Growing Violence in Washington County – Ties to Oregon Medical Marijuana Program

Summary of Incident:
Detectives from the Westside Interagency Narcotics (WIN) Team are concerned about an increasing number of illegal marijuana grows associated with the Oregon Medical Marijuana Program (OMMP). They have seen a rise in the number of reported crimes associated with OMMP grow sites. Some of these crimes include armed take-over robberies and serious assaults.

While these crimes occur in Washington County and throughout Oregon, the public is unlikely to know about this trend because Oregon law (ORS 475.331) provides that if law enforcement obtains information about OMMP participants from the official OMMP list, they cannot release or use that information except to verify the person has a valid card. This reduces the public’s ability to understand the challenges faced by narcotics investigators and shields the public from seeing the negative public safety impacts of OMMP laws.

Details of Incident:
The Oregon Medical Marijuana Act (OMMA) became law almost ten years ago in November 1998. The OMPP was created to administer the OMMA. The intent of the law was to allow the use of "small amounts of marijuana" for patients suffering from "debilitating medical conditions" without the fear of civil or criminal penalties when their doctors advise that such use may provide a medical benefit.

According to the OMMP web site as of July 2008, there are 19,646 OMMP patients and 9,672 caregivers. Caregivers are people licensed to grow marijuana, but do not have a medical condition themselves. Another 1,229 OMMP applications are pending.

Under the program, each patient is allowed to possess 1-1/2 pounds of dried marijuana and up to six mature marijuana plants. A typical plant produces one pound of...
marijuana, so the program allows up to *7-1/2 pounds of marijuana per patient*. To put this in perspective, a typical marijuana cigarette, or a "joint", contains a gram of marijuana, permitting patients to possess the equivalent of about 3,375 joints at any one time.

"Growers", a classification that was added in the last update of the law, are permitted to grow marijuana for up to four patients at a time. The same limits apply to the grower that applies to the patients. This allows a grower to possess up to six pounds of dried marijuana and up to 24 mature plants at one time.

Caregivers can have an *unlimited* number of patients. With 6 mature plants and 18 immature plants for each patient, a caregiver can legally possess hundreds of plants at one time. This provides a legal loophole for large quantity growers to exploit the program by claiming they are growing for legitimate OMMP patients. It also makes grow sites a more lucrative target for theft and violence.

**Recent Washington County Incidents**

In the past week, detectives from the WIN Team served a search warrant in Aloha as a result of an ongoing investigation involving marijuana sales.

Upon searching the residence, detectives seized over 2-1/2 pounds of marijuana along with equipment used to grow marijuana. Deputies arrested an adult male for possession, manufacture and delivery of a controlled substance within 1,000 feet of a school. The suspect responsible for the illegal marijuana growing at the residence was an OMMP participant. Although the OMMP does not allow participants to sell marijuana, while detectives were searching the house, the suspect’s customers continued calling him and arriving at the location with the intent of buying marijuana. Deputies arrested customers who arrived to buy marijuana. Deputies arrested five people for various charges and seized a shotgun from the residence.

As detectives were leaving the house involved in the first incident, they were called to assist with an unrelated second incident. WIN Team detectives and Sheriff’s Deputies responded to another residence in Aloha. Detectives received information that a large marijuana grow was located at the residence. After obtaining a search warrant, investigators and deputies found the suspect to be in possession of 39 more marijuana plants than is allowed by the OMMP. Some of these plants were up to six feet tall. In addition to the live marijuana plants, the suspect was in possession of more than six pounds of dried marijuana – well over the OMMP limits.

**Increasing Violence**

With the street value of marijuana at about $7,000 per pound or $250 per ounce, and OMMP growers allowed to grow quantities to serve an unlimited number of OMMP patients, the grow sites have become very lucrative targets for armed take-over robberies and burglaries. In another recent Washington County incident, armed suspects threatened and seriously assaulted several victims and stole the medical marijuana that was growing in the house. In a
separate incident a little over a year ago, a man was shot in the hand during a home invasion robbery at an OMMP site.

Detectives have arrested numerous OMMP participants for possessing large amounts of marijuana beyond their permitted limits of dried marijuana and live plants. Many of these suspects have been convicted of selling marijuana, also not allowed. Criminal charges for Child Neglect and weapons offenses are also common in these cases. Attached is a map showing the locations of houses where the Sheriff’s Office has served warrants or made drug arrests in the past year where the suspect was an OMMP patient, caregiver, or grower.

The Washington County Sheriff’s Office requests your assistance. If you suspect any illegal marijuana grow sites or other drug activity, please contact a local law enforcement agency, the Washington County Sheriff’s Office, or the Westside Interagency Narcotics Team (WIN) at (503) 846-5650. For more information about the Oregon Medical Marijuana Program, please contact the Oregon Department of Human Services Public Health Division.