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PROGRAM BRIEF

Marijuana Eradication Program

PREPARED IN CONJUNCTION WITH
REGULATIONS IMPLEMENTING THE
STATE AND LOCAL LAW
ENFORCEMENT ASSISTANCE ACT
OF 1986

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PROGRAM BRIEF

**Information guide for Police Administrators and Planners
MARIJUANA ERADICATION PROGRAM**

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ACQUISITIONS

I. Introduction

During the 1960's and 1970's, the use of marijuana, hallucinogens, cocaine, and other drugs spread at an unprecedented rate, particularly among our youth. In the 1980's, by contrast, there has been a leveling in the use of most drugs, and youthful drug involvement has begun to decline. This reversal of the trend toward increasing drug abuse provides proof that it is possible to stop drug abuse.

However, encouraging these trends may be, the extent of the existing drug problem is of national concern. A majority of our young people have experimented with illicit drugs by the time they finish high school. A substantial number of young Americans become seriously involved, with the results ranging from poor grades and family disruption to mental problems and deaths.

One thing is obvious. We cannot deny the existence of massive drug problems. Today, more than 20 million Americans use marijuana at least once a month. One out of 18 high school seniors uses marijuana daily. Over four million people, half of whom are between the ages of 18 and 25, are cocaine users. Approximately one-half million Americans are heroin addicts. Countless others are affected by the significant abuse problems which involve medical drugs manufactured in illicit laboratories or diverted from legal pharmaceutical sources.

Although the number of current users appears to have peaked, the millions of Americans who continue to use illicit drugs are suffering more severe consequences of drug use because of higher potency in most types of drugs, more dangerous methods of use, and choosing to use more than one drug simultaneously. It is not unexpected that these more dangerous drug-taking habits result in dramatic increases in medical emergencies and deaths.

An integral part of the National Strategy for Prevention of Drug Abuse and Drug Trafficking is the eradication of illicit drugs whenever cultivated or processed. Domestic cultivation of cannabis was estimated to supply 2,100 metric tons or 19 percent of the marijuana available in the United States. Some marijuana production occurs in every state and this illegal activity breeds contempt for the law, threatens public safety, and creates the potential for violence and public corruptions. Even the sensationalism surrounding illicit cannabis cultivation has been detrimental to the drug abuse prevention program, with greatly exaggerated estimates of commercial value of illicit cannabis cultivation being argued by pro-drug elements as justification for legalization.

Even though current domestic production is a relatively small part of the overall supply, a strong eradication program is necessary so that the success in reducing supplies from foreign areas will not be offset by increased production from domestic sources. Further the United States has undertaken a vigorous foreign policy to encourage other nations to meet their drug control responsibilities under the Single Convention on Narcotics Drugs of 1961. The United States has an obligation, as a signatory to the treaty, to set the examples for its own citizens and for the international community.

Domestic cultivation of cannabis requires the attention of all levels of government; however, the nature of domestic production places it primarily with the jurisdiction and capabilities of state and local authorities. To assist these efforts, the Federal government provides advice, coordination, and technical support. Federal agencies eradicate cannabis cultivation on Federal lands. The Federal government also directly prosecutes cases of commercial cultivation where major drug traffickers are involved or where state penalties are inadequate in a particular situation. Using sophisticated detection technology, Federal agencies develop intelligence on location of cultivation sites and on production and distribution systems. This information is furnished to state and local law enforcement officials.

The Drug Enforcement Administration (DEA) coordinates the National Domestic Marijuana Eradication and Suppression Program which promotes information sharing and provides training, equipment, investigative, and aircraft support to state and local enforcement officers. The U.S. Forest Service and the Bureau of Land Management are involved in a major effort to eradicate cannabis being cultivated on Federal lands. Prior to 1981, the DEA's coordinated efforts were focused in Hawaii and California. Since that time, the number of states participating in the program expanded progressively until 1985, when all 50 states participated. It is the state and local law enforcement role, in this marijuana eradication program, to manage the suppression of illegal cultivation while DEA's role in this cooperative venture is to encourage state and local eradication efforts, to lend intelligence and technical advice and contribute resources to participating agencies. This approach offers a flexible strategy in which Federal involvement is tailored to meet local needs and wishes.

In order to avoid a fragmented, duplicative, unplanned, or unsafe response to marijuana eradication, this Program formalizes coordinated operations by law enforcement agencies. It is anticipated that this increased coordination and program participation, in each State, will result in shared crime-fighting resources and capabilities to enhance eradication results.

