



Local Public Safety Coordinating Council

Josephine County, Oregon

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February 20, 2017

Dear Chair Barnhart, Vice Chairs Bentz and Smith Warner, and Members of the House Committee on Revenue,

Josephine County public safety leaders appreciate your efforts to represent the interests of rural counties during the 2017 Legislative Session. With the recreational marijuana industry still taking shape, we urge you to consider the impacts on counties like Josephine, which is inundated with marijuana grows but has not received adequate funding to regulate this new industry.

Driving through rural Josephine County during harvest season means being hit by fragrant pockets of marijuana scent every mile, if not every block. As of mid-January, 141 marijuana producer license applications had been submitted to the Oregon Liquor Control Commission from Josephine County – **the third-highest number in the state** despite Josephine County being only the 12th most populous county. That number is in addition to the numerous existing medical marijuana grows here, as well as the many illegal grows. Jackson and Josephine counties together account for one-third of all recreational producer license applications statewide.

We are simply not equipped to mitigate the adverse effects of this new industry, which include neighbor complaints about fences, light, noise and traffic; public health issues such as improper septic setups; water disputes; and changes to the character of our neighborhoods as out-of-towners seeking to make money set up shop in our small, rural communities. The county Community Development Department, which has one code enforcement officer, has been inundated with marijuana-related complaints and has 224 open cases from 2016 alone. There are another 328 complaints it has not even opened files on.

The Oregon Liquor Control Commission only inspects grow sites that have obtained OLCC licenses, and there are very few of those at this point. The burden has been placed squarely on the county to keep this industry in check. **This is an unfunded mandate.**

The courts have seen an uptick in civil cases related to marijuana, including landlord/tenant disputes, breach-of-contract cases and business partnerships gone sour. And in addition to code violations and civil cases, there is crime. At least three recent shootings have been tied to marijuana, all three involving out-of-state perpetrators:

- **October 2015** – Roger Huntington, 43, was fatally shot in his SUV at Lake Selmac in Selma during a marijuana deal gone wrong.
- **April 2016** – A resident of Holland Loop Road in the Cave Junction area was shot and wounded during a home invasion robbery related to marijuana.
- **November 2016** – Jason George, 25, was fatally shot at a grow site in O'Brien.

Josephine County's public safety funding crisis is well known: sheriff's patrols are on duty just 10 hours a day; the jail can only afford to hold the most serious criminals; and our juvenile detention center and shelter are closed. If there is no last-minute action by Congress to extend the Secure Rural Schools Act, our jail could close, too. Oregon State Police respond to life-threatening calls after hours, juggling this added responsibility with their core duty of keeping state highways safe.

In this budget climate, the Josephine County Sheriff's Office is unable to devote resources to combating the thriving marijuana black market. Legalization has created even more opportunities for this black market to prosper, since there is so little regulation. At the same time, our local Rogue Area Drug Enforcement team is scaling back its anti-marijuana efforts, focusing instead on drugs like methamphetamine and heroin.

Oregon collected \$60 million in taxes on the sale of recreational marijuana in 2016. It is estimated that Josephine County could receive as little as \$150,000 of that revenue in the first payout, although the actual amount has not been determined. This funding allocation not nearly enough to mitigate the effects of marijuana legalization in Josephine County.

The current formula for distributing recreational marijuana tax revenue disregards the fiscal and societal burden that legalization has placed on counties like Josephine.

We urge you to take action to ensure that our county receives sufficient funding to navigate this new world of legal recreational marijuana. **HB 2203 and HB 2204 are significant steps in the right direction.**

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Daniel", with a large, sweeping flourish at the end.

Sheriff Dave Daniel
LPSCC chair

Lindi Baker, Josephine County Circuit Court Presiding Judge
Gary Berlant, Public Defender
Lt. Jeff Fitzgerald, Oregon State Police
Darin Fowler, Grants Pass Mayor
Nate Gairan, Community Corrections Director
Jim Goodwin, Director of Juvenile Justice
Diane Hoover, Director of Public Health
Ken Jerin, Oregon Youth Authority
Bill Landis, Director of the Grants Pass Department of Public Safety
Karla McCafferty, Mental Health Representative
Lily Morgan, Josephine County Commissioner
Ryan Mulkins, District Attorney