity; and
 - (iv) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

OR

Will accept the Byrne funds for the period of July 1, 2002 to June 30, 2003, and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure and/or removal** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Grantee will provide medical screening of personnel assigned or to be assigned by the grantee to the seizure and/or removal of clandestine methamphetamine laboratories;
2. Grantee will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure and/or removal of clandestine methamphetamine laboratories;
3. Grantee will equip personnel, as determined by their specific duties, with **OSHA** required protective wear and other required safety equipment;
4. Grantee will send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized;
5. Grantee will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine

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laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:

- (v) Respond to the minor's health needs that relate to methamphetamine toxicity;
- (vi) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;
- (vii) Arrange for medical testing for methamphetamine toxicity; and
- (viii) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

- 6. Grantee will assign properly trained personnel to prepare a Hazard Assessment and Recognition Plan (HARP) for the clandestine methamphetamine laboratory site;
- 7. Grantee or DTSC will utilize qualified disposal personnel to remove the chemicals, associated glassware, equipment, and contaminated materials and wastes from the clandestine methamphetamine laboratory site;
- 8. Grantee or DTSC will dispose of the chemicals, associated glassware, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities; and
- 9. Grantee or DTSC will monitor the records involving the transport, disposal and recycling components of subparagraphs numbered 7. and 8. immediately above in order to ensure proper compliance.

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
<p>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 bind 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.</p> <p>Authorized Official's Signature: _____</p> <p>Authorized Official's Typed Name: <u>Mark Tracy</u></p> <p>Authorized Official's Title: <u>Sheriff of Santa Cruz County</u></p> <p>Date Executed: _____</p> <p>Federal ID Number: <u>CA0440000</u></p> <p>Executed in the County of: <u>Santa Cruz</u></p>
<p style="text-align: center;">AUTHORIZED BY:</p> <p><input type="checkbox"/> County Financial Officer</p> <p><input type="checkbox"/> Governing Board Chair</p> <p>Signature: _____</p> <p>Typed Name: <u>Susan A. Mauriello</u></p> <p>Title: <u>County Administrative Officer</u></p>

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PROJECT SUMMARY

1. PROJECT YEAR <input checked="" type="checkbox"/> New <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Other _____	2. PROJECT TITLE Marijuana Suppression Program	3. GRANT PERIOD July 1, 2002 _____ To June 30, 2003 _____
4. APPLICANT Name: Santa Cruz County Sheriffs Office Phone: (831) 454-23 11 Address: 701 Ocean Street, Rm 340 Fax #: (831) 454-2353 Santa Cruz, Ca. 95060		5. FUNDS REQUESTED \$250,000.00 _____
6. IMPLEMENTING AGENCY Name: Santa Cruz County Sheriffs Office Phone: (831) 454-23 11 Fax #: (831) 454-2353 Address: 701 Ocean Street, Rm 340 Santa Cruz, Ca. 95060		
7. PROGRAM DESCRIPTION Using MSP funding, the Santa Cruz County Sheriffs 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 Sheriffs 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 the lack of resources within the Sheriffs Office and the 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 major problem within the community.		
9. OBJECTIVES The assigned personnel will utilize outside resources such as the California National Guard, the Drug Enforcement Administration, and the Sheriffs 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.		

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10. ACTIVITIES ISF detectives will keep constant pressure on local cultivators and affickers through aerial observation, citizen tips, informants, and (formation) 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 manager will closely monitor the progress of the program to insure that all goals are met. The assigned sergeant will work with the grant funded detectives on a daily basis to assist them when needed. Sheriff's office personnel will keep in communication with the assigned deputy district attorney.	14. NUMBER OF CLIENTS TO BE SERVED 255,602
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5. PROJECTED BUDGET				
	Personnel Services	Operating Expenses	Equipment	TOTAL
Funds Requested	\$221,767	\$26,740	\$1,493	\$250,000
Other Grant Funds				
Other Sources (list in-kind, fees, etc.)				
<u>DEA CEP Grant</u>	\$19,687.50			

6. NAME OF RESPONSIBLE OFFICIAL Signature: _____ Date: _____ Typed Name: <u>Mark Tracy</u> Title: <u>Sheriff-Coroner</u>	
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CAMP PROGRAM
MISSION STATEMENT

Large growers and dealers 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 dealers of marijuana also have serious and sometimes violent crime associated with their illegal cultivation and sales operations.

Because of other demands placed on our law enforcement resources by an increasing population and constrained local budgets, it is essential that the County of Santa Cruz obtain State support to address the problem of large dealers and growers of marijuana.

The County's 1996/97 MSP grant application is intended to address this problem in an integrated manner which provides maximum coordination between law enforcement and prosecution.

Cultivation and sales of any amount of marijuana is a felony in California, and local jurisdictions, generally speaking, 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 or eliminate the cultivation and/or sale of substantial quantities of marijuana and thereby also reduce and/or eliminate other serious and sometimes violent crime which is known to be associated with such activities. Because such large-scale cultivation and sales operations and the violent crime associated therewith are of such a serious nature, the local Marijuana Enforcement Program will target such large operations.

Because the MSP program utilizes the assistance of other public agencies which have access to helicopters, and because such equipment can, if not operated with an appropriate level of regard for the general public, cause unnecessary disruption of normal levels of peace, quiet and privacy, the operation of any helicopter associated with the MSP program in Santa Cruz County shall comply with protocols 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 the targeted funds, the County of Santa Cruz can address the serious criminal problem of large dealers and growers of marijuana, associated with whom there is known to be violent crime.

The Board of Supervisors shall monitor eradication efforts through reports submitted to the County Administrative Office by the Sheriff. Reports shall be submitted once during the eradication season and once at the conclusion of the eradication season or as requested by members of the Board of Supervisors **or** the County Administrative Officer. This monitoring will provide the mechanism to assure the State and our community that these special State funds are utilized in a manner which will address the specific problem stated above in this Mission Statement.

It should **be** noted that 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 State funds and the operation of the Marijuana Enforcement Program which is funded with such State money.

This Mission Statement shall become part of the application for this grant.