II. Goals and Objectives

Program Goals

The goal of the Marijuana Eradication Program is to enhance, through coordinated planning and operations, the ability of Federal, state, and local law enforcement agencies to suppress cultivation in potential growing areas, and to minimize product availability through crop destruction.

Objectives

The following objectives are considered essential:

- A. To increase detection and eradication of cannabis cultivation;
- B. To increase arrest and prosecution of cultivators and distributors, including an increase in asset seizure and forfeiture;
- C. To provide training for state and local law enforcement officials in various cannabis detection and eradication techniques;

- D. To provide for maximum safety for state and local law enforcement officials during operations;
- E. To reduce fractional and duplicative eradication efforts through coordination planning and operations among Federal, state and local enforcement agencies; and
- F. To identify any new or unusual cultivation trends or techniques.

III. Critical Elements

There are four critical elements in a statewide marijuana eradication program.

- A. Planning: Prior to the design of specific operations, data should be collected and analyzed that will present the most detailed description of geographical areas in the State where marijuana cultivation may take place. State departments of agriculture, forestry, or national resources may contribute information. The analysis of this information together with law enforcement intelligence information provided by State, local, and Federal agencies will be used to select criminal populations against which operations will be directed, the types of operations needed to attack various terrains, and methods of eradication. Analysis will also assist in allocating personnel and equipment. Planning also includes the consideration of needed agreements or commitments from other governmental agencies or private industry, the development of policies and procedures for the operation incorporating such elements as lines of authority, handling of juveniles or innocent people located on or near the area where marijuana is cultivated, apprehension of suspects, and the training of personnel assigned to the operation.
- B. Administration: Administrative support of the program and its operations is a must. Since the program is based on cooperative agreements with other law enforcement agencies, operations are outside normal administrative channels. Special allowances must be made. These include management of special equipment and its maintenance/repair the management and use of herbicides, and transportation of harvested evidence by truck or helicopter slings to burning or storage sites. It also includes the management of investigative reports, audio/visual tapes, purchase orders, and other documents; recording overtime of operations staff and other personnel actions. Administrative support should plan for and be capable of delivering the needed services throughout each operation.
- C. Security: All marijuana eradication activities are dangerous and vulnerable. This is especially true when contact is made between law enforcement personnel and criminals in remote locations far from back-up support. Devices such as pipe bombs, hand grenades, and other anti-personnel explosives have been encountered in cannabis fields, as well as paths leading to the fields. Armed growers are

not uncommon. Steal cables have been strung across canyons to disable aircraft. DEA reports that during the 1986 season, enforcement authorities had six fatalities, five serious injuries and three aircraft crashes. Precautions must also be considered for innocent citizens entering the physical area of the operation.

- D. Coordination/Cooperation: Each project will be composed of participating agencies. The senior agency administrators of the participating agencies will sign a formal intergovernmental agreement affirming their intent to fully participate in the coordination and operation of the project. At a minimum, the participating agencies must include a state/local agency and the DEA. One of the state/local participating agencies will serve as the applicant agency, which accepts responsibility for project administrative and financial matters. The proposed eradication plan should specify the expected staffing required and the logistical commitment of each participating organization.

The success of the marijuana eradication operation depends on its ability to provide sufficient evidence for prosecution and conviction of the criminal involved. Therefore, direct and close interaction with prosecutorial authorities throughout each operation is critical. This coordination should be used to produce solid case management, review of the legality of enforcement techniques, and thoroughness. Close coordination with the prosecutor should also produce successful seizure of assets and forfeiture following the arrest of suspects.

Coordination with other Federal, state and local law enforcement authorities will be beneficial and warranted to gain additional criminal information and prevent potential interference by enforcement agencies in the area of the operation.

IV. Implementation

The keystone of the program is the enforcement operation which includes the collection and analysis of intelligence information, penetration, evidence collection and control, eradication of the marijuana, and arrests for prosecution. Operations flow from the combined efforts of planning, administration, security, and coordination/cooperation.

The application to the State for State and Local Narcotics Control Assistance Block Grant funds to support this program must include the formal intergovernmental agreement signed by the senior administrator of each participating agency, as well as the proposed eradication plan. This requirement permits:

1. The formation of a control group that is composed of a representative from each agency participating in the project. Each member of the control group will have equal voting status and will be responsible for the overall enforcement operation of the program, which includes definition of investigation priorities, the support activities, and the information and analytical needs. Each project

must provide a formal mechanism for joint review of program progress to insure that the allocation of resources and the eradication priorities are proper and in the best interest of overall program success; and

2. The authority and responsibility of the State and local agency applicant for fiscal responsibility and adherence to Federal and State sub-grant requirements. At a minimum the sub-grant project director is responsible for financial reports and will develop a mechanism for capturing and report appropriate program statistics.

V. Program Experience

The concept of the Marijuana Eradication Program evolved from both the widespread expansion of illicit cannabis cultivation and related crime throughout the United States and the realization that law enforcement's success in combatting this problem can best be achieved through a coordinated effort involving law enforcement authorities at all levels of government.

Previous efforts that addressed marijuana eradication included the DEA Domestic Cannabis Eradication and Suppression Program, Operation Green Harvest in Hawaii, and CAMP in California. During August 5-9, 1985, DEA coordinated Operation Delta - 9 the largest initiative against marijuana cultivation in the history of the United States, which involved more than 2,200 Federal, state, and local law enforcement personnel throughout the 50 states.

Results of these similar efforts have established the benefits of joint multi-agency eradication programs. The Marijuana Eradication Program is based on these favorable results and builds on their experiences toward the goal of implementing an effective program through the sharing of law enforcement resources and expertise.

VI. Sources for Further Information and Assistance

- A. "Drug and Crime," #TB01614, a topical bibliography available from the National Institute of Justice/NCJRS, Box 6000 Rockville, Maryland 20850, 1987, Describes 130 documents in the NCJRS data base on a variety of topics on the drug-crime relationships, including drug policy, drug trafficking, sentencing of drug offenders, drug use and pretrial crime, and forfeiture sanctions in drug cases.

"Federal Drug Enforcement Progress Report 1984-1985," U.S. Department of Justice, Drug Enforcement Administration, 1405 Eye Street, N.W. Washington, D.C. 20537.

"National Drug Enforcement Policy Board: National and International Drug Enforcement Strategy," Drug Abuse Policy Office, Office of Policy Development, The White House, January 1987.

B. Federal Program Contacts

Marijuana Eradication Program
Law Enforcement Branch
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Cannabis Investigation Section
Drug Enforcement Administration
U.S. Department of Justice
1405 Eye Street, N.W.
Washington, D.C. 20537

The Overall Domestic Cannabis Eradication and Suppression Program is managed by the Cannabis Investigations Section at DEA Headquarters. In each participating State, a special agent from the appropriate DEA field office serves as a field program coordinator. His function is to develop, in conjunction with his State and local counterparts, an operational plan for the State eradication program and serves as a coordinator and conduit for DEA support to the State program. The DEA field program coordinator compiles program statistics, and develops intelligence within each area. DEA's Office of Training at Quantico, Virginia, also supplements efforts of DEA field division by training officers in presenting the various eradication schools and seminars for Federal, state, and local officers.

VII. Performance Indicators

During implementation of the program described in this Program Brief, participating agencies will be required to track and maintain certain program information in order to provide some indication of program performance. While basic in nature, this information will not only provide an indication of program progress and performance, but will also serve as a benchmark for continued program implementation and allow for comparison with similar program efforts in other jurisdictions. Attachment A provides a suggested reporting form listing several performance indicators which should be helpful in tracking program performance. Those listed are required at a minimum; other performance indicators are currently under development. The state office, to which the application for Block Grant funds is submitted, will have additional information.

Performance Indicators

Program Category: Marijuana Eradication Program

Project Number and Title:

Implementing Agency (Subgrantee):

Address:

Report Date: _____/_____/_____

Period Covered: _____/_____/_____

Performance Indicators: In order to gather basic information regarding project implementation, please provide responses to the following performance indicators:

- 1) Number of agencies participating in program:
- 2) Number of enforcement staff assigned to operations during this reporting period:
- 3) Total amount of Federal/non-Federal expenditures:
- 4) Products of critical elements activities would be performance indicators in themselves, such as reports from a system of data collection and analysis. Attach copies of such a report if produced and if the distributions of the report does not injure security of an operation.
- 5) Number of fields sighted: _____
- 6) Number of plants destroyed: _____
- 7) Number of arrests: _____
- 8) Number of convictions: _____
- 9) Amount of assets seized: _____

- 10) Amount of assets forfeited: _____
- 11) Lengths of sentences: _____
- 12) Amount of fines and restitution ordered: _____
- 13) Number of instances of interagency information exchange: _____
- 14) Additional comments/information: